

# ALW 99 Oration

Warren Horton, director-general of the National Library of Australia

Australian Library Week celebrates the importance of libraries to Australian culture, intellectual life, and education. There are few Australians whose lives have not been significantly enriched by access to libraries at some time.

Libraries liberate the mind, they excite and encourage imagination, and for many people they underpin life-long learning. And all this is achieved at relatively little cost — it is ironic that Australia spends almost twice the money on goals in which we lock people up than on public libraries, used by over fifty per cent of the public.

Libraries have been the central interest in my life, and my passion, since I commenced work in the State Library of New South Wales on 25 March 1957. I am finishing my working career in two months at a most exciting time for libraries, and the Australian people who use them. Technology and telecommunication developments, but most importantly the internet, are reshaping the information environment in which libraries operate. Australia has much to gain from these developments, but also much to contribute by example to the emerging global library. Our professional thinking, and level of library service even with resource constraints, is world-class in standard. We should be very proud of this.

We are in the midst of a paradigm shift in technology and telecommunications where the survival of collected human memory is at risk. The sheer amount of digitised information created in recent years, and the dynamics of the information exchange process, mean we have lost control of any serious capacity to permanently store the record of intellectual life and human endeavour. It is ironic that so much debate in recent weeks has focused on issues of content control and blocking technologies, rather than on how we preserve the valuable digital information delivered through it every day.

Professor Robin Williams, dean of the Faculty of Art, Design and Communication in RMIT University, has recently impressed me with comments to the Virtual Opportunity Congress at Parliament House, Melbourne in October last year.

'The internet can be an immensely powerful tool for the development of community; because it supports the very thing that creates a community — human interaction. The strange phenomenon of the internet is that it enables the formation of communities independent of geography. Eventually there will be a global society of 'the connected' laid over the more traditional communities. This global culture will probably offend the sensibilities of many who see it as some homogenizing proc-



Photo: Irene Lorbergs

Warren Horton

ess leading to a kind of international McDonalds culture. However many parts of local culture can be easily transferred to the 'net and we are increasingly seeing the Web used as a mechanism for re-affirming language and social values in alienated, exiled or besieged peoples...'

The capacity of the internet to deliver volumes of information, and the capacity of people to so easily place content on it, has led to the present debate over content. Libraries, because of their central role in the provision of information, sit squarely in this debate. But they also do this because of the strong position the library profession has traditionally taken over issues of intellectual freedom, including access, free service, professional ethics and

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censorship. The issues involved in this debate are potentially far broader than possible control of pornography and other content, but unfortunately the debate is usually narrowly framed against this alone.

This Association, and the Australian library profession in general, has a strong corpus of shared and well-articulated principles directly relevant to this debate. These include the important *Statement on freedom to read*, and the *Statement on professional ethics*, and more recently the Association's *Interim statement on the use of online information in libraries*. These statements come from the age of print as the main source of information. Print is still very much alive and well, but vast amounts of information are now becoming available through the internet.

I believe very strongly that the principles behind these statements still underpin provision of library services to Australians in an electronic environment, and are of fundamental importance also to the maintenance of our democratic values. It saddens me that much of the debate about material on the internet seems to start from the perspective of control of internet content, rather than a recognition of the liberating and democratic nature of the internet and its wonderful capacity to provide information so dynamically.

The Association has made very good submissions to all relevant enquiries of recent years, not just on behalf of the professions but also the interests of Australians who depend on access to information through libraries.

The present hearings of the Senate Select Committee on Information Technologies On the *Broadcasting Services Amendment (Online Services) Bill 1999*, encapsulate many of these issues. I encourage you to read the Hansard of these hearings, freely and democratically available through the internet, and the Association submission. What interests me is not the debate over whether the proposals in the Bill for control of material are practicable, although I share the almost general doubt about this, but some of the matters being discussed.

While much of the debate has focused on control of pornography, there has also been an undercurrent flowing through the questions about access to material on the internet which is freely available in print form in the majority of libraries right now. This includes for example material on bomb making, drugs and shoplifting, examples often used of what is argued to be questionable material. There has also been questioning on whether material on the internet expresses what might be argued to be undesirable social values, or does not portray desirable stereotypes including of women. Again, libraries hold much material already which would certainly not meet the test of the questioners, quite apart from much of the stock of newsagents as discussed in the Committee. It is disconcerting to see the word 'unsuitable' so often used in this debate.

It is inevitable, and in my view necessary if libraries are to fulfil their role in supporting democratic values, that they will hold material repugnant to some people in the community.

