

Corruption and transparency in Russia: The anticorruption role of libraries

Irina Trushina

Assistant Deputy Director-General, National Library of Russia, St Petersburg
ref.science@nlr.ru

The problem of corruption is centuries old. It appeared with the first officials who had an opportunity to dispose of resources that did not belong to them. The fact that corruption exists across millennia attests that it is a difficult struggle. What are the reasons for this? Often cases of corruption violate legal and ethical standards.

Corruption is also universal and its definition remains constant in the dictionaries of different countries. In the *Big Soviet Encyclopaedia*, “corruption” (from the Latin *corruptio* – damage, payoff) is defined as “a crime consisting of direct use by an official of the rights, given to him by an official position, with the purpose of personal enrichment. Corruption is also the bribability of officials” (*Bolshaya Sovetskaya Entsiklopedia*, 1973).

In the eternal Book displaying the universal experience of humankind, the Holy Bible, corruption is mentioned repeatedly. For example: “And thou shalt take no gift: for the gift blindeth the wise, and perverteth the words of the righteous” (Exodus 18:8). In the public minds of Biblical times, therefore, corruption was condemned outright. And corrupt tax collectors who appropriated that which belonged to the state were considered the most contemptible people.

Often the concept of corruption connects with the sphere of politics. However, there are opportunities for corruption in many professions. Can we imagine a librarian to be a corrupt person? I think, yes. Corruption in the library sphere is possible when there is personal benefit from the following resources:

- the library budget; and
- the library’s information resources.

In the first instance, the mercenary use of a library’s budget can occur when a librarian derives personal benefit from the choice of certain book-selling firms. There are examples from the experiences of Russian librarians. If we look at lists of Russian participants at prestigious library conferences, whether the IFLA Congress in Seoul, South Korea or the international conference in Crimea, there are always some who attend because large book-selling firms paid for these trips out of gratitude for being chosen as suppliers for their libraries. Is this corruption?

In the second instance, the mercenary use of the information resources of a library can occur when a librarian makes a deal with commercial firms for personal profit. For example, a Russian librarian responsible for rare and valuable editions can use this position to receive money from a firm that reprints these materials.

It is difficult to distinguish between legal and ethical standards in these cases. They are not regulated by the criminal code of Russia. It is important, however, to note that no professional librarian has been prosecuted in court on a charge of corruption related to library work in Russia. This is probably because these actions are not viewed as acts of corruption.

Looking at the codes of library ethics we can observe how librarians of various countries approach this problem. I made an analysis of 37 codes and did not find the word “corruption” mentioned in any of them. However, 25 codes (67%) recommended that a librarian avoid financial or other personal benefits at the expense of employers, colleagues or users. (See Table 1.)

For example:

- In Australia, librarians “must avoid situations in which personal interests might be served or financial benefits gained at the expense of library users, colleagues or the employing institution” (ALIA, 1997).
- In Singapore, “a librarian should never enter into a business dealing on behalf of the library which will result in personal profit” (Library Association of Singapore, n.d.).
- In the Philippines “librarians should not accept gifts or favours that might lead to unfair library practice, nor offer any favour, service or things of value to obtain special advantage” (IFLA, 1992).
- In Croatia’s 1992 code of library ethics, it is stated that the librarian should not seek financial or any other benefit from the users, colleagues and institution (Trushina & Firsov, 2002: 81). In the revised version of 2002, this statement is absent (Croatian Library Association, 2002).

Table 1: Codes of library ethics that contain, or do not contain, the principle of avoiding personal benefit

| | Codes that contain the principle | Codes that do not contain the principle |
|----|----------------------------------|---|
| 1 | Armenia, 2003 | Canada, 1976 |
| 2 | Australia, 1986, revised 1997 | Croatia, 1992, revised 2002 |
| 3 | Chili, 1977 | Czech Republic, 2004 |
| 4 | Costa Rica, 1974 | Estonia |
| 5 | Hong Kong, 1995 | France, 2003 |
| 6 | Hungary, 2006 | Great Britain, revised 2006 |
| 7 | Island, 1996 | Indonesia |
| 8 | Italy, 1997 | Israel |
| 9 | Jamaica, revised 1991 | Poland, 2005 |
| 10 | Japan, 1980 | Russia, 1999 |
| 11 | Korea, 1997 | Sweden, 1997 |
| 12 | Lithuania, 1998 | Switzerland, 1998 |
| 13 | Malaysia | |
| 14 | Mexico, 1991–1992 | |
| 15 | Netherlands, 1993 | |
| 16 | New Zealand | |
| 17 | Norway | |
| 18 | Philippines, 1992 | |
| 19 | Portugal, 1999 | |
| 20 | Singapore | |
| 21 | Slovenia, 1995 | |
| 22 | Sri Lanka, 1997 | |
| 23 | Thailand | |
| 24 | Ukraine, 1996 | |
| 25 | USA, 1938, revised 1995 | |

The several codes of library ethics suggest that corruption is viewed not so much as a legal issue, but as an ethical one. The Russian code of library ethics has no position on personal benefit. This is because such behaviour is not seen as corruption in Russia. It is interesting that this principle is absent from Switzerland's code of ethics, as it is seen by many experts as the most incorrupt country in the world.

