Professional ethics in the information age

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Professional Ethics
in the Information Age

by

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ABSTRACT

Ethics is the practice of making a principled choice between right and wrong. In an information context, it is a type of applied ethics concerned with clarifying the obligations and dilemmas of librarians and other individuals involved in information dissemination.

The premise of this dissertation is that the library and information profession is increasingly faced with rapid economic, social and technological changes which throw up numerous professional dilemmas, obliging the profession to re-examine and re-evaluate ethical principles as they apply to this field. However, it is demonstrated that the profession is not sufficiently well-prepared to meet its ethical obligations or to resolve dilemmas when they occur.

In the light of the above this study, having first defined ethics and outlined two major theories of ethics, seeks to examine ways in which awareness of ethical issues might be raised. First, an extensive literature review is undertaken, and a steady growth of literature in this field is noted, though much of it is written from a North American perspective. Secondly, the major ethical issues faced in library and information work are identified as having to do with: privacy, property, access, accuracy and conflicts of loyalty. The results of a series of interviews with a range of information professional are presented, with discussion and comment.

Thirdly, the role of codes of ethics is examined, with particular reference to the Library Association *Code of Professional Conduct* and the draft code of ethics prepared by the Institute of Information Scientists. It is shown that, whatever their inadeqacies, codes can play an important role in helping professionals to meet ethical challenges.

Fourthly, the study investigates the role of training and the use of case studies. It is suggested that our habitual approach to ethical problem-solving is inadequate, and that information professionals need to receive a solid foundation in ethics at library schools and in subsequent professional development. Case studies are proposed as an excellent means to prepare library and information workers to meet and successfully resolve ethical dilemmas. Case study methodology is briefly explained.

The writer concludes that the ethical issues faced by library and information workers are complex, and that the advent of the Information Age, while not fundamentally altering the essential nature of the dilemmas, has complicated them by virtue of the technological, social and economic changes upon which it is predicated. The profession's ability to meet ethical challenges has not kept pace with the accelerated change. Indeed, its response could be described as *ad hoc*. It is suggested that a more active and aware profession is called for; one which will make effective use of flexible codes, professional courses offering sufficient teaching of ethics, and the intelligent use of case studies to begin to meet its ethical obligations.

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CHAPTER ONE
ETHICS - WHO CARES?

1.1   Background

Who cares about ethics? The recurrence of recent news items referring to ethical issues suggests that many people do indeed care:

- *March 1996*: a report is published showing that investments in ethical unit and investment trusts has increased by more than 25 percent in the last two years alone. (1)

- *April 1996*: The Institute of Business Ethics reports that almost half of Britain's largest businesses have adopted or are preparing to adopt a code of ethics, compared with less than a fifth twenty years ago. (2)

- *November 1996*: Lord Nolan criticises the House of Commons for not having, until recently, a code of conduct for its members, and for having inadequate procedures for investigating and adjudicating on complaints. (3)

- *November 1996*: British Telecom announces plans to become the first mainstream UK business to undergo a social audit, which will provide an independent assessment of how it treats staff, customers and other stakeholders - reflecting a growing pressure on business to act ethically. (4)

- *March 1997*: The Labour Party launches a charter for international development aimed at forcing businesses to incorporate ethical issues into trade with poor countries. (5)

- *July 1997*: Tony Blair publishes a new, updated code of conduct for ministers to demonstrate the Labour Party's commitment to improving ethical standards in everyday life. (6)

To this list could also be added concerns for the ethics of cloning and other forms of genetic engineering, and for *in vitro* fertilisation, not to mention the standards of

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behaviour of politicians and other figures in public life. Ethics, it seems, has become newsworthy.

1.2 Introduction

There appears to be a genuine recognition within the professions, partly brought about by increasing public concern over the perceived decline in moral and ethical standards, that the domain of ethics is as important as the legal, business and political domains. This is perhaps most obvious in the medical profession which is hiring professional ethicists to help steer it through the pitfalls and perils of 'hi-tech' medicine and to devise ethics courses within medical schools' curricula. Yet there is a noticeable growth of interest in ethics within all the professions including legal, business, engineering, computing, science and - perhaps surprisingly to some - the library and information profession. Consequently, each has begun to consider the ethical context within which its members operate.

One only has to look at the growing literature to see the renaissance of interest in the ethics of library and information work, where issues such as conflicts of interest, censorship, confidentiality, competence and so forth are dealt with in some detail and not infrequently with a genuine passion. Similarly, there seems to be a renewed interest in revitalising codes of ethics and codes of professional conduct, a promising sign that the profession is taking itself and its responsibilities seriously. We live in a less deferential age, and 'accountability' is a word increasingly to be heard in the library and information sector. Like many businesses and organisations, the library and information profession is recognising that sound ethical practice is also good business practice. The idea that institutions such as libraries are value-neutral is no longer tenable. Indeed, 'they act, make choices, affect human beings, and receive, allocate, and disseminate resources in ways analogous to individuals' (7).

High standards of personal integrity, responsibility, reliability, honesty and competency are expected of those who call themselves professionals, but the profession seems to be in some doubt as to how best to inculcate those values. Some would argue that it is

best left to personal morality, some that codes of ethics help to ensure ethical conduct in the workplace, others that education in ethics should begin early before ethical dilemmas are actually met in the workplace. It is these, and other questions, which this dissertation seeks to examine.

1.3 Methodology

The premise of this dissertation is that the library and information profession, alongside many others, is increasingly faced with rapid economic, social and technological changes which throw up numerous professional dilemmas. This has obliged the profession to re-examine and re-evaluate ethical principles as they apply to this field. The aims of this dissertation are therefore:

- *to define ethics and to outline ethical theories*
- *to investigate key ethical issues facing library and information workers*
- *to examine some of the implications of economic, social and technological change for those issues*
- *to identify and evaluate codes of ethics*
- *to investigate ways of raising awareness of ethical issues*
- *to examine the role of education and case studies in helping to resolve ethical dilemmas*

The methodology consisted of three main elements: an *extensive review of the existing literature*, a series of *interviews with library and information professionals*, and the *examination of relevant codes of conduct*.

1.3.1 Literature Review

The *literature review* involved extensive reading of relevant material relating to the topic, including monographs, special issue journals and single journal articles. This is described in Chapter 3. Use was also made of appropriate Internet websites.

1.3.2 Interviews

The *interviews* were conducted over a period of two months. Seven key members of the library and information profession were interviewed for approximately an hour each. The interviews, although conducted in a fairly informal way, were loosely structured around a series of 'core' questions which were asked of every interviewee, followed by some supplementary questions relating to each interviewee's own particular field of work. Three of the interviewees requested to see some of the questions beforehand in order to be able to consider their responses prior to the interview. These were supplied in each case, but it was pointed out that they were by no means prescriptive and that the interview would be allowed to develop 'organically'. The remaining interviewees were content to talk without having first seen the questions, though in each case they had received a brief description of the main areas of interest. The discussions were recorded with the permission of the subjects, and these were later transcribed and checked against brief notes made during the interviews.

The interviewees were chosen for their seniority and for the fact that they could therefore speak with some degree of authority on these issues. They were also deliberately selected to represent a reasonable cross-section of the profession. It was preferred to gain a broad picture of how ethics impacts on the profession rather than to concentrate on any one sector. It was felt that the former approach would be more representative of the profession as a whole. Also, given the time constraints attached to this study, it was preferred to conduct fewer, but in-depth interviews, rather than a larger number of more superficial ones. Consequently the following were chosen:

- *a representative of the Library Association*
- *a representative of the Institute of Information Scientists*
- *an academic librarian*
- *a public librarian*
- *an information consultant*
- *an information scientist working for a pharmaceutical company*

- *a professional concerned with disciplinary procedures*

While it is acknowledged that a sample of seven cannot claim to be properly representative, patterns did emerge which seem to suggest common strands of thought and experience, and in that sense one can, with caution, extrapolate.

The quality of the material obtained from this series of interviews justifies, in the writer's opinion, this approach. Each of the interviewees spoke with great openness and clarity, articulating clearly their views on the questions raised. Information of a surprising and often thought-provoking nature came to light, far more so than would have been derived from questionnaires. It is especially interesting to note both the commonalities and the differences between the various sectors of the profession. Most of this material is incorporated into Chapter 4, but also elsewhere where it was thought more appropriate.

1.3.3 Codes of Ethics

A variety of *codes of ethics* was looked at with particular emphasis being given to the Library Association *Code of Professional Conduct*, but also with reference to the Institute of Information Scientists' draft code of ethics and the Institute of Management Consultants' *Code of Professional Conduct*.

1.4 Other Factors Influencing the Methodology

Two other factors were influential in determining the methodology adopted by the writer. The first was an awareness of the relative paucity of systematic UK research in this area when compared with North America (although this seems to be changing slowly). Consequently there are few references in this study to American codes of ethics, or to examples of ethical dilemmas in American libraries despite the numerous examples of these thrown up by the literature. An attempt is made to redress the balance by focusing quite consciously on the library and information environment in this country.

Secondly, as Severson (8) points out, one of the criticisms which could justifiably be levelled against a number of publications in the field of library and information ethics is that they too often assume that the reader knows what ethical reflection is. In many cases they convey a good sense of what the ethical dilemmas are, without imparting an understanding of how they might be resolved. As he rightly says, 'What is ethical reflection, and what cultural value does it entail? That is where we need to begin' (9).

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CHAPTER TWO

WHAT IS ETHICS?

2.1   What Is Ethics?

The word *ethics* is derived from the Greek *ethikos,* and it can be defined as 'the practice of making a principled choice between right and wrong' (1). Because it deals with questions of moral conduct, ethics belongs to a branch of philosophical enquiry known as moral philosophy. All human enterprise poses moral questions. McGarry (2) lists some of these as:

- *When is an action morally right?*
- *Are there certain situations in which a particular action might be right?*
- *Should we perform a certain act though we know that the consequences might be wrong?*
- *Should we perform a certain right action if we have good reason to believe that the results will be harmful?*
- *Should we perform an apparently wrong action if we believe it may have desirable consequences?*

In an information context, ethics can be defined as being concerned with, 'the application of moral standards to the conduct of librarians and other individuals involved in information dissemination. It is a type of applied ethics concerned with clarifying the obligations and dilemmas of librarians and other information professionals who make decisions regarding the acquisition, processing, and dissemination of information to individuals, groups and society at large' (3).

2.2   The Importance of Ethics

This question in relation to library and information work will be fully and explicitly explored in subsequent chapters. Suffice it to say for now that when faced with an ethical dilemma, the easy part is to understand the problem. The much more difficult task is to deal with the problem and resolve it satisfactorily by making decisions based on defensible ethical principles. A series of interviews with library and information professionals, close reading of the professional literature and his own experience of library and information work leave the author of this study in no doubt that ethical dilemmas are being faced, and having to be dealt with, on a daily basis throughout the profession. This alone makes it imperative that we, as a profession with considerable influence, care about ethics.

2.3   Two Key Ethical Theories

It is beyond the scope of this dissertation to attempt anything approaching a comprehensive account of ethical theories. Rather, this section will outline the two fundamental approaches to ethical reasoning, namely consequentialist and deontological. In the course of reading this dissertation it will become clear why at least a basic understanding of these two major theories of ethics is important and can help those of us confronting ethical dilemmas in the course of our professional careers to resolve them satisfactorily. One important reason for choosing these two theories in preference to others (such as *ethical relativism*, for example⊙) is that, as Kohlberg (4) points out, they are dominant and commonly held across cultures, and both are characteristic of a mature morality.

2.3.1   Consequentialism

All ethical theories provide us with a basis for determining what course of action to take when an ethical dilemma is involved. When we focus on the results or

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⊙ See Appendix A for an outline of the theories of *ethical relativism* and *egoism*.

consequences of an action, we are using the principles of *consequentialism*. This theory is sometimes called *teleology*, from the Greek *teleos*, meaning goal. Consequentialist theories hold that since right and wrong are based on the consequences of an action, we ought to choose the action with the best possible consequences. If what follows from an action is of benefit then it can be considered a 'good' action and so we are 'right' to do it. Conversely, if the outcome is harmful then the action is 'bad' and we are 'wrong' to do it.

The best known consequentialist theory of ethics is *utilitarianism*. The reference to 'utility' denotes the capacity of actions to have good results, underlining the fact that for a consequentialist it is the consequences of an action which determine its moral character rather than anything in the nature of the action itself. 'Actions are not good or bad in themselves, but only in what they are good or bad *for*. This is their utility or, when the result is bad, their disutility' (5). Consequently, the crowning principle of utilitarianism holds that everyone ought to act in a way that produces the greatest overall good for the greatest number of people affected by any decision. In other words, 'Actions are right to the extent they maximise happiness or at least minimise unhappiness, wrong to the extent they maximise unhappiness or minimise happiness' (6).

This classic formulation of utilitarianism is owed to the British philosopher and social reformer, Jeremy Bentham (1748-1832). Bentham, having asked what is so fundamentally important to human beings that it can be used to form the basis for a theory of good, concluded that happiness is the ultimate *intrinsic good* because it is the only thing truly desirable for its own sake, as an end in itself. All other goods, which he called *instrumental goods*, are desirable only inasmuch as they are means to happiness. Wealth, good health and respect might be cited as examples of instrumental goods. Therefore, when faced with a choice between two actions, one which will result in happiness and the other in unhappiness, we should choose the one producing happiness. If the choice is between two actions which both produce happiness, we should choose the one resulting in the greatest happiness and so on.

Thus the utilitarian approach to ethics provides a procedure for decision-making. When faced with an ethical dilemma, one should consider the happiness-unhappiness consequences that will result from the various choices available. It is worth reminding ourselves at this point that utilitarianism asks us to 'consider the greatest good for the greatest number' and it should not therefore be confused with *egoism* which is more concerned with the maximising of one's own happiness. Indeed, for a utilitarian, it would be right for a person to do something that would diminish his/her own happiness if as a result of that choice there was a marked increase in overall happiness. The good which we must seek is the common good.

2.3.2   Objections to Consequentialism

An obvious objection to consequentialism in general and to utilitarianism in particular is the difficulty with which one can quantify happiness. It is not possible to know all the consequences of an action, especially in the long-term. As Diana Woodward points out, 'The great difficulty with consequentialist ethics is that it requires a large database of facts and huge amounts of processing time. How can one determine what is best for oneself let alone what is best for everyone?' (7). Imagine, for example, trying to make a decision on introducing charging for a previously free service using the happiness-unhappiness formula of consequentialist ethics!

Utilitarians would respond that although we can't have a precise, scientific measure of happiness we nevertheless make consequentialist assessments of the rightness and wrongness of actions all the time, and that we do take into account the impact on human happiness of such actions. And while we don't always know for certain the effect our actions have on happiness, 'we can make reasonable estimates most of the time, and get them reasonably correct enough of the time to have a practicable guide to conduct in the idea of utility as happiness' (8).

