



Beyond codes of ethics: how library and information professionals navigate ethical dilemmas in a complex and dynamic information environment



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ABSTRACT

This paper reports on a research project that investigated how library and information (LIS) professionals experience ethical dilemmas, with particular reference to the impact of new technologies, sources used to assist ethical decision-making, and the contribution case studies can make to ethical understanding and decision-making. Data was collected through interviews in Britain, Ireland and Australia with LIS professionals, educators, and representatives of professional bodies. The findings identify the main types of dilemma raised and discuss cases indicative of each type. They suggest that new technologies do not appear to change ethical principles but, when experienced in the workplace, substantially change the factors the professional has to evaluate. They also suggest that relevant codes of ethics are satisfactory on traditional library issues of access and confidentiality, but do not address the ethical challenges of current and potential digital environments. Professional associations appear more familiar with codes of ethics than practitioners although practitioners show high levels of ethical awareness, suggesting associations need to communicate more with their members and provide tools that are more useful in the workplace. Case studies are seen as a good way to educate and engage practitioners because of the complexity, conflicts and dynamism they can present.

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1. Introduction

This paper develops previous work which concluded that ethical dilemmas exist within the library and information services (LIS) sector (Thornley, Ferguson, Weckert, & Gibb, 2011) but that ethical concerns may not be particularly important for all library and systems managers when they implement new technologies (Ferguson, Thornley, & Gibb, 2015). Libraries and related agencies are vital for disseminating information to a wide audience, and developments in Information and Communication Technologies (ICTs) are transforming how this information is processed and accessed. We discuss whether such developments substantively change the nature of ethical dilemmas in LIS and, if so, on how this affects the provision of ethical guidance to professionals. This paper contributes to the wider and long-standing debate about the ethical issues raised by ICT (Floridi, 1999; Watson and Pitt, 1993; Weckert,

2013), and the nature of responsible ICT research and innovation (Stahl et al., 2014).

This paper presents findings from interviews in Britain, Ireland and Australia with information professionals working in agencies ranging from large academic libraries to small specialist collections, which investigated participants' professional experience of ethical issues. Interviews were also conducted with representatives of professional associations and those involved in relevant teaching roles. The research questions which we explored through these interviews grew out of previous work undertaken by the authors in the field of information ethics, supported by a literature review of key writers in the field. They are:

- How do LIS professionals experience ethical dilemmas in the information environment?
- Do new technologies raise new ethical issues for LIS professionals?
- What resources do LIS professionals consult to assist ethical decision-making?

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- What can case studies contribute to ethical understanding and decision-making?

The paper identifies the main themes which were distilled from these interviews, analyses the complex, and sometimes contradictory, nature of the issues raised, discusses the influence of ICT developments, and examines the usefulness or otherwise of codes of ethics in assisting LIS professionals determine the 'right' thing to do. It questions whether our current codes of ethics are fit for purpose in the complex and changing world of digital information. This issue has also been raised in the context of other professions; for example, in [Díaz-Campo and Segado-Boj's \(2015\)](#) assessment of whether codes of ethics within journalism had adapted to the new digital environment. Finally, some suggestions for alternative means of providing ethical education and guidelines are outlined. The aim is to provide increased understanding of how these issues are currently dealt with to inform what can be done to help LIS professionals deal with these dilemmas in the future.

2. Literature review

2.1. Ethical dilemmas

Ethical dilemmas are taken to be situations in which there are conflicting ethical obligations, and doing one right thing has the potential to cause harm in another way. An example would be where a lifeguard can only rescue one out of three people he can see in trouble. Who does he save and what kind of decision-making process does he go through? Within philosophy this is sometimes seen as a deontological issue in terms of following absolute ethical principles, with no room for any form of subjectivism or relativism. A famous example is [Kant's \(1785\)](#) argument that even if a murderer came to your door to kill one of your family it would still be wrong to lie and say they were not in, as lying is always wrong. A more consequence based approach can be seen in Utilitarianism ([Bentham, 1781](#)), which argues that you should assess the good and bad outcomes of each potential decision and take the one that provides the most happiness to the most people. In practice absolute principles can appear unhelpfully dogmatic, and assessing the consequences begs the question of on what basis and how, can one measure and investigate how consequences are experienced.