Corruption is especially widespread among government officials. According to the Russian criminal code, corruption (or the taking of a bribe) means "reception by an official personally, or through an intermediary, of a bribe in the form of money, other property or benefits of property nature for actions (or inactivity) in favour of a briber" (UK-RF, 1996: Item 290).

This means that non-material profit is not considered a bribe. But what about numerous services, as these can be so seductive? According to Russian legislation, taking a bribe, bribery and provocation of a bribe are considered subject to punishment (UK-RF, 1996: Items 290, 291, 304). Today, Russia is one of the leading places in the world for corruption. It is easy to find an explanation for this. In the past 20 years, Russia has undergone a huge transformation in its development. It finds itself in a period of the formation of a new system of values, ideologies, politics, economics and state government structures.

State government reorganisation is ongoing. For example, in 2004, two parallel bodies replaced the former Ministry of Culture of Russia, namely the Ministry of Culture and Mass Communications, and the

Federal Agency on Culture and Cinematography. The number of officials has increased accordingly. The instability of the position of officials and of state structures promotes corruption. So, for instance, during Boris Yeltsin's presidency from 1991 to 1999, five prime ministers, 45 vice-prime ministers and 160 ministers were replaced. Administrative and state reforms are still continuing in Russia and the number of officials is increasing. This includes officials who belong to our professional and cultural spheres.

The conditions of social transformations provide good grounds for corruption to blossom. In Transparency International's Bribe Payers Index for 2006, Russia is in third place after China and India (TI, 2006). More relevant for Russians is the so-called "ordinary life corruption", which amounted to US\$3 billion in 2005 (Fond INDEM, 2006). These are bribes in which citizens have to pay for state services such as medicine, education, municipal housing services, and so on. More than half of all Russians find themselves compelled to pay a bribe at least once in their lives.

What are really fantastic are the volumes of commercial corruption, which increased tenfold from 2001 to 2005, and now amounts to US\$843 billion. It is three times more than the federal budget of the country (Fond INDEM, 2006). In 2006, the State Duma of Russia ratified the United Nations' Convention Against Corruption (UN, 2003). In July 2006, the "Great Eight" in St Petersburg accepted the "Statement for the struggle against corruption at the highest level", with a detailed plan of action. This is one more step in the struggle against corruption.

On 21 November 2006, at the all-Russian meeting of heads of law enforcement bodies in the Kremlin, the President asked officials to choose between state service and business. He said: "if you wish to have money, please be a businessman, not an official; but if you wish to serve a country, don't take any money" (Putin, 2006). The reason for corruption can be seen as the instability of the government.

What are circumstances that lead to corruption? There are many, for example the absence of necessary information on the rights of citizens and duties of state officials (such as an Anticorruption Resource Centre). In many countries such information is available in the public domain. The world trend in the past few years has been the maximum disclosure of public information and the maximum security of private information. It is, however, sometimes difficult to distinguish between the two types of information. For

example, is the biography of the Head of the Federal Agency of Culture private or public information?

Free access to information on the activities of state bodies is especially important, as it is indeed for all countries. The section devoted to "Electronic government", which encourages maximum transparency for government bodies, was included in the basic document of the World Summit on Information Society's "Plan of action" adopted in Geneva in 2003 (WSIS, 2003). In 2004, UNESCO adopted "Policy guidelines for the development and promotion of governmental public domain information" (UNESCO, 2004).

The legislative right of free access to governmental information was first formulated at the end of the 18th century. It corresponded to the general vector of ideological transformations of the Enlightenment Era and is encapsulated in the famous phrase of Sir Francis Bacon: "Knowledge is power." Monarchs of leading European states, such as Catherine II in Russia, Frederick II in Prussia, Joseph II in Austria and Gustav III in Sweden, were divided on this. The Russian Empress Catherine II had an active correspondence with freethinkers Voltaire and Diderot, who considered Russia at that time "the most progressive country in the world and motherland of liberal principles" (Monachov, 2004).

Legislation on transparency was approved first in the Act on Freedom of Press passed by the Swedish parliament in 1776. Perhaps this Act can be named one of the historical steps in solving the problem of transparency. It is interesting that in 1783, Catherine II signed an order allowing easier opening procedures for printing houses, which also improved (although briefly) free access to information (Monachov, 2004).