A more serious objection is that, by making the common good the sole arbiter of right and wrong, utilitarianism 'seems to justify practices which our moral intuitions tell us are wrong' (9). It seems, that is, to justify imposing burdens on a minority for the sake

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of the majority. Chryssides and Kaler (10) cite the example of a situation in which the happiness of society as a whole is maximised by the creation of an underclass. Eighty percent of the population might benefit from the existence of this underclass by, for example, exploiting the cheap, disposable labour and taking advantage of a larger share of educational and welfare resources. Along with those authors, this writer invites readers to think of societies (and indeed organisations) which might come close to this scenario.

We instinctively feel that there is something unjust, something morally wrong with sacrificing the rights and interests of a minority simply to improve the lot of the majority. As a result, several modifications to traditional Benthamite utilitarianism arose. Some moral philosophers however, while they accept that consequentialism goes a long way in providing a framework for making ethical rules and decisions, argue that even these modifications cannot go far enough. These objectors may turn instead to the second of our major approaches to ethical decision-making, deontology.

2.3.3 Deontology

Deontology comes from the Greek word *deon*, meaning duty. This theory is also sometimes called *non-consequentialism*. Its definitive formulation is provided by the German philosopher Immanuel Kant (1724-1804). Whereas for consequentialists an action is right or wrong depending on its consequences *regardless of the nature of the action itself*, for deontologists it is the very nature of the action which matters. If an action is done from a sense of duty, then the action is right. For Kant in particular, principle and a sense of duty alone can provide a moral motivation for acting.

How can we know when an act is done from a sense of duty? Kant tells us that we know when we act in accordance with what he calls the *categorical imperative*. One of the formulations with which Kant expresses this categorical imperative exhorts us to, 'Act in such a way that you always treat humanity ... never simply as a means, but always at the same time as an end' (11). This puts the idea that individuals are of value and worthy of our respect at the heart of deontological theory. Clearly, a

deontological approach to ethics would find the example cited earlier of the majority of a population benefiting by exploiting a minority intolerable, for that would mean treating individuals merely as means without intrinsic value.

So deontology places little value on using consequences to determine the right or wrong of an action. For example, stealing is wrong not because it decreases someone's happiness, but because stealing is *in itself* wrong. Deontologists argue that happiness is not in fact the highest good. 'Our function is not fundamentally to be happy beings but rather to be rational agents ... the fact that we are moral beings comes from our rational capacity, our capacity to give ourselves rules and to follow them' (12). The consequence of this is to shift the emphasis away from any explicit or direct appeal to consequences as a determining factor in deciding on a right or wrong course of action. Instead, the motive for an action and the nature of the action itself are of central importance.

2.3.4   Objections to Kantian Deontology

While deontology is strong just where consequentialism is weak, it can be criticised for a tendency to universalise moral principles to the point of inflexibility. Another of Kant's formulations of the categorical imperative says, 'I ought never to act except in such a way *that I can also will that my maxim should become universal law*' (13). It is not difficult to imagine circumstances in which the maxim, 'Never lie' might be broken. Yet Kant, in his earlier writings, did indeed state that all lying should be disallowed since we cannot consistently will that people should always, or even sometimes, lie (14). As a categorical imperative it is an absolute to be obeyed regardless of consequences.

Just as utilitarianism has been modified, various modifications of Kantianism have been suggested so that, for example, our duty not to tell lies can be overridden by our duty to prevent a greater harm, thereby allowing for easier resolution of conflict between maxims. In fact when put into practice, consequentialist and deontological theories often arrive at the same solution, though the reasons for arriving at it may differ. It is

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best to regard them as complementary rather than as mutually exclusive ethical frameworks.

2.3.5 Rights

A tradition of ethical thinking which is associated with deontological theories in general and Kantianism in particular is that which concentrates on rights. The categorical imperative requires that all persons be treated as ends in themselves rather than merely means, thereby implying that everyone has rights by virtue of being human. 'Natural rights are rights that we have by virtue of our nature. In a sense, rights derived from the categorical imperative are natural for they derive from our nature as rational, efficacious beings' (15). A list of rights that we might consider our due would include the right to life, to liberty and to justice: and perhaps more obviously applicable to the library and information domain the right to privacy, property, free speech and fair treatment. As such they are to be distinguished from legal rights which are rights that are created by law. Natural rights are claims independent of law but are embedded rather in a moral theory.

2.4   Review

It is certainly not being suggested that all library and information workers need to become moral philosophers, intimately acquainted with complex ethical theories, nor that by simply arming ourselves with ethical theories we are thereby equipped to solve all ethical dilemmas that may confront us. What is being suggested, however, is that at least a basic understanding of two of the most fundamental and universal theories of ethics is a good place starting point for raising awareness of the issues and for equipping ourselves with approaches and methodologies that can help us in our decision-making. It will be argued later in this study that this basic understanding needs to be complemented by codes of ethics and by education and training.

Woodward rightly laments the fact that many librarians do not know what ethical reflection means, and she recognises our need for re-education with respect to ethical

reflection rather than simply being content to base ethical decision-making on the basis of feeling or on principles prescribed by religion or culture (16). It seems that we as a profession need to reclaim the vocabulary of ethics.

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CHAPTER THREE

A BURGEONING LITERATURE

3.1   Ethics and the Library and Information Professions - a Burgeoning Literature

Many of the writers on ethical issues in library and information work comment favourably on the steady growth of literature in the field of ethics. Hauptman notes that as the nineteen-eighties progressed, 'the floodgates opened and a plethora of articles and two books poured forth (1)'. Usherwood, writing in 1990, adds that the growing interest in ethics in the information world has not been confined to the UK, 'The literature ... includes publications on information ethics from places as far apart as France, South Africa, Scandinavia, Poland, and the United States' (2). The trend continued into the nineties, and in 1994 Rogers writes, 'Ethics has become a hot topic in librarianship in recent years, as evidenced by the increasing number of publications on the topic' (3). Confirming this impression Hannabuss writes in 1996, 'Greater attention than earlier is being given to ethics in the library and information domain. This can be seen from the growing literature' (4).

Besides this growth, another challenge one faces in surveying the literature in this field is the sheer variety of information work. As Froehlich points out, 'The ethical environment of information work occurs in broader organisational contexts; that is, ethical issues in the information professions often cannot be isolated from ethical issues in business, in the library community, in computer-based systems, and in specialised subject matters such as medicine or law' (5). This plurality of contexts makes a comprehensive literature survey a daunting task. This chapter will concentrate, therefore, on major sources for the library and information professions. Writings which deal with other related contexts such as business or computer ethics and which have proved useful in the writing of this dissertation can be found listed in the bibliography.

It was also decided not to review the literature prior to the latter half of the nineteen-eighties. Besides being fairly scarce prior to this period (especially in contrast to the steady increase since) and of debatable value given the speed and extent of changes in the information professions and in society, it has been covered (and the reasons for its scarcity clearly presented) elsewhere (6).

3.2   Monographs

A good initial source is Hauptman's (7) *Ethical Challenges in Librarianship* (1988). This provides an overview of ethical issues such as access, censorship, computer-related issues and so on. Each chapter is accompanied by one or more case studies, and the book concludes with a fairly substantial bibliography.

Papers given at the 31st Allerton Park Institute were published in 1990 as *Ethics and the Librarian* (8). With the FBI's so-called Library Awareness Program[*] still fresh in librarians' memories, the editor starts from the position that the library and information profession has a duty to uphold intellectual freedom, oppose censorship and protect confidentiality. There are useful chapters on the ethics of reference work and on the teaching of professional ethics. The book ends with a series of short case studies, or ethical questions which can be used as the basis for discussion.

The same year saw the publication of more conference papers under the title *Information Ethics: Concerns for Librarianship and the Information Industry* (9). This volume deals with both ethical and legal aspects of library and information work, including issues raised by information technology. The contributions include an overview of ethical concerns in librarianship and a useful framework for deciding ethical issues presented by Diana Woodward. The volume contains an annotated bibliography and reproduces a variety of North American codes of ethics.

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[*] In 1987 FBI agents visited the Math/Science Library at Columbia University and asked the clerk on duty about foreigners who were using the library. It was subsequently revealed that FBI representatives had visited libraries across the country seeking to obtain such information.

A collection of case studies entitled *Ethical Dilemmas in Libraries* (10) appeared in 1992. The author Herbert White, Distinguished Professor at the School of Library and Information Science, Indiana University, divides the case studies into three groups: those that deal with management issues in interacting with superiors, those that deal in management issues in interacting with subordinates, and those that deal with clients and patrons. While not providing any 'solutions' to the dilemmas presented, the author includes at the end of the book a discussion of at least some of the issues that needed to be addressed. Although in his introduction he argues convincingly for the introduction of case studies into the classroom, it is debatable whether all the cases here do deal with *ethical* dilemmas rather than 'straightforward' management issues.

A more recent collection of case studies, published in 1996, is *Professional Ethics in Librarianship: a Real Life Casebook* (11). The author Fay Zipkowitz, who teaches at the University of Rhode Island Graduate School of Library and Information Studies, argues that in order to make effective and informed choices we need to have an ethical context, a clear view of our own values, in which to make decisions. She suggests that the use of case studies can help us to recognise ethical dilemmas and focus on personal and professional standards of behaviour in their solution - particularly in areas not explicitly covered by codes. She then outlines a useful series of steps one can take when working through the interesting and varied selection of case studies presented in the rest of the book.

One problem for the British reader is, of course, that all of the above monographs are written from the American perspective, and therefore not always as immediately relevant here as they are to our North American colleagues. When one looks for similar publications here, one finds a dearth of books devoted specifically or entirely to library and information ethics. Usherwood's (12) *The Public Library as Public Knowledge* (1989) contains a chapter on professional ethics and the public library. Here he argues that the Library Association's adoption of a Code of Professional Conduct in 1983 led to a welcome discussion of ethical questions among practising librarians. In particular, it generated an exploration of relationships (with the client, or with employing authorities for example). He examines how the Library Association's

Code might help us in deciding where our loyalties lie in cases of conflict. He then outlines the benefits of having a code of ethics, arguing passionately that public librarians have a special responsibility with regard to 'the collection, organisation and dissemination of information and ideas ... essential to the operation of a democratic society' (13).

Usherwood is also the author of a chapter on the ethics of information in *Where the Book Stops: The Legal Dimensions of Information* (14), a collection of papers given at the 1989 annual conference of the IIS and published in 1990. He argues convincingly that any professional group having the responsibility for selecting and supplying information and ideas should be aware of the ethical considerations underlying such activity. He also suggests that the basic ethical dilemmas facing library and information professionals have been complicated by the growing impact of information technology and by the increasing influence of market forces. He gives examples of ethical dilemmas in both the private and the public sectors. His conclusion is that ethical issues need to be discussed to raise awareness and to enhance professional practice.

3.3   Special Issue Journals

The ethical issues raised by library and information work have been considered important enough by colleagues in North America to warrant a number of special journal editions. *Library Trends* (15) devoted a 1990 issue to the ethics of intellectual freedom. It reproduces Woodward's paper, 'A Framework for Deciding Issues in Ethics' (16) referred to earlier. Here she discusses the advantages and disadvantages of the two key ethical theories, consequentialism and deontology, as bases for reasoning about ethical principles in general and intellectual freedom in particular - concluding that the deontological approach can provide a sounder defence. She argues persuasively that the ethical practice of professionals should not be left merely to feeling, but should be supported by clear and logical reasoning.

Library Trends (17) also devoted a 1991 issue to ethics and the dissemination of information. Robert Hauptman, the issue editor, begins by reminding us that the phenomenon of librarians manifesting a real concern for ethics is a recent one, and that they lag behind many of the other professions in that respect. Subsequent articles include a call by Rosemary Du Mont (18) to policy makers to be 'socially responsible'. She provides an action plan for incorporating an ethical perspective into the workplace. The plan calls for a complete integration of ethical concerns into library and information science criteria, a sentiment with which the author of this dissertation will concur. Rhoda Garrogian (19) presents both the legal and the ethical arguments for protecting the privacy of patrons, recognising that the ability of computers to store and process vast amounts of information exacerbates problems of maintaining confidentiality. Froehlich (20) discusses the ethical implications of technology transfer from Kantian and utilitarian perspectives, reasoning that they can help us to determine which technologies are appropriate and how they should be transferred.

Finally, a special 1993 issue of *North Carolina Libraries* (21) was given over to issues of information ethics. The breadth and value of this issue is greater than might be suggested by the journal's geographically-limiting title. Most useful for the purposes of this study are the contributions made by the guest editor Martha M. Smith, a well-respected writer in the field of information ethics. In the foreword she argues that librarians and other information professionals have a key role to play in using their special knowledge for the good of society at a time of profound and rapid innovation (22). In her subsequent article (23) she sketches in the background to information ethics, arguing that it has developed in a similar way to medical and environmental ethics out of a need to answer very real and pressing problems. She briefly outlines the areas of concern for library and information science workers and argues that they have a crucial role to play in shaping the future of information use. She also concludes the issue by providing both a set of brief case studies for discussion, and a valuable annotated bibliography. Other articles in the issue include discussions of the ethics of reference work, 'intellectual bootlegging' in law librarianship and the ethical content of four university library and information science programmes.

While these special issues contain much that is informative and thought-provoking, the British/European reader will again be aware that they are written from a North American perspective where concerns, codes and actual practice may vary somewhat from our own. They do, however, certainly help to raise awareness of a number of key ethical issues of concern on both sides of the Atlantic, and the reader will find him or herself better informed about ethical theory and practice, and it is hoped will also come away with an enthusiasm for addressing these issues in the workplace with a greater sense of awareness and urgency.

3.4   Journal Articles

A sizeable number of journal articles have appeared which deal with ethical issues. In *Library Trends* Martha M. Smith gives an expanded version of her definition of 'infoethics', the ethics of information systems, in *Infoethics for Leaders: Models of Moral Agency in the Information Environment* (24). She argues that, as moral agents, information professionals need to equip themselves with the tools of ethical analysis when making professional judgements and shaping policy. She details the multiple conflicting loyalties a professional might face and suggests approaches to resolving these through, for example, defining the ethical problem; identifying the values at stake; considering the ethical principles involved; defining and prioritising loyalties; and reaching a decision. Finally, she describes five levels of ethical orientation in the workplace, ranging from the highest level of 'ideal ethics' to the lowest level, 'survival ethics'. It might be interesting for readers to decide which level of ethical orientation their own organisation most closely matches.