[Vallotton Preisig, Rösch, & Stükelberger, \(2014, p.12\)](#) state that:

'ethical conflicts and ethical dilemmas appear wherever information is generated, organized, stored, distributed and consumed'

giving a variety of reasons for dilemmas and conflicts, namely ideological dogmatism, totalitarian attitudes, religious fundamentalism, individual benefits, economical interests, political interests, and conflicting ethical values, such as the incompatibility of unrestricted access to information and privacy. Some professional codes have conflict built into them; for example, an international comparative study by [Foster and McMenemy \(2012\)](#) found codes that expect librarians to be loyal to either employer or state, 'which could bring priorities into conflict' (2012, p.260). [Samek \(2014, pp.147–8\)](#) highlights a new LAC (Library and Archives Canada) Code of Conduct which promotes a 'duty of loyalty' to the government that potentially conflicts with the International Federation of Library Associations and Institutions code ([IFLA, 2012](#)). [Luo \(2014\)](#) identified five types of ethical dilemma raised by reference librarians: copyright; confidentiality and privacy; intellectual freedom and censorship; equitable access to information and service; and conflict of interest.

[Vallotton Preisig et al. \(2014, p.12\)](#) state that resolution of ethical dilemmas is complicated, noting, for instance, that US librarians

faced a conflict between the legal requirements of the USA PATRIOT Act (2001) and the American Library Association's (ALA) commitment to client privacy. Professional associations in the information sector will generally advise members to observe the law where it conflicts with one of the profession's ethical principles. However, [Preer \(2008, p.201\)](#) notes that this changed in the USA following the terrorist attacks of 11 September 2001 and the federal government's response, which upset the accepted balance between the 'ethical obligation to protect patron confidentiality' and 'the need of law enforcement officials for information'.

It may be necessary to find a balance between law and ethics because, while ethical decision-making is grounded in morality, law prescribes forms of behaviour 'for the purpose of fulfilling a societal requirement' ([Buchanan & Henderson, 2009; p.74](#)). The potential conflict between ethics and the law was given prominence when a court granted the Police Service of Northern Ireland (PSNI) legal access to research data generated by the Boston College Belfast Project. This project interviewed people directly involved in paramilitary violence in Northern Ireland, who had been promised that these interviews would only be released when they were dead ([McDonald, 2015](#)).

Another case demonstrates the limits to which a commitment to protect client confidentiality might stretch. A man posted a suicide note on a message board which was traced by the IP address to Orem City Library in Utah. The Library was contacted by a concerned member of the public. The City librarian asked an IT specialist to trace the message and called the police, who identified the individual using date of birth, which the Library provided, and their own arrest records for heroin use. The intervention saved the man's life.

[Gordon-Till \(2002, p.49\)](#) refers to the then Library Association in the UK speaking out periodically against restricting access to information, for instance, refusing to stock items such as Salman Rushdie's *The Satanic Verses*. Such cases demonstrate a conflict between a strong professional value (provision of access to information) and an obligation to society (sensitivity towards a section of the community) and suggest that professional associations need to be aware of the conflicting obligations members face.

Ethical dilemmas in classification sound unlikely but classification affects how information is accessed and even the way in which people 'understand and receive the information that they access' ([Mathiesen & Fallis, 2008; p.18](#)). [Cann Casciato \(2011, p.408\)](#) notes the case of a directive from a university president to the library director specifying 'that all materials for Creationism and Intelligent design be reclassified to the science section'. The ethical issue is the need to balance professional ethics against obligation to one's organisation, however unreasonable one might regard a management directive.

[Senapatiratne \(2013\)](#) discusses the potential conflict for librarians in theological institutions in terms of the ALA code of ethics and the institutional guidelines of the librarian's employer. He concludes that, though this conflict has been frequently raised by theological librarians, he can see no conflict between institutional and ALA guidelines and suggests that problems have arisen only when the librarian feels that their personal religious convictions should inform their professional role.

2.2. New technologies

[Juznic et al. \(2001, pp.75–6\)](#) refer to a

'considerable debate as to whether new or substantially different ethical dilemmas are created as new technologies are introduced. In librarianship the extensive use of information technology seems to require a serious rethinking of codes which were devised in an age dominated by print.'

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