The Association's *Statement on freedom to read* gets to the heart of this in the words 'Material should not be rejected ... which is likely to offend some sections of the library's community'. This principle has to be part of the democratic principles underlying access to material on the internet.

My second comment on the hearings is that it is welcoming to read so much evidence recognising the general good sense of the community in understanding these issues, but especially parents' and children's maturity in understanding content issues. I spent most of the first two decades of my career working closely with library users, including young people, and my overwhelming recollection is of their responsibility, balance and maturity. 'Trust the people' is certainly a slogan I believe in.

I want to comment on the evidence given by Jennefer Nicholson, acting executive director of the Association, again at the 3 May hearing. This can be found on pages 190-197 of the transcript. This evidence as you may know was part of the ABC's *PM* coverage of the hearings that evening. Jennefer in articulating the librarian's responsibilities for young people and internet content provision carefully and sensibly, in my view, explained that this involves a partnership of the librarian, the young person and the responsible adult, and in the context of strong internet guidelines and policies. This seems to me the correct balance of responsibilities and reality. The library cannot, and should not, be expected to monitor internet access on any more restrictive basis, and I do not see it as giving open slather to pornography.

Sir Anthony Mason, who delivered the inaugural Australian Library Week Oration in 1996, in his speech was eloquent about issues fundamental to the free-flow of knowledge, ideas and information in Australia, a matter he described as vital to the political, intellectual, economic and social life, as well as the education, of all Australians. He spoke during the major Copyright Law Review Committee review of the time, and expressed a profound sense of unease about the thrust of some of the then discussion documents. He argued they failed to give adequate prominence to the paramount Australian public interest in the free-flow of knowledge, ideas and information. He spoke also of the need to acknowledge that the value of Australia's imports of copyright material far outweighs the value of its exports of such material.

The Government, after CLRC advice and other major consultations, some months ago released the exposure *Digital Agenda Copyright Bill*. The Bill addresses the issue of copyright reform in a digital environment, and has been eagerly awaited by libraries and others because of the total inadequacy of the present copyright law in such an environment. It is fair comment to say that libraries, although not winning all they might have wanted, have been fairly pleased with the exposure draft and seen it as a reasonable attempt to balance the rights of copyright holders and public interest.

But the reaction of the copyright owner interests, led by Copyright Agency Limited

[CAL] and the publishing sector, has been truly astonishing. They have argued ferociously that the proposals are severely detrimental to all copyright owners. Essentially they want all uses of copyright material, no matter how small or how private, to be licensed. They demand that the long-held rights of students, libraries and researchers are stripped away in a digital environment. They are, in simple terms, intransigent in their opposition to any national interest interests.

I am appalled at this campaign for several reasons; the first being that I think it comprehensively mis-states the position of libraries in the new digital environment if the Bill is passed. The Bill simply allows libraries to utilise new technology in providing the new services to the same limited user group they have always existed to serve, rights they have exercised very responsibly. It does not increase the range of activities they can carry out under the *Copyright Act*. Libraries have had tightly regulated rights to copy limited amounts of copyright material for their users for a long time, and nothing in this Bill extends those long terms rights in a digital environment.

But I am also appalled, as an Australian interested in the civic good of this country, at what the effects upon education, cultural life, intellectual vigour and a whole range of specialised pursuits including science would be if this campaign were to be successful. And I am appalled that the debate seems to be going on virtually unknown outside specialised interests and unknown to most Australians, when it is their present rights that are threatened. And, it has to be said, I have in recent years become angered at the calumny and misrepresentations associated with this campaign.

This copyright debate is of central importance to the Australian people and the quality of their lives. It is essential that Parliamentarians be informed of public views on these weighty matters, and the diversity of opinion and passion. But with some exceptions, notably the efforts of the Australian Digital Alliance and the Australian Consumers Association, the public interest view on the copyright debate is just not being heard. And debate is limited largely to specialist media. It is just not seen as a major public issue, yet the outcome will directly and deeply affect most Australians.

And the Australian library profession shares culpability in this. Librarians, by shared professional values and history, believe in a balanced copyright regime that takes account of the legitimate interests of copyright owners, and the balancing national interest. But their views are little heard by our legislators. Whatever else happens with this Oration, the Association will presumably post it on their website. I encourage the Association to also exhort the profession to just once, individually and all, become agitators and make their voice heard on this issue to their legislators now, and to encourage their user to be involved in the debate. Libraries are central to democratic access by Australians to the information they need for their lives, and a balanced copyright regime in the digital environment central to their continued effectiveness. ■