It is perhaps a reflection of the lack of overt interest in ethical issues expressed by the British library and information profession until fairly recently that substantial articles written from the UK standpoint do not begin to appear until the mid-1990's. An exception to this is Ralph Adam's *Laws for the Lawless: Ethics in (Information) Science* (25), published in 1991. While much of the article concentrates on ethical dilemmas in research, there is also material of wider relevance. Most useful for our purposes, and most provocative, is his questioning of the value of codes of ethics -

though he appears at somewhat of a loss to provide viable alternatives beyond rather vague calls for 'wider debate' and (ironically?) 'more research'.

Amongst the most useful of the later articles, published in 1995, is Sheila Corrall's *Do We Need a Code of Ethics?* (26). She rightly laments the general lack of interest shown by the library and information profession in a code of professional conduct. She outlines clearly and concisely both the difficulties and benefits of producing a truly worthwhile ethical code. She then summarises some of the major dilemmas posing problems for practitioners such as conflicts of interest, 'whistle-blowing', competence, intellectual bootlegging and so forth. Finally, she challenges the profession to 'go public in the shared values [and capture] the essence of our profession in a credible and engaging manner' (27).

The same year saw the publication of valuable research findings by Dale Lonsdale and Charles Oppenheim (28) into the importance of ethics to British reference librarians working in academic institutions, to UK schools of library and information science, and to the two major UK based professional associations. The authors wanted to ascertain to what extent academic reference librarians faced ethical issues, how well academic institutions prepare graduates to deal with these issues, and how the professional associations relate to these matters. The authors conclude that attitudes in all three cases are somewhat ambiguous, adding that ethical issues are too important to allow such a lack of vigour to remain unchallenged. They make some very valid and, importantly, achievable recommendations such as improving awareness of existing codes of ethics, and including a certain level of teaching of ethical issues in both library and information science courses and subsequent continuing professional development.

Stuart Hannabuss, in a 1996 article entitled *Teaching Library and Information Ethics* (29) argues that this is a 'very exciting time for any student of ethics' (30). He welcomes the growing interest in ethics being shown by the library and information profession at a time when fast-moving economic, social and technological changes are throwing up numerous professional dilemmas. This lengthy and thought-provoking article identifies some of the key ethical challenges in library and information work, and

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he examines the validity and usefulness of a variety of codes of ethics and professional conduct. He makes a persuasive case for the teaching of ethics courses and for the use of case studies (whilst recognising that there are all too few examples of these tailored for library and information use, especially in the UK context). The author adds some examples of his own, and appends a useful reading list.

Less broad in its scope, but also stimulating is Mike Freeman's 1996 article *Living By the Code: Some Issues Surrounding a Code of Conduct for the LIS Profession* (31). The author examines the requirements for a code of professional conduct which, he argues, 'essentially instrumentalises a code of ethics' (32). He outlines the benefits of having such a code, placing emphasis both on the contribution it can make to enhancing the status of a profession and on the protection it can provide to professionals and their clients. He examines the Library Association Code and its associated disciplinary procedure in some detail, and concludes that a good code can only be of benefit to the profession.

3.5   Review

In reviewing the literature it becomes clear that common threads run through it regardless of its country of origin. These threads are:

- *that library and information professionals do regularly face ethical dilemmas*
- *that there is common agreement as to what these dilemmas are*
- *that the ubiquity of computers and IT and the associated explosion in information bring new - or exacerbate existing - dilemmas*
- *that a profession purporting to be an important and influential profession needs a strong and credible code of ethical conduct*
- *that codes of ethics and professional conduct can have an important role to play in promoting ethical behaviour and in providing guidelines for resolving dilemmas*
- *that, whilst acknowledging that the profession is becoming increasingly ethics conscious, more needs to be done to raise awareness*

- *that case studies are an under-utilised means of promoting best ethical-practice*
- *that education in ethics and a grounding in ethical theory should be an integral part of the universities' library and information science courses*

These ideas will be explored in greater detail in subsequent chapters.

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CHAPTER FOUR

THE ETHICAL ISSUES

4.1 What are the issues?

Hannabuss summarises the ethical issues faced in library and information work as, 'Providing accurate and reliable information, maintaining a confidential relationship with the client, observing the intellectual property rights connected with information products, and ensuring equitable access to information' (1). McGarry gives an even briefer summary which identifies the same issues, 'Four major areas are of current concern: *privacy, accuracy, property and access*' (2).

While acknowledging these four issues, Rubin and Froehlich identify conflicting loyalties as one of the major issues in library and information work (3). Corrall also points out that ethical dilemmas 'often centre around perceived tensions or conflicts of interest, requiring the professional to balance the demands of a client against the needs of some other stakeholder, or even the state or society at large' (4).

In fact, privacy, accuracy, property and access issues themselves often involve conflicts of interest, and it will become clear from the analysis of the issues which follows that they often overlap. It is also again worth bearing in mind that there are many different types of library and information service, a number of which operate in an environment far removed from the stereotypical image of a library. Therefore the discussion does not seek to cover all of the ethical issues which are involved in library and information work. Rather, it is meant to provide an overview of the ethical dilemmas a library and information worker may well encounter in daily job-related activities, with brief reference to some of the existing literature but more importantly to the views and experiences of key professionals working in this field which were garnered through interviews.

4.2   The Ethics of Access

According to Zwass (5), in order to reap the benefits of an information society, an individual needs to possess at least three fundamental things: (i) *access to information*, (ii) *access to information technology*, and (iii) *the intellective skills to acquire and process the information.* Yet as information is marketed in increasingly sophisticated and costly technological packages, it does not require much imagination to see how this might give rise to an ever-growing information 'underclass' whose members, already educationally and economically disadvantaged, will be further denied access to that information.

Rubin and Froehlich neatly summarise the ethical issues surrounding access, 'Of considerable concern to librarians and other information professionals is free access to information. Is information access a privilege or a basic right? Access issues have been aggravated because the costs to acquire, store, catalog, and retrieve materials have escalated, partly because of the rapid growth in information and partly because of the increasing need for and cost of technologies to cope with this growth. Put another way, the new technological means for information storage and transmission exacerbate the differences of information "haves" and "have-nots" in the world. Is there an ethical obligation to equalise the differences?' (6).

All these facets of the ethics of access were raised in a series of interviews with library and information professionals.

> *In an increasingly technological and information intensive society*
> *those who manipulate the tools and therefore manipulate the*
> *information must be held morally accountable for the power they*
> *possess.(7)*

The Library Association's *Code of Professional Conduct* obliges its members to 'facilitate the flow of information and ideas and to protect and promote the rights of

every individual to have free and equal access to sources of information without discrimination and within the limits of the law' (8). All information professionals are concerned with free access to information, and most (one would hope all) would regard it as a basic right rather than a privilege.

The Chief Executive of the Library Association regards access as the main ethical issue facing information and library workers. He identified two major areas of concern regarding the ever-increasing amount of information which is accessible via information technology. The first is the cost involved in facilitating access (hardware, software purchase and so on), and the second is the difficulty in ensuring everyone is equipped with the necessary IT skills (9). The vexed question of how much of the cost should be passed on to the end-user remains unresolved:

> The Library Association traditionally takes the view that information should be free at the point of access. That's been the great tradition of public libraries, but there's the debate as to whether that can hold true for all information, or for a certain core. If the latter, how do you define that core? (10)

The Principal Libraries Officer also saw this lack of a clear definition of what constitutes a core service as a key issue:

> Is providing electronic information a core service? Providing information is a core service, so you could argue that there's no difference between providing it through books, CD-ROM or the Internet. You're providing information in all these cases, and sometimes there are no other ways to find it - but then there are also funding, availability and running costs to consider. (11)

Thus it can be seen that access issues have been aggravated by the increasing need for and cost of the technology involved, and as the Chief Executive of the Library Association acknowledged, there are no easy answers:

> In a sense it's unresolvable because when it comes down to it, it's impossible to have all the information free to all people, however much that might be an ideal. (12)

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This is a view shared by Bellardo, who argues, 'Free and equal access for everyone to unlimited information resources is a splendid, but unrealistic, ideal of the profession. Economic constraints require professionals to think in ethical terms in order to determine fair access to expensive, limited information resources' (13).

The Chair of the Library Association's Disciplinary Committee expressed a view on how fair access to information should be paid for. He felt that two questions need to be asked, 'Who is the service for?' and 'Who pays for it?':

> If the service is for the public, then it should come from public expenditure. If it's for the widest possible public, then the public should pay for it through taxes, rates etc. (14)

Clearly, access can be compromised by budget reductions. The Principal Libraries Officer is anticipating having to make some stark choices to meet the demand for a ten percent reduction in expenditure for next financial year:

> You're possibly talking of closing libraries, and of the social effect that has on a community. The amount of money we have to save next year is approximately equivalent to 50% of the stock fund, or 25% of the labour force, or three or four libraries closing. Such choices affects people's lives. So far we've avoided closing libraries or chopping massive chunks off the stock fund, but we've more or less come to the end of the line now and some hard decisions have to be taken. (15)

This dilemma perfectly illustrates the 'ethical dissonance' described by Rubin and Froehlich (16) which arises when part of a library's 'social utility' is sacrificed in order to preserve its existence by, for example, reducing opening hours, withdrawing services or reducing staff numbers. The University Librarian also vividly described in utilitarian terms the difficulty of meeting the needs of all user-groups in the face of budget restrictions:

> One of the great dilemmas is just this question of maintaining the balance between our various readers. Our responsibility for trying to maintain that equal access for all (students and staff, undergraduate and postgraduate etc.) is an ethical issue. So much of our problem is trying to spread the budget in an equitable way. We know we can't satisfy everybody's demands for

everything, so we have to try to budget in such a way that we benefit the greatest number in the greatest possible number of cases. (17)

The new information technologies also exacerbate the differences between the 'information rich' and the 'information poor', and public libraries in particular seem to encapsulate the dilemma over whether library and information workers have an ethical obligation to narrow the information gap and ensure more equitable access. The Chair of the Disciplinary Committee was clear on this point:

> The easiest way to help the information poor is to make as much accessible as possible to the widest possible public. Public libraries should be seen as the means to bridge the gap between the information rich and the information poor. That's what the initiative to link up all public libraries to the information superhighway is about. (18)

The Principal Libraries Officer expressed similar views regarding the role public libraries have in ensuring equitable access, although he felt that libraries alone could not redress the imbalance but needed to be part of a wider initiative:

> Information technology widens the information gap. It's the job of libraries to help redress the imbalance as much as they can, but they can't take it upon themselves to champion that. In the nineteenth century the ethos was to provide books as a free service. Now a similar ethos is being applied to IT, to ensure it's there as a free service for all. Libraries have a key role in providing that access, but enabling people to take advantage of that access is not necessarily the public library's responsibility. People need the skills and the training, but I don't see that as our main role. I see that as a mainly educational role. We can't provide the time or effort to train people in IT skills other than providing basic advice and guidance unless we were given an unlimited budget. (19)

The implications of the information rich/poor debate are not confined to public libraries, however. The University Librarian pointed out that not all students at university (a relatively information rich environment) arrive "fully-fledged electronically" (20), although there is often an assumption otherwise:

> Everything in our user-education feedback tells us that we shouldn't assume prior knowledge of anything. We did a survey of users and way at the top as something they wanted more of

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was precisely IT instruction - despite the fact that IT training is more normally associated with the Computer Centre or the academic department, rather than the Library. (21)

He felt that the design of academic courses rarely took that properly into account. This again emphasises the fact that provision of equitable access is not just a question of providing the raw material, but also one of equipping people with the skills to make best use of it. To quote Usherwood, 'Even in the more developed countries of the world a person needing information may not have the finance, skills, ability or indeed the equipment required to use the technology. The client is, in such circumstances, very much in the hands of the information worker. This places a moral/ethical responsibility on that worker' (22). As to the question, should we be forced to become computer literate whether we like it or not?, Kizza provides a blunt but realistic response, 'The question is purely academic. Computer literacy is now what illiteracy was a century ago. Life is not the same being illiterate. Life is not the same being computer illiterate' (23).

Information rich/poor issues also extend beyond borders and have global implications, as the Information Consultant pointed out:

> The consultant needs to be aware of information rich/poor issues, particularly in international work where some of the voluntary agencies do not have enormous resources. One has to be aware of their concerns and the limitations and restrictions they might operate under, and try to find ways of dealing with that issue. Some enlightened publishers may offer preferential rates to charities or to poorer overseas countries for instance, but one can't take that for granted. You have to check that, and in advising a client who's not resource rich you have to be aware of their concern. (24)

Another access issue which became apparent in the course of these interviews was that of censorship - the denial of access to certain types of material. The Chief Executive of the Library Association pointed to recent developments in France in those regions controlled by the right-wing *Front National*. Unprotected by public library legislation librarians have had their employment terminated, and books and newspapers have been removed or replaced by more 'suitable' right-wing material (25). Nor have British libraries in their long history been exempt from censorship of one form or another.

One might mention *Spycatcher* and *Satanic Verses*, and the attempts which were made to restrict access to those works. One might also point to Section 28 of the Local Government Act which prohibits the 'promotion' of lesbian and gay material. This is not the place to go over the well-rehearsed censorship debate, but it is worth having the Library Association's position restated clearly by its Chief Executive:

> Stocking material does not constitute promotion. In a free and democratic society should we exclude material some might regard as being undesirable? Our view has been that in a mature, well-informed society we shouldn't censor such material. It should be possible for people to make up their own minds, and indeed construct arguments against it. (26)

The Director of the Institute of Information Scientists (IIS) also confirmed the Institute's commitment to encouraging a culture of access and saw the issue as part of wider socio-economic concerns. Much of its lobbying has been done through CoPI (Coalition for Public Information):

> We believe that there should be equality of access for information in the public domain. What should be in the public domain needs to be defined, because many of the things that were originally public are now slipping into the private domain where control is exercised by the information provider. They can add value and sell their added-value product, but the *raw data* should be available free of charge for anybody who wants to consult it because it was compiled using public money on behalf of the public. (27)

Many in the information professions would share this concern about the centralisation of the control of information, where decisions concerning the amount and quality of the information being provided, and who receives it, are in the hands of a monopoly. It is difficult to see how, in a democratically governed society, full participation in the political process can take place without the empowerment of individuals to gain free access to information. Kostrewski and Oppenheim, for example, confirm that 'one implication of the large scale advent of on-line information retrieval is that on-line vendors or governments would find it easier to restrict or distort the flow of information to some or all of the public' (28). To help prevent this, they argue that information scientists should concern themselves with the wider political, social and ethical implications of information provision (29).

Let us conclude this brief look at the ethics of access on an optimistic note by quoting Buchanan who, using the metaphor of a hologram - any portion of which still contains the information of the whole - writes, 'The key is to provide to all a familiarity with information sources and technology. If this occurs, libraries' roles as civilising forces in societies will never have been greater. The library as an institution can be the centre of the hologram. Information is a right, not merely a privilege, and the hologram can distribute this right throughout the whole. The ethical significance of this should be apparent: libraries can dissolve the lines which have been drawn between the haves and the have-nots' (30).

