

The Democratic Function of EDC Librarians

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Introduction

For at least ten years, European Documentation Centres (EDCs) have been experiencing an existential crisis. The underlying question is simple: what is the value of these Centres now that so many official European Union documents are available on the internet?

A typical response to this question is that EDCs remain relevant because their librarians provide specialized research assistance for finding European Union materials and promote research in the field of European integration.¹ While this is certainly the case, I would argue that EDC librarians are valuable on a more fundamental level, playing a unique role in promoting democracy and providing legal transparency for the European Union.

Legal Transparency and the EU

Legal transparency is “citizen access to the information necessary to hold political leaders accountable for their decisions.”² It is vital in a democracy because democratic legitimacy can only exist when citizens have the ability to hold political leaders accountable. At its most basic level, legal transparency aids citizens in accomplishing this by giving them access to the government documents that shed light on the political process and legal environment.

Legal transparency and access to documents became important in the European Union in the early 1990s when secrecy was identified as a major factor in several countries’ rejection of the Maastricht Treaty.³ European leaders reacted by putting the concept of transparency at the forefront in the 1997 Amsterdam Treaty on European

¹ *Final Report to DG Communication – Evaluation of the Europe Direct European Documentation Centres*, 4-5 (30 November 2007).

² Janet Mather, *Transparency in the European Union – an open and shut case?*, in *OPENNESS AND TRANSPARENCY: MEANINGFUL OR MEANINGLESS? ACCESS TO INFORMATION ON THE EUROPEAN UNION 3* (European Information Association 1997).

³ Ian Thomson, *Introduction*, in *OPENNESS AND TRANSPARENCY: MEANINGFUL OR MEANINGLESS? ACCESS TO INFORMATION ON THE EUROPEAN UNION 1* (European Information Association 1997).

Union. Article 1 includes the provision that “[t]his Treaty marks a new stage in the process of creating an ever closer union among the peoples of Europe, in which decisions are taken as openly as possible and as closely as possible to the citizen.”⁴ Since then, European leaders have continued to focus on transparency and access to documents, mentioning the concepts in almost every major report on communication or information that is released.⁵

EU Transparency Mechanisms

In an attempt to offer transparency, European Union bodies have adopted a variety of mechanisms for providing information about their activities. Regulation (EC) No. 1049/2001, for example, allows EU citizens to request documents directly from the Commission, Parliament, and Council.⁶ Other mechanisms include the Official Journal, EUR-Lex, Europa, and a plethora of websites. While these mechanisms are important, they are not enough on their own. Access to information requires both that the information be available and, just as importantly, retrievable.⁷ People often need specialized assistance in order to make document requests or successfully retrieve information from EU websites.

There are several mechanisms in Europe that can provide this specialized assistance, including the Representations, the Europe Direct call center, the Europe Direct local relays, and the European Documentation Centres. All are staffed by people trained to answer a huge array of questions on Europe, and who are familiar with sources of EU law.

Why EDCs are Unique

Legal transparency, however, is not just about providing information. It is an important tool for holding political leaders accountable and thus establishing democratic legitimacy. As such, it is not just important that EU institutions provide information about their activities, but that the information is as free as possible from any taint of propaganda or misinformation. European Documentation Centres are uniquely positioned to do this for two reasons.

First, unlike the Representations, the call center, and the local relays, the EDCs receive no funding from the Commission, thus maintaining a degree of economic independence. While there may be no reason to fear that the Commission is distributing misleading propaganda, the economic independence of EDCs insulates their personnel from any pressure to push “communication priorities,” as they are called.⁸

⁴ *Treaty of Amsterdam amending the Treaty on European Union, the Treaties establishing the European Communities and certain related acts - Consolidated version of the Treaty on European Union*, opened for signature 2 October 1997 [1997] OJ C 340, 145 (entered into force 1 May 1999) (‘Amsterdam Treaty’), available at <http://eur-lex.europa.eu/en/treaties/dat/11997M/htm/11997M.html>.

⁵ See, e.g., *Laeken Declaration on the Future of the European Union* (15 December 2001), available at <http://european-convention.eu.int/pdf/LKNEN.pdf>; *Communicating Europe in Partnership*, COM (2007) 568 Final (October 2007) at 4-5, available at http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0568en01.pdf.

⁶ Regulation (EC) No. 1049/2001 [2001] OJ L 145/43, available at http://www.europarl.europa.eu/register/pdf/r1049_en.pdf.

⁷ See Anne Kauhanen-Simanainen, *Collaborative Information Literacy by Government*, 7, <http://www.ifla.org/IV/ifla70/papers/069e-Kauhanen-Simanainen.pdf>.

⁸ See *Communicating Europe in Partnership*, *supra* note 4.

Second, EDC librarians are explicitly required by the EDC agreement to be information professionals.⁹ This differentiates them from the staff in the other mechanisms who tend to be civil servants, European studies degree holders, or language specialists. As professionals, EDC librarians have ethical restraints on their behavior that assure a higher degree of neutrality in their provision of information.

Librarianship is less organized than some professions, such as law or medicine. There are many competing codes of professional librarian practice and often few repercussions for violating these codes. Nonetheless, there are some bedrock ethical principles that are expressed repeatedly and that all librarians should respect.

The provision of unbiased information is, of course, one of these principles. For example, in its 2005 Code of Ethics, the Polish Librarians Association characterizes “compliance with the principle of ideological, political and religious neutrality” as a basic moral value defining librarianship.¹⁰ As information professionals, EDC librarians are professionally bound to exercise the neutrality described in this code. Similar professional restraints simply do not exist for the employees of the other information dissemination mechanisms.

This does not mean that the other mechanisms are providing bad information, merely that the loyalties of their employees have the potential to get in the way of their providing the most unbiased information. Eurosceptics, for example, may be more likely to approach EDC librarians, who, when acting ethically, do not attempt to influence the information requests or viewpoints of their patrons. Therefore, librarians have the ability to provide not only increased transparency in the European Union, but also an increased perception of that transparency.

Conclusion

Because of their expertise, economic independence, and professionalism, European Documentation Centre librarians have a unique potential to provide legal transparency for the European Union and thus strengthen its democratic legitimacy. They have the tools to make sure their users retrieve the information they are seeking and the independence that assures them it is unbiased and complete. Understanding this should not only provide a justification for why EDCs remain relevant in the digital age, but should also shape the mission and goals of EDC librarians. In order to fulfill their promise as agents of legal transparency, EDC librarians must maintain a commitment to their professional ethics, to being experts of European information, and to serving members of the general public.

⁹ EDCs are required to employ a “qualified librarian or other professional with a diploma in documentation or information studies.” European Commission Directorate-General Press and Communication, *European Documentation Centre Agreement 2* (2005).

¹⁰ <http://www.ebib.info/content/view/35/45/>; available in English at http://www.ifla.org/faife/ethics/poland_code_of_ethics.htm.