The 19th and 20th centuries for Russia were characterised by significant secrecy of government information. Despite the distinction of public and state systems in those centuries, paternalist relations existed between citizens and the government. Heads of state, as in a paternal family, did not report on the character of, or motives for, their actions. Across the world, the provision of free access to official information became more active in the 20th century, and especially in the last few decades. Between 1986 and 2003, 26 states adopted laws that included the principle of free access to governmental information (Monachov, 2004).

The achievement of this principle in Russia is difficult and unclear. Article 10 of the Russian Federal Act on

Information and Protection of Information of 1995 states: "It is forbidden to consider documents on the activity of the government and the local authorities on the use of budgets and other state and local resources, about the economics and needs of the population as restricted information, except data considered state secrets." So the principle of secrecy of information was affirmed (*Federalniy zakon ...*, 1995b).

In 2006, a new Federal Act on Information, Information Technologies and Protection of Information replaced this law and the statement above has disappeared. The new law includes section 7 on "Free access to information" (*Federalniy zakon ...*, 2006). In legislation for Belarus, the public domain includes not only products with expired copyright, but also products that are not protected by copyright by virtue of their nature of origin, namely governmental information. Similar norms are found in the legislation of Kazakhstan. It could be different in other countries – in Great Britain, for example, the copyright on official information belongs to the British Crown.

In Russia, the Federal Law on Copyright and Other Rights refers to the public domain. Until recently, the law held that the public domain included documents on the basis of the nature of their origin – created by bodies of the government. In 2004, this clause was removed. Now the Law contains only one principle of public domain, namely that of expired copyright (*Federalniy zakon ...*, 1995a).

In 2002 in the Annual Statement to the Federal Assembly, the President paid special attention to free access to information. He said: "It is necessary to define a precise list of information that state bodies can make accessible, and the list should be approved by the law" (Putin, 2002). This means that state information is accessible only on the basis of an approved list. Yet the approved "list of data on activity of the government of the Russian Federation, and federal bodies of the government, which should be distributed in public information systems" is still not effective (Firsov, 2003). Websites of many ministries present only 30-50% of the necessary data.

In September 2000, the President of Russia approved the Doctrine of Information Safety of the Russian Federation. Among the factors threatening our information safety the following was identified: "irrational, excessive restriction of access to socially necessary information" (*Rossiskaya Gazeta*, 2000). A question that arises is what are measures of "rational" and "not excessive" restrictions of access to socially necessary information?

It appears to be a paradox. In the key federal laws of Russia, the principle of free access to governmental information is accepted. However, in the executive acts (acts of the government or acts of the President), the approach of a presumption of secrecy of governmental information is upheld. As mentioned, in 2006 the new Federal Law on Information, Information Technologies and Protection of Information was adopted in Russia. The law was developed over a period of more than five years. Interestingly, it was originally intended to be called the "Law Providing Free Access to Information".

At the same time, commercial information firms that provide access to information on the activities of bodies of government are functioning effectively. Among the leaders are Garant, Codex and Consultant Plus. These firms operate on a commercial basis and render information services to non-professionals who have problems with the authorities. It turns out that the commercial companies help fill the gap of access to official information. About 90% of the information provided by commercial companies is governmental and, for the most part, legal.

According to current legislation, governmental information is open to the public, and by its nature it is intended for the public domain. In practice, however, if a person asks an official from a state body for any document or information, he or she usually gets the reply: "And have you looked in Codex?" (meaning, "Have you asked a commercial firm?"). The information provided by commercial firms has to be paid for by the user.

Commercial information firms explain that they offer a by-product – not just information but searching services also. It is easy to find the necessary information in commercial databases. A by-product is good when the original product is accessible to the user, but in practice this is not so. Websites of the President, the government and the State Duma have little information and are not updated regularly. Printed sources of official information are issued after long delays.

This situation can be characterised as the "privatisation of public domain information in Russia" (Firsov, 2003). In what I have explained, there is an attempt to show connections between providing free access to official information, transparency, and corruption levels in a country. What is the role of libraries in solving this problem? Russia possesses a very large network of libraries in comparison with other countries. According to UNESCO and Libecon data, 50 000 of the 270 000

public libraries of the world are located in Russia (UNESCO, 1999; Libecon, 2000). Public libraries are closest to the general population. In small communities, a library is a unique establishment of culture and an information centre.