It is to be hoped that we in the library and information professions can live up to this ideal. Certainly, these interviews suggest that the question of access is taken seriously by professionals working in a range of information environments.

4.3   The Ethics of Confidentiality

Confidentiality is not a straightforward issue with which to deal. Two factors complicate it. The first is confidentiality's uneasy relationship with access (31) which the library and information professions are, as we have seen, committed to facilitate. The second is the sheer ease with which computer-related technologies can compromise it (32). Certainly, developments in information technology have provided us with the possibility of much easier access to personal data kept in libraries and other information units. Usherwood underlines the potential misuse of this confidential information, 'It would not be too difficult to use this technology to develop a profile of a client's reading tastes, information interests, financial position, political affiliations and so on' (33). Such profiles can, of course, be highly inaccurate and misleading. The question of when information about a client and his or her use of resources in a library or information unit might ethically be revealed is a complex one, and one which the professionals interviewed for the purposes of this study were very aware of.

The Director of the Institute of Information Scientists clearly outlined the dangers to privacy and confidentiality posed by the new technologies:

> If you access a database, every single request that you make for information is recordable and traceable. You can, if you have sinister purposes in mind, compile a very significant dossier for, say, MI5 that such-and-such a person is making a lot of enquiries about the location of people in public life, thereby drawing all sorts of conclusions. The opportunities for policing are enormous. (34)

A similar concern was voiced by the Principal Information Scientist employed by a large pharmaceutical company with regard to the security of the Internet:

> Confidentiality on the Internet is a problem. There is one major pharmaceutical company which instructs its employees not to communicate with collaborators in universities via the Internet because it's not secure. We expect the major database providers to be secure and that competitors won't be able to access the information or even the search terms we used. If they could, they'd get a good idea of what research we're doing. More and more searches will be done via the Internet though, and if we thought that wasn't secure we'd be most upset. (35)

The IIS Director also recognised the possibility for unethical policing in the workplace:

> Computers allow you to check up on the behaviour of your staff and to look at what they're doing. Are they engaged in company business or pursuing their own professional interests? (36)

In fact, it is estimated that between four to six million workers in the United States have their work evaluation based at least in part on the reports produced by computer-based performance monitoring systems (37), and concerns over invasive monitoring have led to the formulation of a number of corporate guidelines based on ethical principles (38).

The University Librarian commented that privacy and confidentiality were the issues that came immediately to his mind when considering ethical dilemmas in library and information work. He confirmed the views of Rubin and Froehlich that, 'The most

common privacy issue in libraries concerns the confidentiality of library circulation records' (39):

> We get that here in the Library all the time, that a reader wants to know who has borrowed a particular item because he or she wants it. Of course, we don't release that information; we stick very strictly to confidentiality unless it comes to a legal question. (40)

Corrall points out, however, that while the principle of confidentiality is generally accepted, in practice it is not always rigorously observed, 'particularly in special libraries where it is not unusual for staff to reveal a borrower's name, especially if the request comes from a colleague in the same department' (41). Requests for access to library circulation records may also come from parents of children, police, courts and other outside agencies. The question for the library and information worker is how much access to readers' records and computer files one allows to third parties in such cases. The Library Association's *Code of Professional Conduct*, while being very firm on the issue of maintaining confidentiality, does recognise that there are occasional exceptional circumstances where the general advice in Clause 2h(i) instructing members not to 'divulge or permit to be divulged any materials, information or administrative record (in manual or electronic form) which has been entrusted to them in confidence, to any third party...' (42) can be waived. Clause 2h(ii) reads, 'Members are absolved from the duty set out in sub-paragraph (i) above in so far as is required by law...' (43). In some cases a court order is not even required, and the Chair of the Library Association's Disciplinary Committee recalled a case where a member provided the police with information about someone the police knew was committing an offence, and by so doing prevented a criminal act. Library Association Council debated this and found that in the circumstances the member had acted appropriately (44).

The Principal Libraries Officer recounted a case where a public librarian found a children's book returned with a note inside which could have been interpreted as a suicide note. The likely author of the note was traceable through computerised borrower records, but as the interviewee rightly pointed out:

> That was a confidentiality dilemma. That borrower's record was a private record, but in times
> of seriousness or danger should that be disregarded? (45)

A librarian's instinct not to reveal borrower information is strong, and rightly so, and knowing when that instinct should be overridden is not easy. This is perhaps a good example of how a code of ethics can provide general guidelines, but cannot cover all circumstances with exactitude.

In the commercial sector, one is equally likely to face confidentiality issues. The Information Consultant commented:

> If you are providing an information service you are obliged to protect privacy where you may
> have different clients with competing interests, and not to divulge information from one to the
> other. The regard in which the profession is held depends on people being confident that when
> they speak to a professional they are doing so on a one-to-one basis and it won't go any further
> unless that's understood right at the beginning. (46)

He pointed out that the Information Management Consultants' *Code of Professional Conduct* (see Appendix E) has a confidentiality clause requiring its members to 'hold all information concerning the affairs of clients in the strictest confidence and ... not disclose proprietary information obtained during the course of assignments'(47). This requirement to observe confidentiality can extend beyond the client to embrace a wider public:

> There's a requirement to protect people's privacy so that you don't distribute information more
> widely than originally stated. You give people the opportunity to step outside saying, "I don't
> want to be on your mailing list so please remove me" once you've finished. In theory when I
> gather names and addresses if I'm interviewing people as part of a consultancy project, I could
> put them on a database and use them as part of my marketing effort. Marketing is important,
> and I do use names and addresses, but I can't do that if they've been gathered as part of a
> consultancy project for a client. I destroy those lists (having kept them as long as necessary but
> no longer), or if I pass them on to a client I can only do so with the permission of the people on
> the list. (48)

The draft version of the Institute of Information Scientists' *Code of Ethics* also urges its members to respect the privacy of clients.

Confidentiality issues are fundamental in any information services. The privacy of individuals is easily put at risk by sophisticated information technologies, and the library and information worker has an ethical obligation to protect individual privacy, to deal honestly with employers, to obtain consent before using personal information for secondary purposes, and to maintain the integrity of data describing individuals.

4.4   The Ethics of Competence

After a librarian is sued for misinformation, the subject of
professional ethics will no longer be a cause for a yawn. (49)

In 1988 students from a school of library and information studies carried out an unobtrusive test of twelve UK public library reference services. They asked only one question, "What have you got on Robert Maxwell?" Six of the libraries provided a partial answer, a success rate of approximately fifty percent (50). Although the test was criticised for its crude methodology, subsequent testing of reference services in academic and public libraries provided essentially similar results, so much so that the literature now refers to this level of accuracy as the '55 percent rule' (51). As the authors of the report summarising these findings point out, it is difficult to hold on to our claim to be a profession, and use that claim to justify our status and our salaries when an important part of our service is operating below the high standards expected of other professions (52). Not only is such a figure unacceptable, say the authors, it is also suicidal in an increasingly competitive market.

Yet the following interviews suggest that library and information professionals are very aware of the ethical and professional importance of competence, and perhaps the growing accountability we face and the fact that we are operating in an increasingly litigious environment is having a beneficial impact on the quality of the services we offer. As Hannabuss points out, 'Notions of taking reasonable care ... are finding

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themselves applied increasingly to information transactions, and case law will almost certainly ... open up some important precedents. With increasing numbers of library and information services taking on paid tasks, professional conduct is likely to come increasingly under the moral spotlight and attract both legal and ethical challenges such as these' (53). Corrall also argues that developments in internal charging arrangements and fee-based services have 'forced more attention on standards and competence' (54).

The Library Association's *Code of Professional Conduct* requires members to be 'competent in their professional activities, including the requirement to keep abreast of developments in librarianship in those branches of professional practice in which qualifications and expertise entitle them to engage' (55).

The Information Consultant confirmed that competence was an ethical issue:

> You shouldn't offer service in areas where you don't have competence or capability. If you purport to be an expert in networking, for example, because you happen to have been involved in a library automation project which involved a network that might be considered over-selling because you don't have specific skills or competence. There's the danger of misleading a client and giving bad advice. (56)

However, he also recognised that things are not always so clear-cut:

> It may be that no-one has a particular skill in an area and sometimes you have to judge whether a client is going to get best value by coming to you or whether their needs will be better served by another group or profession. (57)

The University Librarian was conscious of competence as a professional issue, but recognised that ideal practice could be compromised by pressures in the workplace:

> The amount of keeping up-to-date that practising professionals are able to achieve falls well short of what the Library Association's Code of Practice requires of us and which we, I'm sure, would impose on ourselves if we could. (58)

The corollary of a commitment to provide a competent information service is *accountability*. The Information Consultant has professional indemnity insurance to protect his clients, and himself from litigation (59). Such insurance can be expensive and less than straightforward to obtain, but he felt that it was important to have, not least because some projects might involve considerable sums of money. Wrong advice is sometimes given, and he cited the example of one company which spent £250,000 on equipment that was inappropriate for its needs on the basis of a less scrupulous consultant's advice.

The Director of the IIS also confirmed that in many cases, information suppliers will expect to cover themselves legally for any inaccuracy with professional indemnity insurance[*] :

> Naturally they would wish to avoid misinformation, deliberate or unintentional because they would lay themselves open to litigation. They would also get a terribly bad reputation, because word would spread. To disinform in a sinister way is completely unethical. (60)

In the academic library sector, a number of universities with medical libraries are negotiating contracts with regional health authorities to meet the demand for evidence-based medicine. One such is Leicester University, and the University Librarian stated:

> We're quite careful to build in disclaimers [in contracts] because we certainly don't want to find ourselves landed with the kind of litigation that the medical teams we're supporting may be faced with. In providing information to the medical team we are quite consciously and explicitly distancing ourselves from that. (61)

Nevertheless , exclusion clauses such as these are still subject to the test of 'reasonableness'. A disclaimer will only be legally effective if it can be shown that reasonable skill and care was exercised, and it cannot therefore let the information provider 'off the hook' if there is unreasonable error, omission or neglect (62). Consequently there is still an onus, and indeed an obligation on the part of the information provider, to be competent.

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[*] See the chapter by Diana Edmonds in *Where the Book Stops: the Legal Dimensions of Information*, edited by Jennifer E. Rowley.

Those working in medical, legal or pharmaceutical libraries sometimes face a related ethical issue. How far can they be called on to *interpret* information? Where is the line drawn between information and advice? It is not difficult to imagine a situation in which a librarian specialising in legal or medical reference services gives the impression (either intentionally or more likely unintentionally) that *advice* is being proffered. In the literature this phenomenon is sometimes referred to as 'intellectual bootlegging', which Corrall defines as 'overstepping boundaries by moving too far into the territory of another profession' (63). Hauptman states the potential dangers clearly, 'One of the most difficult distinctions to make is that between giving medical or legal advice or interpreting cases or laws and merely guiding the patron. Advising and interpreting are illegal and unethical' (64).

The Principal Information Scientist at a pharmaceutical company commented that his team is not normally called on to interpret information because it deals with specialist researchers who are normally a lot more knowledgeable in their specialist field. Rather than interpret information, the information scientists give guidance on the validity of the resources used (65), which itself raises the interesting question of the extent to which an information provider divulges the inadequacies of an information system or the information it provides. The Information Consultant was similarly cautious with regard to the interpretation of information, though in his case as a recipient rather than as a provider of information:

> It relates to competence. Some of my clients face that problem. They provide me with an
> information service and they have to be very careful how they present that, so that it is not
> taken as advice or as a way to proceed in a particular situation. (66)

The Information Management Consultants' Code also requires a member to 'only accept work that the member is qualified to perform and in which the client can be served effectively [and] not make any misleading claims' (67).

The library and information worker, then, has an ethical obligation to strive towards excellence. This high level of service depends on individuals and organisations taking responsibility for acquiring and maintaining professional competence.

4.5   The Ethics of Property

Issues of property are largely dealt with in the legal domain through copyright and patent legislation, for example. However, existing legislation is struggling to cope with the proliferation of forms of information, the ease with which it can be copied, and its increasing intangibility (especially information held or stored in digital form). Thus a number of issues concerning property have passed into the ethical domain.

Rubin and Froehlich point out that information activities require the use of print, nonprint and electronic sources, and that copying or transferring information is often a necessity. This can give rise to ethical tension. 'While a primary motivation of publishers and electronic database producers is the profit earned ... the motivation of many information providers is access to information for the patron at the lowest possible cost. One's ethical feelings regarding obeying the law and respect for the right of the copyright owners conflicts with one's ethical obligations to provide information' (68).

Besides this ethical dissonance, Rubin (69) identifies several key elements of what he calls 'moral distancing' in information technologies which may make the observance of property rights so easy to avoid:

- **speed**: *unethical actions can be committed in the blink of an eye*
- **anonymity**: *unethical actions can be performed unobserved and therefore with little chance of discovery*
- **the nature of the medium**: *the nature of the electronic medium permits one to steal information without actually removing it*

The Information Consultant articulated clearly the ethical issues surrounding property in the library and information workplace:

Intellectual property is owned by someone, and people who have an interest in creating it also have an interest in earning some kind of benefit from it. If library and information professionals are unscrupulous or careless about disseminating that information widely, then they are directly hurting the property owners. On the other hand, there may be information which is of benefit to groups of people who might not otherwise have access to it. (70)

This shows that a commitment to free access to information, and strict adherence to property rights can sometimes conflict. However, the Consultant felt particularly strongly about the 'flexible' use of software licences. The ease with which software can be copied makes it very difficult to police and detect. He regarded this lack of regard for the rights of the owner of the intellectual property as a form of theft, and he regretted the fact that 'some people who are very concerned about copyright, aren't always as rigorous with these other forms of intellectual property' (71). He also acknowledged that even where potential conflicts can be resolved by adhering to existing property law, the issue 'is still driven by ethics, and the actual practice of it - how far you go and where your responsibilities lie - are still important ethical questions' (72).

It is worth quoting the Principal Information Scientist to show that a high level of good practice concerning the ethical use of property is possible:

We'd be very ethical in allowing access to journals over the Internet. *Science* is available as an electronic journal for librarians to test, and we're given one password with a request not to pass it out for general use on site. We haven't. We'd also be very strictly ethical about any information source we bought in, such as a CD-ROM. If it says that it's limited to five users, then we abide by that. Nor would we use society members' subscriptions for the library. They might get a journal for £20 instead of £400 because they're members, and might ask us if we want to put it in the library. We wouldn't accept, and that's a very strict rule. (73)

Library and information workers have an ethical obligation to respect, as far as possible, the spirit of copyright and patent legislation that attempts to ensure the profitability of ideas and inventions.

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4.6   The Ethics of Conflicting Loyalties

Usherwood claims that one of the most valuable outcomes of the Library Association's Code of Conduct was that it caused ethics in general to be discussed by librarians, and in particular led to the exploration of the nature of relationships within the profession. These relationships, he argues, can 'involve a conflict of loyalties to different groups, loyalty to the employer, to the profession and to the client. In each case there is a need to decide what in effect should be the higher loyalty' (74). Zipkowitz (75) lists five categories of relationship which cut across types of libraries and types of functional specialities and which can give rise to conflicting loyalties:

- *our relationships with each other - our professional colleagues, both within our employing organisation and in other organisations*
- *our relationships with our patrons and consumers of the information services we and our organisations provide*
- *our relationships with our organisations - our employers and the support systems within which we practice librarianship*
- *our relationships with 'things' - our collections, resources, equipment, the standards and rules we use by consensus*
- *our relationships with vendors and the commercial sector which supply us with tools to accomplish our work*

Because they are the ones which professionals are most likely to meet on a regular basis as managerial issues, it is with the first three of these relationships that the following discussion will chiefly concern itself.

The Library Association's *Code of Professional Conduct* is very clear about its members relationship with their clients (defined as the direct users of the service), 'Members' primary duty when acting in the capacity of a librarian is to their clients ... In all professional considerations the interests of the clients within their prescribed or

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legitimate requirements take precedence over all other interests' (76). Corrall praises the Code for offering 'clearer guidance than most others (including the American Library Association's) on [this] one critical issue' (77). The guidance notes accompanying the Code make it clear that while the *primary* duty is to the client, the Library Association recognises that no absolute rules can be devised for a multiplicity of circumstances (78).

In the case of a public librarian, the clients are the members of the public entitled to use the service. The employer, however, is usually the local authority. This relationship can lead to a conflict of loyalties. The Principal Libraries Officer was well aware of this possibility:

> We're first and foremost employees of the Council - local government employees. Our primary
> duty is to the client, yes, and you can try and coerce and suggest and recommend, and be
> professional by bringing to an employer's attention what your professional body says you
> should do ... but at the end of that if they disagree, that's it, they pay your wages. (79)

This is perhaps a pragmatic view, though the Library Association Code suggests a more idealistic approach, 'Circumstances may arise when the public interest ... may be at variance with the narrower interests of an employer. If it is found to be impossible to reconcile such differences then the public interest ... and the maintenance of professional standards must be the primary considerations' (80). This position was affirmed by the Chair of the Library Association's Disciplinary Committee:

> A librarian may be told by an employer not to allow people access to information on gay rights,
> for example. You as a librarian have an obligation to that client to provide them with
> information irrespective of what the employer says. (81)

He recognised, however, that resolving such a situation is not a simple matter:

> It's difficult to draw the line between what management policies are (often controlled by the
> actions of a controlling body, whether it be a local authority or university body, or whatever)
> and what you as a librarian feel you must allow your client to have. This is a case where you're
> stuck between the attitude of the employer and you as a librarian. I personally would come to

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the Library Association if I were in that situation. The LA is here to advise on precisely that sort of situation. (82)

Even when there is no conflict with the employer, relationships with clients can be difficult as different client-groups compete for library services. The Principal Libraries Officer, while welcoming the moves towards greater accountability and a greater willingness to listen to customers, pointed out the fact that when dealing with library user-groups the loudest voices tend to get heard:

> How can we be sure that we're getting an overall opinion? The user-groups tend to be led by two to three people. The dilemma is that one is trying to be open and democratic, and trying to gauge everyone's feelings - but in effect you're getting the opinion of two or three people. Does their opinion represent the *whole* community population? (83)

In particular, he recognised that in some of the ethnic community-groups, the opinions of women were greatly under-represented (84).

The Information Consultant working in the commercial sector also identified relationships with clients as an issue having ethical implications:

> The Information Management Consultants Code stipulates that when dealing with clients, they should understand clearly what they are going to get and what it will cost them. It should not be an open-ended arrangement where you have a loss-leader and they end up paying a lot more for your services. The Code also specifically excludes arrangements such as profit sharing, where you say, "I'll take ten percent of your increase in profit as a result of the consultancy work I'm doing for you." This is not considered good practice and would be a disciplinary offence. The point is that you're putting a foot in the door in order to open it wide and take more than your client can afford. (85)

One does not normally associate library and information work with life and death decisions, but occasionally relationships with a client can indeed have very serious implications. The Principal Information Scientist recalled an incident early in his career when working for a company selling chemicals for research purposes to universities, research institutes and hospitals. He received a telephone call from a very distraught man who had obtained a copy of their catalogue and wished to buy a particular

chemical because he had read that it was a potential cure for cancer. He was in an extremely distressed state because his father was dying of cancer, and he insisted that he be sold this chemical and also be given advice on how to administer it. The Information Scientist was in a very difficult position, but while sympathising with the man's plight he had to alert him to the fact that the chemical was only for research purposes and would not have been fully tested. Nor could he supply information regarding its use, and insisted that the man go through his doctor (86).

The medical field in particular seems to pose many ethical questions, 'notably whether information specialists should act as "whistle blowers" by informing the general public about the side-effects of drugs' (87). Usherwood (88) cites the case of a librarian working in a large private sector company who was instructed by a member of senior management not to circulate an issue of a journal which contained a paper suggesting that a process used by the company could be injurious to the health of the workers involved. What should the librarian have done, and where should his loyalty (and indeed his responsibility) lie?

Information professionals are certainly in a position to learn of activities they believe to be wrong:

> There have been a number of instances (though not exclusively in the library and information services) where an employee has become aware that the employer is doing something illegal or unethical. They're then placed in the dilemma of choosing between loyalty to their employer and respecting their confidentiality, and upholding the law or certain standards of behaviour. There's no easy answer to how you resolve that kind of issue or what kind of process you employ if you find yourself in that position, because each situation is different. An approach to the employer may be appropriate, but in other cases it may not be. (89)

There are examples of good practice, however, where the kind of dilemma just mentioned is avoided because the employer acts ethically:

> The employer has a very strict code of conduct, and if we found out information - even if it was to prove detrimental to the product we're trying to develop - that would be passed on. It has happened that information has come up that a product is more toxic than was thought. No

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matter how much was spent on it, it's been withdrawn and the development of that research topic stopped. (90)

Relationships with staff and fellow professionals can also give rise to conflicts of loyalty, particularly at management level where decisions are having to be made regarding staffing. The Principal Libraries Officer acknowledged that Council policy tended to take care of issues like redundancy, but he did identify one ethical dilemma in relation to his staff:

> What decisions do I and other people at work make that affect other people's lives at home? You've got the responsibility of staff personal lives. Work and private life should be kept separate, but you're increasing people's stress levels at work by putting them under more pressure by not replacing staff, by asking them to do more. Does that affect their lives outside the workplace, and should that affect one's professional decisions? (91)

The Information Consultant also mentioned that decisions made affecting staff cannot be taken lightly:

> The fact is that when you work with people you build up a relationship with them, and then having to adopt another role (in a disciplinary capacity, for example) can be very awkward. (92)

Ethical issues arise, therefore, in the course of ordinary professional duties when any or all of the loyalties described above come into conflict and create ethical dissonance.

4.7   Review

The analysis which appears above is by no means a comprehensive account of the ethical issues which appear in the literature or which came to light in the course of conducting the interviews. Some of the more dramatic examples have in fact not been included here. It is important that discussion of ethical issues in library and information work does not descend into lists of worst-case scenarios, a phenomenon which seems to have affected the quality of much of the debate concerning computer ethics, thereby detracting from its perceived relevance for most professionals.

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On the other hand, information workers should not make the mistake of thinking that ethical dilemmas happen only rarely in the workplace, or that they happen to someone else. Each of the individuals interviewed had faced ethical dilemmas in the course of their careers, and there is no reason to suppose that others in the profession are somehow immune. It is clear, therefore:

- *that library and information professionals do face ethical issues and dilemmas in the workplace*
- *that they are faced on a regular, if not on a daily, basis*
- *that these dilemmas frequently revolve around issues of access, privacy, property, competence, and conflicts of loyalty*
- *that these issues are complex and often overlap*

It is important that members of the profession do not feel impotent when complex ethical issues arise. Forewarned is forearmed, and subsequent chapters will examine ways in which ethical dilemmas might successfully be resolved.

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CHAPTER 5

CODES OF ETHICS IN THE LIBRARY AND

INFORMATION PROFESSIONS

5.1   Background

In this context a code of ethics can be defined as, 'A set of standards of ethical

behaviour expected of individual members of a professional association' (1).

Professional codes usually provide guidance on issues such as:

- *the preservation of confidentiality*
- *interest in the welfare of the client*
- *the development and maintenance of professional competence*
- *upholding the good repute of the profession*
- *facilitating unrestricted access to information*
- *adherence to moral and legal standards*

Froehlich (2) outlines three possible types of code, though as will be seen, in reality the

distinction is not as clear cut as this suggests. The three types are:

- *aspirational* (establishes ideal practice)
- *educational* (elaborates, comments, interprets standards)
- *regulatory* (establishes detailed rules, sanctions etc.)

It is beyond the scope of this chapter that it look in detail at existing codes of ethics.

This is already extensively covered in the literature. Moreover, there is now such a

burgeoning of codes in the area of information ethics (and computer ethics especially),

that such a survey would be a major task indeed. For those who are interested, there is

a large number of websites on the Internet dedicated to ethical issues, some of which

form collections of codes of ethics. Some of these are listed in Appendix B. This

section will focus, therefore, on the codes of ethics produced by the two main professional bodies representing UK library and information workers, the Library Association (LA) and the Institute of Information Scientists (IIS).

5.2 The Library Association's Code

The Library Association is by far the larger (and older) of the two organisations, having a membership of about 26,000. Its Code of Professional Conduct was approved by LA Council in September 1983 (3). Although the LA Code is aspirational, it can also be seen as regulatory, especially since the LA has recently moved to ally the Code more closely with its associated disciplinary procedures. Hence we find the Code containing words such as 'must', 'duty' and 'obligation'. It has remained substantially unchanged since 1983 apart from the addition of some guidance notes (approved by LA Council in 1985), and some minor changes such as the removal of sexist language when the second edition was published in 1995. It is also possible that it will be amended again in the near future as a result of changes to the Association's bye-laws recommended by a legal assessor:

> Probably what will happen is that when the bye-laws are changed the Code will be revised as well. I don't think there will be amendments of major substance, just a tidying up to bring it in line with the new bye-laws and procedures (4).

Any such changes are not likely to take effect until January 1999. The most recent version of the Code is reproduced in Appendix C.

The Library Association's Code goes further than many others in the profession (including the American Library Association's *Code of Ethics*) in having a procedure whereby a member who fails to comply with its requirements can be expelled, suspended, admonished or 'given appropriate guidance as to his or her future conduct' (5). Since the library and information profession has not yet adopted a policy of full professional closure, it is true that being expelled from the Library Association does

not prevent someone from working as a librarian, but as the LA's Chief Executive pointed out, 'It makes it a lot more difficult' (6).

5.3 The Institute of Information Scientists' Draft Code

The Institute of Information Scientists, which has approximately three thousand members, has not at the time of writing published a code of ethics although it has discussed it often (7). An IIS Conference in 1994 revealed that many participants had faced a wide range of ethical dilemmas, and often felt quite unsupported (8). Responding to this, and to the fact that many other professional bodies were developing and publishing codes of conduct, the Institute set up a working party with the aim to 'develop a code which is useful to information professionals in a variety of organisations, helping them to deal with ethical issues in a professional and consistent manner' (9).

One of the prime movers behind the development of their code was Sheila Corrall[@] , who felt that 'existing codes of practice didn't meet the requirements of the profession; that they didn't go far enough or had been superseded by developments' (10). Tim Pearce, of The Law Society's Professional Ethics Division, drafted a code of conduct which has since been revised (see Appendix D). Eventually, this revised draft will be put to the wider IIS membership for comment and reviewed again by the working party before full publication (11). In contrast with the Library Association, the Institute's code of ethics is likely to be wholly aspirational:

> The IIS Code is an aspirational code because we're not in a position to police and set out sanctions. It provides general guidelines as to what we'd like to see, but it can't in some contexts be prescriptive because there will be different considerations in public and private sectors, for example (12).

There seems to be an implication too that an aspirational code will be more easily adapted to changing working conditions and developments (such as technological):

[@] Formerly Director of Library and Information Services at Aston University, Birmingham; now Librarian of the University of Reading.

You don't want to have a code that's absolutely rigid; you'll need to revise it and it would be a mistake to have something aspirational etched in stone. It's not realistic (13).

Interestingly, unlike the Library Association at present, the Institute's code will be linked to a set of case studies, 'The test of a code of ethics is when it comes up against real cases. Therefore it is intended that the code and case studies will form a continuously growing body of material, which IIS members can add to, to help others in similar situations' (14). It is expected that the code and the case studies will be publicised widely in 1998.

From this it can be seen that the UK information professions came comparatively late to the discussion and formulation of codes of conduct and ethical behaviour. *The American Library Association*, in contrast, adopted its Code of Ethics in 1938. Given the relative tardiness with which the professional bodies have adopted codes of ethics, one could be forgiven for wondering why they matter.

5.4   Why Have Codes of Ethics?

There seems to be almost unanimous agreement amongst those writing on this subject that codes of ethics, whatever their limitations, are worthwhile. One dissenting voice is that of Ralph Adam who, in the context of ethics in research, provides us with a useful list of some of the arguments against creating codes of ethics which can be summarised as:

- *ethics are general principles and cannot therefore realistically provide us with instructions on how to behave in specific situations*
- *decent people will do the right thing regardless, and therefore rules of ethical conduct are unnecessary*
- *ethical problems cannot always be foreseen, and therefore no code can allow for them*

- *codes will be interpreted differently according to individual circumstances,*
  therefore it is difficult to formulate a viable set of rules (15)

To these we might add:

- *the heterogeneous nature of the profession makes it very difficult to lay down*
  meaningful universal guidance (16)
- *lack of real sanction (i.e. the fact that loss of membership of a professional*
  body does not remove the right to practice as a librarian) renders the
  regulatory function of codes worthless (17)

Adam therefore concludes that information science is 'better off without a code of
ethics' (18) since having no code is better than having one that is impractical or
unenforceable. Tuchmayer, on the other hand, argues against codes on the basis that
they lead to complacency. Of the American Library Association Code he says that he
is 'concerned with how its very existence has made it all too easy for librarians to
ignore' since they believe that its lofty ideals have already been attained and therefore
effort to achieve them is no longer necessary (19). He concludes that 'the real problem
with our code of ethics is that librarians have come to believe it is the definition of who
we are, rather than who we would like to become' (20). More recently Hannabuss,
although not explicitly against codes, acknowledges that they present us with a
recurring problem, namely that 'they will be full of unenforceable sanctions, bland and
- at worst - blindingly obvious' (21).

5.5   The Benefits of Codes of Ethics

Nevertheless most of the writers in the field of library and information ethics, whilst
they acknowledge the limitations of codes, argue that these are outweighed by their
benefits. Corrall (22) and others argue that the advantages of having a code of ethics
include:

- *setting out for practitioners and the public the ideals and the responsibilities of the profession, and the standards it can be expected to adhere to*

- *having a regulatory effect, even without formal sanctions or controls, by virtue of setting standards and defining parameters*

- *protecting both clients and professionals*

- *providing members of the profession with some guidance on acceptable conduct when faced with ethical dilemmas, and with a framework for making defensible ethical decisions*

- *helping to raise general awareness of ethical issues, and serving as a tool for inculcation of ethical values in employees*

- *providing a visible commitment to free and impartial access to information*

Freeman expands on some of these while adding another, that having a code is an important way of enhancing the perceived status of the profession, 'One of the key elements identifying a full-blown profession ... is the existence within that profession of an effective code of professional conduct', which he defines as instrumentalising a code of ethics by 'making clear the applications of ethical concepts in everyday professional practice' (23). He adds that possession of a code of conduct 'is seen by most professional bodies as a *sine qua non* of professional status' (24).

While not wishing to reduce the value of a code of ethics to that of a public relations document there can be little doubt that the professional associations, at a time when they continue to be uncertain about the status of their profession, are viewing the adoption of a codes of ethics as one means by which to raise its public image and to legitimise their claims to full professional status (25).

However, Freeman goes on to argue that this is not the primary purpose of a code of conduct and its allied code of ethics. This he sees as one of protection (26). Like Corrall, he believes that codes protect both the professional (from external control and supervision by virtue of a code's self-regulatory function), and the client (who is reassured of the competence and probity of the profession). In addition a code can

afford an employee some protection from, for example, an employer's pressure to act unethically or unprofessionally when faced with an ethical dilemma (27).

5.6   The Views of Professionals

Some of the benefits referred to above were echoed in interviews with representatives of the two major UK professional associations. The Chief Executive of the Library Association, when asked to outline the main benefits of having a code, began by outlining the differences between an 'occupation' whose basic code of practice derives from the employer, and a 'profession'. In the latter case, the code is usually established by a professional association whose interests go beyond the narrow interest of an employer so that there is, 'an overriding responsibility to the public, and indeed to the public interest' (28). He also raised the issue of competence and public confidence in the probity of the profession, commenting that just as we tend to trust a doctor not only because he is qualified but also because his code of conduct requires him to be competent and up-to-date, so the public should have confidence in the competence of a library and information professional for precisely the same reasons (29).

The Director of the Institute of Information Scientists on the other hand, perhaps reflecting that body's different membership compared with the Library Association, commented that the IIS had become aware that a significant number of its members were confronting conflicts of interest in their working environment and that it benefited those members to be able to say, for example to an employer with whom they are in conflict, that their professional association believes certain actions to be unethical:

> Sometimes there are very definite conflicts of interest and it may sometimes be considerably helpful to the information professional to be able to refer to a code. (30)

She added that in particular such a code provides a moral support for the isolated informational professional:

It's all very well if you're working in a library where everybody subscribes to a code of practice, but the water can be much muddier if you work for a commercial organisation. You feel on much stronger ground if you can produce or refer to a document where the position you've taken is actually supported by a recognised professional organisation. (31)

It was not only the professional associations which recognised the value of codes. A Principal Libraries Officer working in the public library sector recognised the connection between a code and making defensible decisions:

They [codes] relate to accountability, and can help you to make a decision. A code can vindicate (or otherwise) a decision you're considering, and will help you to make decisions on some matters you're unsure of. (32)

5.7 Awareness of the Codes

Given the general consensus that codes of ethics are a valuable contribution to the profession, one might be led to believe that knowledge of the existence and contents of such codes is widespread. However, this does not appear to be the case. The Chief Executive of the Library Association acknowledged that there is virtually no *public* awareness of its Code of Professional Conduct and that more needed to be done in this respect, such as having available for display in libraries 'something like a charter statement saying that members of the Library Association are bound to follow a Code of Professional Conduct', with further information regarding the Code and complaints procedures (33). He added that this has yet to find widespread favour, partly because of the potential for conflict between the professional librarian and his relationship with the employer - ironically just the sort of conflict of interest codes are intended to resolve. He hoped that next year, the centenary of the Library Association's Royal Charter, might be an opportunity to 'resurrect' this and similar ideas to increase public awareness of the Code. The current Chair of the Library Association's Disciplinary Committee confirmed that 'at a recent meeting we did agree that more publicity is needed' (34), and that the Association was trying to address the problem of lack of knowledge of its Code.

When one looks at knowledge of codes *within the profession* itself rather than amongst the general public one finds a higher level of awareness, though it is still far from ideal. The main study in this area was conducted by Lonsdale and Oppenheim (35) in 1993, though it should be noted that the study was limited to reference librarians working in academic institutions. Out of the 64 respondents to the 100 questionnaires they sent out, 87% were members of the Library Association (LA), and 17% were members of the Institute of Information Scientists (IIS). 16% were members of both, and 11% belonged to neither (figures to the nearest whole number). Asked whether these two professional bodies had a code of ethics, the majority of the respondents 'had no idea' whether or not the IIS had one (it didn't at the time). 67% thought that the LA had a code, though worryingly 9% said it did not and 23% did not know. They conclude, 'It is clear ... that the LA needs to improve librarians' awareness of its Code of Ethics'(36), and later, 'There seems to be a need for the LA to adopt a more vigorous position in promoting awareness of its Code' (37).

The interviews with representatives of the LA conducted as part of this dissertation show clearly that they are very aware of this, and one hopes that measures will be taken to increase awareness of its Code amongst all interested parties.

In fact, awareness may already have increased since Lonsdale and Oppenheim's research, though perhaps not quite in the way the Library Association would have wished. *The Library Association Record*, in August 1996 (38) carried a short notice informing members of the fact that LA Council had decided in June of that year to expel a member. The brevity and inconspicuousness of the notification of the expulsion order belied the significance of its effect on the profession. Sanctions against its members are rare enough (in fact there have only been six invocations of the Code since its inception (39), four of which were not deemed fit for consideration, and the fifth was dismissed), and the expulsion of a member did not pass unnoticed. Indeed, the *Library Association Record* subsequently published fuller details of the case partly in response to pressure from members who felt 'entitled to know what particular kinds of conduct have merited censure'(40). Having taken legal advice, the Disciplinary Committee published fuller details of the case, and summarised these by

saying that the (former) member 'had acted in a manner contrary to the aims, objects and interests of the Association and had conducted himself in a manner unbecoming or prejudicial to the Association's bye-laws'(41).

The Chief Executive of the Library Association confirmed that the publicity (details were also published in *The Times* newspaper and other professional journals) had had a beneficial effect on awareness of the Code:

> The fact that last year, for the first time, we expelled a member really did raise awareness, and we certainly get more enquiries about the [disciplinary] procedures involved now than when I first came to be Chief Executive. (42)

It was his view that members are now 'reasonably aware' of the Code:

> They should know one exists, and I'd be surprised if they didn't understand its basic nature.. (43)

The Chair of the Disciplinary Committee seemed to confirm this view, at least as far as active members are concerned:

Most people who are LA activists are aware of the Code, and the fact that we had the recent case of expulsion has helped to publicise it. (44)

5.8   Review

From this brief study of codes of ethics within the library and information professions, with particular reference to the UK context, one can draw some general conclusions:

- *that the benefits of having codes of ethics outweigh their limitations*
- *that the primary purpose of codes is one of protection*
- *that codes are not sufficiently well-publicised, and that there is a limited awareness of them which needs to be addressed by the professional associations*

- *that the existence of codes can nevertheless be a useful way to raise awareness of ethical issues*
- *that codes can provide a useful means to resolve ethical dilemmas and to make ethically defensible decisions*
- *that as statements of general intent, and as descriptions of ideal practice they are not, however, flexible enough to deal with all ethical dilemmas*

It is this last point which will be explored in the following chapter, where it will be argued that case studies are an ideal supplement to codes of ethics, and that training in ethics should begin early.

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CHAPTER 6

PREPARING TO MEET ETHICAL DILEMMAS: THE ROLE OF TRAINING AND THE USE OF CASE STUDIES

6.1   The Role of Training

Vital though they are, codes of ethics alone cannot equip library and information workers to meet ethical dilemmas. They tend to consist of general principles which cannot always provide guidance on how to behave in specific situations. However well-written and adaptable, codes cannot be reasonably expected to resolve every issue that arises. The heterogeneous nature of the profession must also be taken into account, together with the fact that not all library and information workers belong to a professional association and therefore may be neither aware of, nor bound by, their codes.

There are also more subtle reasons for not being able to rely solely on codes of ethics to promote awareness of ethical issues and good ethical practice. The most fundamental of these is the natural tendency to make decisions and to take actions with little or no ethical reflection, 'The actions we take everyday are reflexive in terms of ethical conduct; our days are not replete with ethical reflection. Rather, we operate with a subconscious ethical system, whether poorly or well-developed, that emerges into consciousness *only when a special event or situation makes us doubt or defend our judgements or actions* [my italics]' (1). This is important, because firstly it suggests that we only really stop to consider the validity of our judgements and actions when we get them wrong, and secondly it suggests that actions in the ethical domain are more likely to be performed by habit than by deliberation (2). Therefore codes of ethics seem unlikely to reform, by themselves, our habitual decision-making strategy. This view is confirmed by Severson who argues that in ordinary circumstances the moral sensibility derived from our upbringing serves us reasonably

well, 'But when we face extraordinary circumstances, our moral sensibilities tend to be inadequate. We have trouble discerning right from wrong (or good from bad) when dealing with the unfamiliar ... That is why we must resort to ethics, which is a higher level of discourse than morals' (3).

Therefore, an awareness of ethics needs to permeate the library and information professions, as Rubin and Froehlich assert, 'To the extent that information professionals are socialised into the ethics of the discipline, the greater the chance that these ethical standards become part of our basic ethical framework and will be consummated in day-to-day work life' (4). Where better to begin that process of socialisation than within library and information science education?

6.2 Teaching Professional Ethics

Bellardo insists, 'Ethics, as a topic of investigation, discussion and debate, must be fully integrated into our professional school curricula. Educators must play a central role in guiding the ethical development of information professionals' (5). She argues that no code can solve all the ethical problems of a profession without a solid foundation in ethics and values being inculcated from the beginning into every member, and that professional school education has a central role to play in that (6).

Usherwood is similarly convinced, 'The discussion of ethical questions should start early and the topic should be included in programmes of professional education. It is in the library schools and departments of information studies that much important professional socialisation takes place and it is only proper that questions regarding the ethics of information are discussed, debated, if not decided, at that point and later in a professional's career' (7). Adam, despite his scepticism regarding the benefits of codes of ethics, is convinced that, 'The discussion of ethical questions should start early and be included as part of professional ethical education' (8). In her 'action plan' for the implementation of an ethical vision in librarianship, Du Mont (9) places at the head of her agenda the need for a thorough integration of moral and ethical concerns into the criteria for library and information science courses.

Given the overwhelming consensus of opinion in the literature that ethics should form an integral part of such course, it is therefore ironic that most of the professionals interviewed for this study were adamant that it had not been taught, or could not recall it being taught - cause for concern in either case. Only one of the interviewees recalled the subject being broached, as a topic in a series of free-ranging lectures (10). A more scientific study conducted in 1993 by Lonsdale and Oppenheim (11) revealed that only 14 percent of the sample of academic reference librarians surveyed had received formal training in ethics. Yet there was enthusiasm expressed by the interviewees for the idea. The University Librarian, for example, commented:

> I wasn't taught ethics, but I think it's a wonderful idea. I really think that we should be taught it. The medical profession presumably wouldn't dream of a medical course without some sort of ethics. Similarly with lawyers, I'm sure. (12)

It has been suggested that the image of the profession may be damaged as a result of unfavourable comparison with those others which offer clearer, more structured ethical preparation (13).

This suggestion of a lack of ethical content within relevant courses seems to reflect additional findings of Lonsdale and Oppenheim's study. One of their aims was to investigate how well academic institutions that train information professionals prepare their graduates for ethical issues. They sent a questionnaire to every UK academic institution that taught librarianship or information science. Of the twelve responses they received (out of 17), eight of the respondents thought ethics was a suitable topic for inclusion in the curriculum, but overall only gave ethics moderate importance among conflicting priorities for teaching time. Eight schools said that they taught ethics, four that they did not. Only 'a few' of them devoted specific time to the structured teaching of ethics (two hours being mentioned by two schools, for example), but others suggested that such issues pervaded the curriculum. The authors of the study raise doubts regarding how far this pervasiveness was perceived by students. Interestingly, only two respondents believed that there was much interest shown by students in these issues, though one has to question how far it is a presumption by the remaining ten that the level of interest is low (14).

In contrast the Chief Executive of the Library Association, who on occasions has been a guest lecturer for one library school's unit on ethics, commented, "The students seem extremely interested and very well-informed, with quite strong opinions." (15)

It is surely valid to ask whether students' reported moderate interest is, in truth, a moderate interest within library and information science departments for teaching the subject. Lonsdale and Oppenheim conclude that there is indeed 'moderate interest' in teaching ethics within the schools, and they implicitly criticise the lack of uniformity in the teaching of the subject. They also comment on the important role the Library Association and the Institute of Information Scientists have, when validating courses, in insisting that ethical issues are covered explicitly.

Both the professional associations act as accrediting bodies. The Institute, for example, has a document entitled *Criteria for Information Science* (16) which defines what it would like to see on an information science course. *Section D (Information Environment and Policy)* lists 'professional and ethical issues' as one of the criteria. However, both the Chief Executive of the Library Association, and the Director of the Institute acknowledged that the number and the range of courses make the accreditation process difficult. In response to the question of whether ethics is sufficiently taught, the Chief Executive replied;

> It's very difficult to say whether ethics is sufficiently taught in library and information science courses. Whereas at one time there was a national syllabus, nowadays we accredit nearly sixty courses. (17)

The IIS Director commented:

> When you see the course documentation on an accreditation visit ethics may well be listed, but unless you actually go to the modules that deal with these issues, it's very difficult to say. In many cases I think students will do a specific assignment on ethical issues, but one would expect them to have their attention drawn to matters of this kind during the course. However, unless you take the course yourself it's very difficult to say, so we have no detailed knowledge of how much is actually being covered. (18)

Unfortunately it is beyond the scope of this study to investigate further the extent to which ethics is actually being taught in such courses, and the nature of the courses, but there is undoubtedly a fruitful area for further research to expand on the work of Lonsdale and Oppenheim, and of Rogers (19) in America. What does seem certain though is that professional school education has a vital role to play in inculcating ethical awareness within the profession, and that they should not abdicate the teaching of ethics and values to future professionals, 'Young professionals must have their own internalised ethical standards. The best place to nurture these standards is in school, as an integral part of teaching knowledge and skills' (20). It should not be necessary to point out the important role continuing professional development (CPD) has in maintaining the work begun in library schools by continuing to address the ethical aspects of information work.

If it is accepted then, that socialisation into ethical behaviour should begin early at library school and continue into continuing professional development, how is this best done? The most popular teaching methods identified by Lonsdale and Oppenheim (21) were problem posing/solving, role playing, and seminars and discussions. Bellardo (22) lists the choices as including analysis and discussion of case studies, individual assignments and classroom debates. In the discussion that follows it will be argued that the intelligent use of case studies is an excellent means of preparing library and information workers to meet and resolve ethical dilemmas.

6.3 The Case for Case Studies

It is significant that neither of the studies referred to above lists the traditional lecture format as a means of teaching ethics. The main disadvantage of lectures is that while they may be useful in explaining ethical theories such as those mentioned in Chapter Two, the practical application of such theories is harder to demonstrate. They might in fact make the theories seem remote from the kinds of ethical dilemmas and decision-making situations which professionals may well be called on to deal with. Hannabuss stresses that it is important 'to design ethics courses ... so that they have a high degree of perceived relevance and appropriateness, and regularly and convincingly translate

general principles ... into situations with which students can readily identify' (23). This is precisely where the value of case studies lies.

6.4   The Benefits of Case Studies

Hannabuss (24), White (25) and others assign the following benefits to the use of case studies:

- *they allow students to engage directly with workplace-related issues*
- *they can supplement lectures, demonstrating the practical applications of principles and methods of reasoning*
- *they encourage the presentation of reasoned arguments*
- *they can be worked on individually or in small groups*
- *they often stimulate lively debate*
- *they can incorporate elements of research (e.g., into related legal or organisational issues)*
- *they provide a safe means to learn through experience, including learning from making mistakes*
- *they can challenge pre-conceived notions of right and wrong, and encourage greater flexibility of thought and approach*

For case studies to be most effective, it is important that students understand that the *process* of decision-making is more important than the product, i.e. the specific conclusion reached. White says, 'The conclusion is not the key issue as long as the student has examined all of the alternatives and evaluated all the likely reactions to the conclusion ultimately chosen. Whether that conclusion turned out to be "correct" is something a classroom setting cannot and need not determine' (26). It takes a degree of familiarity with case studies before most students realise that there is no 'obvious' answer. Indeed, if they believe the answer is obvious, they are likely to be missing the point, 'We do not learn by *solving* case studies [but] by acquiring skills in analysis, in the identification of alternatives, and in the assessment of potential risks' (27). There

are in fact no 'correct' answers, though students may well discover that, just as in 'real life', there are good and less good alternatives.

Case study methodology is fairly straightforward, and can be formed from the following steps:

- *identify the important issues/dilemmas that the case study illustrates*
- *identify the individual concerns for the protagonists involved*
- *identify the issues for the library/information unit (and its parent organisation, if appropriate)*
- *assess the options, evaluate alternatives and weigh up the likely repercussions of any choices made*
- *determine the best course of action, and be prepared to justify the choice*
- *consider again the impact a course of action would have on the decision-maker, on the workplace, on future relationships*

It is also worth considering, on the basis that 'prevention is better than cure', how such situations might have been avoided in the first place. Students can also work with codes of ethics during the case study process. Zipkowitz usefully suggests a more personal approach which might usefully be employed to avoid the error of approaching case studies purely as academic exercises, with the student feeling no real involvement in the issues presented in each scenario. She suggests that the first step is 'to consider the boundaries of our own actions ... How would we, as individuals, behave in each of the roles presented in the case? How may we use ... professional ethical guidelines [i.e. codes of ethics] to inform our choices?' (28).

What is clear is that the skills in analysis honed through the practice of case studies are exactly the skills that budding library and information science professionals will be called upon to use when, as managers or supervisors, they encounter and have to resolve ethical dilemmas in the workplace.

6.5   Review

The following conclusions then can be reached with regard to the role of training and the use of case studies as ways of preparing to meet ethical dilemmas:

- *a basic understanding of key ethical theories and the existence of workable, effective codes are important aspects of ensuring an ethical, or at least ethically aware, profession*
- *these need to be supplemented by a solid grounding in professional ethics begun first in the course of professional education in library and information science courses, and later through continuing professional development*
- *the attitude of library schools towards the teaching of ethics seems sufficiently ambiguous to justify a questioning of how far ethics permeates such courses*
- *one of the most effective ways to inculcate ethical values and prepare library and information science students to meet and resolve ethical dilemmas satisfactorily is the use of case studies providing suitable 'real life' scenarios*

Case studies enable us to learn skills through what Gotterbarn calls 'concretion through practice' (29). In other words, a 'one-off' case study is unlikely to be of much benefit. This has implications for library school courses. An entire course dealing with ethical concerns would allow in-depth discussion of the kinds of topics covered in Chapter 4, and a thorough use of case studies. On the other hand, such a course may be 'elective' rather than 'core'. As Paskoff rightly states, 'Professional ethics is not an 'elective' in the lives of librarians, and should be included in the required courses taken by every student' (30). Ethics education, including the use of case studies, must permeate the curriculum even where a separate course (whether it be core or elective) is offered.

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CHAPTER SEVEN

CONCLUSIONS

Where is the Life we have lost in living?
Where is the wisdom we have lost in knowledge
Where is the knowledge we have lost in information
(T. S. Eliot, Choruses from "The Rock")

7.1   Conclusions

During 10-12 March 1997, the First International Conference on Ethical, Legal and Societal Aspects of Digital Information took place in Monte Carlo. For two days the delegates discussed issues such as the ethical implications of the Internet and Cyberspace, encryption, the manipulation of digital data, and so forth.

At the end of the second day of the Conference, someone asked the Conference panel just what was meant by 'information ethics'. The question threw the panel into confusion, and the issue remained unresolved. One of those attending subsequently noted that by omitting to first establish some common frames of reference, the Conference had drifted very quickly into a discussion of what new technology could and could not do, without any real debate about the ethical issues underlying these changes. He concluded, "The underlying concept of what 'ethical' means was not dealt with properly", and expressed the view that the Conference organisers had interpreted ethics in a way different from that which "many professional people, especially those trained in philosophy, would consider the real meaning of ethics" (1).

Earlier in this study, it was suggested that the library and information professions need to reclaim the language of ethics, and the situation described above seems to vividly illustrate that need.

How might such a language be reclaimed? In Chapter Five it was suggested that codes of ethics have an important role to play in this respect. They can help to raise general awareness of ethical issues and inculcate ethical values in employees, and they provide a profession's members with guidance in acceptable conduct when faced with ethical dilemmas, and with a basis for decision-making.

Adherence to a code of ethics is becoming a fundamental requirement for membership of a profession. As Chapter Four makes clear, the work of information professionals gives rise to the potential for many ethical dilemmas, many conflicts of loyalty. In such complex circumstances choices have to be made, and codes of ethics define guidelines for making those choices and for considering their consequences. However, it is the very complexity of the ethical issues involved which makes codes alone insufficient to reclaim the language of ethics for the profession.

The advent of the 'Information Age', and its associated accelerated change, has made the climate in which professionals must make ethical decisions more complex. Those working in the library and information professions have been (and continue to be) at the forefront of the information revolution, and as such they have seen dramatic transformations in the nature of their professions. In particular, they have witnessed the rapid and widespread use of computers with their ability to store, process and transmit vast amounts of information. Although these new information technologies have not fundamentally altered the underlying ethical issues, their combination with rapid social and economic change has reshaped some of the ethical dilemmas, and in many cases made their resolution more urgent.

Unfortunately, the advances that have been made have not necessarily been matched by our ability to meet the challenges they pose.

Chapter Six suggested that just as codes alone are not sufficient to meet ethical challenges, neither can we rely on our personal standards to be sufficiently developed to guide us reliably in making sound professional decisions. As was shown, we tend to operate on a subconscious level and ethical reflection, if it takes place at all, is often

superficial in nature. This is an inadequate strategy for coping with complex, and often new and unfamiliar, ethical dilemmas - and as we have seen, librarians and other information professionals, especially those working in a managerial capacity, are constantly making ethical decisions whether they realise it or not. As Stevens argues, 'Simple answers no longer suffice in these complex situations especially at a time when there is increased emphasis on accountability and ethics in all parts of society. Actions and decisions that, at first glance, may seem simple and straightforward are too often fraught with difficulty' (2).

The rapid change on which the information age is predicated admittedly makes critical thinking very difficult, but it is vital that the profession rise to this challenge. Severson, reflecting on just this inability to deal effectively with new environments and experiences, suggests a solution, 'That is why we must resort to ethics ...[which]... entails systematic or disciplined reflection on the moral life. Ethicists articulate the moral principles that stand behind (and make possible) the moral judgements that we ordinarily make without thinking. So ethics ... enables us to extend our moral sensibilities much further - even into the radically new automated environments we are now creating' (3).

The writer of this study has suggested two ways in which our skills in ethical reflection might be developed and honed. The first of these is the acquisition of at least a basic understanding of ethical theory, particularly the consequentialist and deontological theories of ethics. This may not turn us all into moral philosophers but will at the very least alert us to the complexity of deceptively simple issues and equip us with a vocabulary and framework for decision-making.

The second way is to ensure that the teaching of ethics is fully integrated into the library and information science courses taught in our universities, and that such issues continue to form part of continuing professional development (CPD). It is not enough to simply list the dilemmas faced (though of course we all need to be alerted to these). Ethics must be perceived as relevant, and the use of case studies has an invaluable role to play in this respect, for they can be made situation-specific, with a high degree of

relevance. Properly employed, they help students and professionals to develop process skills and alert them to the complexity of the issues involved in the workplace.

Hannabuss outlines the benefits of effective education in ethics, 'Many have come to believe in the importance of sensitising students to ethical implications of organisational behaviour and professional decision-making, and providing them with opportunities to evaluate and discuss particular situations of relevance to their future work. Moreover, there is an important role for ethics teaching, particularly in case study and role play formats, on post-experience courses' (4).

Some of the implications of what has been presented here should be clear:

- *the professional associations and other interested parties have a major role to play in devising effective, credible and adaptable codes of ethics for the library and information professions*

- *in relation to the above, the renewed possibility of a single, united professional body[*] might present an ideal opportunity for a fresh attempt to capture the essence of the profession in a code*

- *the professional associations also have a responsibility to increase greatly awareness of their code(s) both within the profession and amongst the general public*

- *those responsible for the design and implementation of library and information science courses should ensure that ethical issues are sufficiently addressed, so that they pervade the curriculum even where separate ethics courses are offered*

- *similarly with CPD, for reinforcement and habituation into thinking and acting ethically*

- *the professional bodies have a responsibility to ensure that accredited courses do deliver sufficient teaching of ethics*

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[*] *The Library Association Record* reported, in August 1997, that the LA and the IIS had held a series of meetings following moves to forge a closer alliance - with the possibility of a new unified organisation within five years.

The library and information professions are striving towards full professional status, and as Bellardo says, 'The extent to which [ethical] standards are articulated, taught, enforced, and sanctioned in a field is a gauge of the degree to which the public views that field as a true profession' (5). Being a professional carries responsibilities. This is easy to understand in relation to the medical or legal professions, for example, but perhaps we are guilty of underestimating our own power and importance. Yet we have an extraordinary capacity to either empower people to exploit information, or to deprive them of that basic right through complacency, incompetence or ill-will. In that context we surely play an immensely responsible role, 'Although most of us hardly expected to be possessors of knowledge of such value, we have been given an opportunity to shape a major transition in the history of the world' (6).

Consequently, the absence of a shared vocabulary of ethics must be a major cause for concern, and we need to double and redouble our efforts to define our ethical responsibilities and explore ways of ensuring that all professionals are aware of their ethical obligations, and possess the skills and knowledge needed to meet them.

It is not difficult to suggest ways in which this might be done. It is more difficult to gauge whether there is the will to pursue them. In researching this topic, the writer has been struck by the level of interest shown in the subject of ethics and the library and information professions, and he takes a measure of encouragement from that.

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APPENDIX A

Other Ethical Theories

Chapter Two described the consequentialist and deontological theories of ethics. Two other important theories are: *ethical relativism* and *egoism*.

Ethical Relativism

Ethical relativism holds that there are no universal moral norms. On an individual level such a view may be formulated as, "What is right for you is not necessarily right for me." On the societal level, ethical relativism suggests that issues of right and wrong are relative to the time, culture or environment in which people live. Consequently, there can be no universal rights or wrongs.

Superficially, this ethical stance seems tenable. Cultures do vary in what they hold to be right and wrong; polygamy, or female genital mutilation, are morally acceptable in some countries for example, but not in others. Slavery was once considered acceptable by many in our society, but is no longer condoned.

That there are and always have been varieties of opinion and practice on issues of right and wrong is an evident truth. However, while accepting this truth a closer, more critical examination reveals that it is not sufficient to support the ethical relativists' claims that there are no universal moral norms. Ethical relativists tend to concern themselves more with specific practices than with underlying universal norms. In other words, ethical relativism is *descriptive* (describing how people behave) rather than *normative* (concerning itself with how they ought to behave). Therefore this theory alone cannot be successfully employed to disprove the existence of universal rights and wrongs. Right and wrong behaviour cannot be judged solely in relation to the environment in which it occurs.

Egoism

Egoism is a form of consequentialist theory which says that an individual should act to bring the maximum good or happiness for him or herself. In other words, one acts out of self-interest, and what is good is what makes one happy. This is to be contrasted with utilitarianism which obliges one to consider the happiness of the greatest number. Acting ethically depends, for the egoist, on being able to see advantage in that for oneself.

The danger of such an approach to moral conduct should be obvious; the risk is run of subordinating a higher order of ethical behaviour to that which serves one's own advantage. On the other hand, a more sophisticated form of egoism, *enlightened* self-interest, demonstrates more than a concern merely for one's own happiness regardless of others. A more enlightened egoist will understand that one's own happiness depends, at least in part, on the happiness of those others. It is, in fact, to one's own advantage to be moral.

(adapted, in part, from *Computer Ethics*, 2nd ed., by Deborah Johnson)

Ethics on the World Wide Web

Listed below are nine web sites which concern themselves with ethical issues. As might be expected, there is an emphasis on the ethics of computers in general and of the Internet in particular, but many of the principles are transferable to the library and information field. There is also much useful material of a more general nature.

Ethics in Information Science and Library Science:

http://www.umich.edu/~shotac/SHOT/syllabi/mmsmith.html

A comprehensive description of the MA level course led by Martha Montague Smith at the University of North Carolina. The course covers both ethical dilemmas and the strategies available to information professionals to address them. Topics include access, equity, intellectual property rights, privacy and confidentiality, censorship, personnel issues etc. Various philosophical traditions are examined, including utilitarianism and Kantianism. A great deal of useful reading material is listed.

Applied Ethics Resources on the WWW

http://www.ethics.ubc.ca/papers/AppliedEthics.html

A huge resource which lists WWW sites which may be of interest to people doing research in the various branches of applied ethics. Includes links to resources such as Ethical/Moral Decision Making, Computer and Information Ethics and Professional Ethics.

Worksheet for Ethical Decision Making

http://jcomm.uoregon.edu/~tbivins/j495/Worksheet.html

A useful step-by-step guide to ethical decision making. It includes, as part of the strategy, asking questions based on consequentialist and Kantian approaches.

The Ethics Connection

http://www.scu.edu/Ethics/homepage.shtml

A large website of the Markkula Center for Applied Ethics, based at Santa Clara University. A goal of the Center is to equip people with strategies to heighten ethical awareness and improve decision making. It includes links to other sites, case studies, frameworks for decision-making, on-line ethics publications etc. The Decision Making section is particularly useful.

Ethics Resources on the Net

http://condor.depaul.edu/ethics/ethb1.html

Another large clearing house for ethics resources on the WWW, maintained by the Institute for Business and Professional Ethics at DePaul University.

Where the Wild Things Are: Librarian's Guide to the Best Information on the Net - Ethics

http://www.sau.edu/cwis/internet/wild/Majors/Philos/Ethics/ethindex.

Another useful set of links to ethics resources.

Library and Information Science

http://www.clark.net/pub/lschank/web/library.html

Links to many resources concerned largely with the ethical and legal issues surrounding Internet use in libraries.

Library and Information Science: General Resources

http://www.nlc-bnc.ca/ifla/ll/libdoc.htm

An IFLA collection of general library and information science resources, with a section devoted to Intellectual Freedom and Information Ethics

Ethical Dilemmas in Computing Discussion Forum

http://cs.joensuu.fi/~ethics/

An underdeveloped site, but one which could prove a useful model for a professional body in the library and information science professions to adopt as a forum for ethics.

The Library Association's Code of Professional Conduct, 2nd ed., 1996

THE LIBRARY ASSOCIATION'S CODE OF PROFESSIONAL CONDUCT

The purpose of this Code of Conduct is to set out the standards of professional conduct expected of members of the Association and to indicate what matters may be regarded by the Disciplinary Committee as being contrary to the aims, objects and interests of the Association or contrary to the profession of librarianship. This code shall apply to all classes of individual members of the Association.

1   Members of the Association must conduct themselves in such a way that their conduct would not be reasonably regarded by their professional colleagues within the field of librarianship (including the provision of information services) as serious professional misconduct or as professional misconduct. It is by this overall test that the conduct will be judged.

2a Members must comply with the Charter and Bye-laws of the Association and the provisions of this Code of Conduct;

b   Members must not engage in conduct which may seriously prejudice the standing and reputation of the library profession or of The Library Association;

c   Members must be competent in their professional activities including the requirement

(i)   to keep abreast of developments in librarianship in those branches of professional practice in which qualifications and experience entitle them to engage;

(ii) in respect of those members of the Association responsible for supervising the training or duties of another librarian, to ensure that those whom they supervise are trained to carry out their duties in a competent manner.

d   Members' primary duty when acting in the capacity of librarian is to their clients, i.e. the persons or groups of persons for whose requirements and use are intended the resources and services which the members are engaged to provide. In all professional considerations the interests of the clients within their prescribed or legitimate requirements take precedence over all other interests. It is recognized that the persons or groups of persons to whom this duty is owed will vary according to the

nature of the employment which members undertake. In particular it is recognized that different considerations will apply where members are working at a place to which the public has right of access from those where they are working in an environment where the public is excluded or given only limited access.

e In places to which the public has right of access, save where the flow of information must be restricted by reason of confidentiality, members have an obligation to facilitate the flow of information and ideas and to protect and promote the rights of every individual to have free and equal access to sources of information without discrimination and within the limits of the law.

f Members must fulfil to the best of their ability the contractual obligations owed to their employer. However circumstances may arise when the public interest or the reputation of the profession itself may be at variance with the narrower interests of an employer. If it is found to be impossible to reconcile such differences then the public interest and the maintenance of professional standards must be the primary considerations.

g Members shall not knowingly promote material the prime purpose of which is to encourage discrimination on the grounds of race, colour, creed, gender or sexual orientation. It shall not be regarded as promoting such material to divulge it for the purpose of studying the subject of that discrimination.

h (i) Members must not divulge or permit to be divulged any materials, information or administrative record (in manual or electronic form) which has been entrusted to them in confidence, to any third party nor use such information without the prior consent of the client for any purpose other than that for which it was first obtained. This duty to the client continues after the relationship of librarian and client ceases.

   (ii) Members are absolved from the duty set out in sub-paragraph (i) above in so far as is required by law and in so far as it is necessary to answer accusations before the Disciplinary Committee.

i Members' actions and decisions should be determined solely by their professional judgement and they should not profit from their position otherwise than by normal remuneration or fee for professional services.

Extracts from the Draft IIS Code of Ethics (subject to revision)

1. Core values

Information professionals should seek, in the course of their professional work, to

- Maintain integrity and good faith

- Provide service to clients and to society, and to be responsible for the level and quality of that service

- Pursue truth and the advancement of knowledge

- Facilitate wide access to information and ideas, subject to a respect for privacy

- Acquire and present information impartially

- Not to damage, and where employment permits it to enhance, society's cultural heritage

- Maintain and enhance the good repute of the profession

- Maintain and develop professional competence, through keeping up to date with new developments and maintaining current awareness.

3. Standards and duties .

In an information professional's work, the core values imply good professional practice and duties to the public, to clients, and to other information professionals. Where duties conflict, the information professional has a duty to attempt to resolve that conflict.

4. Good professional practice

Information professionals should seek, within the constraints of any externally imposed limitations, to maintain the best possible professional practice.

4.3 Competence

The information professional should attempt to ensure that he or she is competent to undertake all his or her professional duties. This includes a responsibility for one's own professional development, and a responsibility to ensure that one is capable of using properly any specialist systems or equipment involved in one's work.

4.4 Intellectual property

An information professional should respect the moral rights of the creators and distributors of intellectual property. This duty may extend beyond the requirements of copyright law.

6.2 Impartiality

The information professional should not allow their personal interests, opinions or beliefs to affect either guidance they give to clients, or information provided to clients. This applies both to the selection of information sources and the presentation of information.

6.3 Limitation of advice

An information professional should not advise on matters beyond their own professional expertise, transgress the boundaries of other areas of professional expertise in the interpretation of information, or give the appearance to clients of specialist knowledge.

6.9 Confidentiality

An information professional should keep the affairs of clients confidential. Information which should be kept confidential includes both the content and nature of clients' enquiries, and information on client's affairs which is acquired in the course of working for clients or dealing with their enquiries.

The duty extends to the team or individuals with which an information professional is working, or whom they supervise. In such a situation there is a duty upon the group as a whole to keep clients' affairs confidential, or a duty upon the supervisor to ensure that those they supervise keep clients' affairs confidential.

7. Conflicts of interest

An information professional should seek to find the correct balance between conflicting interests. Conflicts on interest can arise is a variety of situations, for instance between the information professional and a client, between two clients of the information professional, or between the information professional's employer, in their role as employer, and another client.

A conflict of interest between two or more clients does not necessarily prevent an information professional from assisting them both. Rather, the information professional should be aware of those points at which discharging one professional duty may involve jeopardising the interests of, or the value of the information being provided to, another client. In such cases the fairest possible balance should be found.

Where it is impossible for an information professional to properly discharge two competing professional duties, he or she should attempt to end the conflict in a way which best meets clients' interests; for instance, by referring one client to another source of help. Information professionals should avoid breaching confidentiality in explaining to clients why this is necessary. A statement that "I have a professional conflict of interest" will sometimes be appropriate. In other situations this may itself be a clue; if so "A duty of professional conduct has arisen which forces me to refer you elsewhere" may be suitable.

The Institute of Management Consultants' Code of Professional Conduct

Principle 1

Meeting the client's requirements

A member shall regard the client's requirements and interests as paramount at all times.

Rules:

Competence
1.1   A member will only accept work that the member is qualified to perform and in which the client can be served effectively; a member will not make any misleading claims and will provide references from other clients if requested.

Agreement on deliverables and fees
1.2   A member shall agree formally with the client the scope, nature and deliverables of the services to be provided and the basis of remuneration, in advance of commencing work; any subsequent revisions will be subject to prior discussion and agreement with the client.

Sub-contracting
1.3   A member shall sub-contract work only with the prior agreement of the client, and, except where otherwise agreed, will remain responsible for the performance of the work.

Confidentiality
1.4   A member will hold all information concerning the affairs of clients in the strictest confidence and will not disclose proprietary information obtained during the course · of assignments.

Non-poaching
1.5   A member will not invite or encourage any employee of a client for whom the member is working to consider alternative employment, unless it is the purpose of the assignment.

Due care
1.6   A member will make certain that advice, solutions and recommendations are based on thorough, impartial consideration and analysis of all available pertinent facts and relevant experience and are realistic, practicable and clearly understood by the client.

Communication
1.7   A member will ensure that the client is kept fully informed about the progress of the assignment.

1.8   A member will encourage and take note of any feedback provided by the client on the performance of the member's services.

Respect
1.9   A member will act with courtesy and consideration toward the individuals contacted in the course of undertaking assignments.

Principle 2

Integrity, independence, objectivity

A member shall avoid any action or situation inconsistent with the member's professional obligations or which in any way might be seen to impair the member's integrity. In formulating advice and recommendations the member will be guided solely by the member's objective view of the client's best interests.

Rules:

Disclosure
2.1   A member will disclose at the earliest opportunity any special relationships, circumstances or business interests which might influence or impair, or could be seen by the client or others to influence or impair, the member's judgement or objectivity on a particular assignment.

2.1.1   Rule 2.1 requires the prior disclosure of all relevant personal, financial or other business interests which could not be inferred from the description of the services offered. In particular this relates to:

- *any directorship or controlling interest in any business in competition with the client*
- *any financial interest in goods or services recommended or supplied to the client*
- *any personal relationship with any individual in the client's employ*
- *any personal investment in the client organisation or in its parent or any subsidiary companies*
- *any recent or current engagements in sensitive areas of work with directly competitive clients*
- *any work for a third party on the opposite side of a transaction e.g. bid defence, acquisitions, work for the regulator and the regulated, assessing the products of an existing client.*

Conflicts of Interest
2.2   A member shall not serve a client under circumstances which are inconsistent with the member's professional obligations or which in any way might be seen to impair the member's integrity; wherever a conflict or potential conflict of interest arises, the member shall, as the circumstances require, either withdraw from the assignment, remove the source of conflict or disclose and obtain the agreement of the parties concerned to the performance or continuance of the engagement.

2.2.1   It should be noted that the Institute may, depending on the circumstances, be one of the 'parties concerned'. For example, if a member is under pressure to act in a way which would bring the member into non-compliance with the Code of Professional Conduct, in addition to any other declaration which it might be appropriate to make, the facts should be declared to the Institute.

Inducements
2.3   · A member shall not accept discounts, hospitality, commissions or gifts as an inducement to show favour to any person or body, nor attempt to obtain advantage by giving financial inducements to clients or client staff.

2.3.1   *Payment for legitimate marketing activity may be made, and national laws should be respected.*

Privacy of Information
2.4   A member shall not use any confidential information about a client's affairs, elicited during the course of an assignment for personal benefit or for the benefit of others outside the client organisation; there shall be no insider dealing or trading as legally defined or understood.

2.5   When required or appropriate a member will establish specific methods of working which preserve the privacy of the client's information.

Objectivity
2.6   A member will advise the client of any significant reservations the member may have about the client's expectation of benefits from an engagement.

2.7   A member will not indicate any short-term benefits at the expense of the long-term welfare of the client without advising the client of the implications

Principle 3

Responsibility to the Profession and to the Institute

A member's conduct shall at all times endeavour to enhance the standing and public recognition of the profession and the Institute.

Rules:

Annual Affirmation
3.1   A member will provide the Institute with annual affirmation of adherence to the Code of Professional Conduct.

Continuing Professional Development
3.2   A member will comply with the Institute's requirements on Continuing Professional Development in order to ensure that the knowledge and skills the member offers to clients are kept up to date.

3.3   A member will encourage management consultants for whom the member is responsible to maintain and advance their competence by participating in Continuing Professional Development and to obtain membership of the Institute.

Professional obligations to others
3.4   A member shall have respect for the professional obligations and qualifications of all others with whom the member works.

3.5   A member referring a client to another management consultant will not misrepresent the qualifications of the other management consultants, nor make any commitments for the other management consultant.

3.6   A member accepting an assignment for a client knowing that another management consultant is serving the client will ensure that any potential conflict between assignments is brought to the attention of the client.

3.7   When asked by a client to review the work of another professional, a member will exercise the objectivity, integrity and sensitivity required in all technical and advisory conclusions communicated to the client.

Fees
3.8   A member will negotiate agreements and charges for professional services only in a manner approved as ethical and professional by the Institute.

3.8.1   *Members are referred to the Institute's 'Guidelines on Charging for Management Consulting Services'.*

Publicity
3.9   A member, in publicising work or making representations to a client, shall ensure that the information given:

- is factual and relevant;
- is neither misleading nor unfair to others;
- is not otherwise discreditable to the profession.

3.9.1   *Accepted methods of making experience and/or availability known include:*

- *publication of work (with the consent of the client)*
- *direct approaches to potential clients*
- *entries in any relevant directory*
- *advertisement (in printed publication, or on radio or television)*
- *public speaking engagements.*

Members are referred to the Institute's 'Guidelines on the Promotion of Management Consulting Services'.

Personal Conduct
3.10   A member shall be a fit and proper person to carry on the profession of management consultancy.

3.10.1   *A member shall at all times be of good reputation and character. Particular matters for concern might include:*

- *conviction of a criminal offence or committal under bankruptcy proceedings*
- *censure or disciplining by a court or regulatory authority*
- *unethical or improper behaviour towards employees or the general public.*

3.11   A member shall not wilfully give the Institute false, inaccurate, misleading or incomplete information.