In Russia, libraries try to work actively with socially valuable information. In recent times, official, legal, economic, consumer, ecological and patriotic information has become popular. For the development of civil society and conditions to combat corruption, the library's work with official information has great value. Since the end of 1990s, the project named "Organisation of the all-Russian network of public centres of legal information in public libraries" has been growing, with support from the Ministry of Culture and the Russian Fund for Legal Reforms. A goal of the project is to provide free access to official information in public libraries. In the beginning, the project was financed by a federal budget; it is now financed by local and regional budgets.

The Fund for Legal Reforms, the Ministry of Culture and other departments act as intermediaries to disclose information of the government bodies, and to provide it free of charge. It has opened more than 2 000 public centres for legal information in public and federal libraries (including the Russian State Library in Moscow and the National Library of Russia in St Petersburg). If one considers that there are currently 50 000 public libraries in the country, then this is not enough. Nevertheless, these centres are models and are drawing attention to the problems of other libraries.

The statistics of user requests in public centres of legal information show that one of the main requests is for official information to solve personal problems. The analysis also shows that information on the following problems is most often requested: local government and self-management, protection of consumer rights, pension legislation, inheritance, land legislation, and social protection. It is obvious that these are the spheres of life in which a person faces corruption, and where a bribe is most likely to be offered or taken.

The users of public centres of legal information are most often those people who feel the reforms in the country most sharply. On the one hand, there is a new class of owners (small business owners and farmers), and on the other hand there are socially disadvantaged people (pensioners, military and students) (NLR, 2003). One of the main challenges for the centres is to provide access to local official information. Another challenge is that federal channels are free of charge

but of a very limited nature, with the minimum of searching services and resources. An increasing volume of library services is occupied by commercial databases, and libraries are expected to pay for these from their own budgets.

Federal libraries and other libraries with healthy budgets use lawyers who provide their services free of charge and who organise meetings with local authorities. This work reduces levels of corruption. For Russia then, the involvement of libraries with official information in order to maintain transparency and prevent corruption is important for the following reasons:

- the insufficient openness of authorities and government bodies;
- the absence of legal regulation of public domain information;
- the accessibility of information on state authorities through commercial firms on a payment basis; and
- the fact that in Russia, unlike other developed countries, the majority of the population cannot afford legal consultation services and personal lawyers.

References

- Anticorruption Resource Centre. <http://transparency.org.ru/ARC/index.asp>.
- Australian Library and Information Association (ALIA). 1997. *Statement on professional ethics, 1986, revised 1997*. <http://www.ifla.org/faife/ethics/aliacode.htm>.
- Bolshaya Sovetskaya Entsiklopedia*. 1973. 3rd edition. Moscow.
- Croatian Library Association. 2002. *Code of ethics*. <http://www.ifla.org/faife/ethics/crlacode.htm>.
- Federalniy zakon ... 1995a. Federalniy zakon ob avtorskih i smezhnih pravah*.
- Federalniy zakon ... 1995b. Federalniy zakon ob informatsii, informatizatsii i zaschite informatsii*.
- Federalniy Zakon ... 2006. Federalniy zakon ob informatsii, informatsionnih tehnologiyah i zaschite informatsii*.
- Firsov, V.R. 2003. *Gosudarstvennaya politika v oblasti obespecheniya dostupnosti informatsii: privichnaya kartina i nekotorie paradoksy – tam, gde ih nikto ne zhdal*. Presentation at the National Library of Russia Conference on "Problemy dostupnosti informatsii v XXI veke". 14 January, St Petersburg.

Fond INDEM. 2006. *Vo skoliko raz uvelichilas korrupsia za 4 goda: reltaty novogo issledovaniya Fonda INDEM*. <http://genmir.ru/b/60.htm>.

International Federation of Library Associations and Institutions (IFLA). 1992. *Code of ethics for registered librarians*. Professional Regulation Commission of the Republic of the Philippines. <http://www.ifla.org/faife/ethics/filicode.htm>.

Libecon. 2000. <http://www.libecon2000.org/>.

Library Association of Singapore. n.d. *Code of ethics*. <http://www.ifla.org/faife/ethics/lascode.htm>.

Monachov, V.N. 2004. *Informatsia kak obschestvennoe dostoyanie*. Presentation at the international conference on "Informatsia kak obschestvennoe dostoyanie: Obespechenie dostupa v bibliotekah". 27-28 October, St Petersburg. <http://www.nlr.ru/tus/271004/monahov.htm>.

National Library of Russia (NLR). 2003. *Centre of Legal Information: Statistics*. <http://www.nlr.ru/lawcenter/prof/htat.htm>.

Putin, V. 2002. *Poslanie Prezidenta Rossiskoy Federatsii k Federalnomu Sobraniyu Rossiiskoi Federatsii*. 18 April, Kremlin. <http://www.kremlin.ru/text/appears/2002/04/28876.shtml>.

Putin, V. 2006. *Vstupitelnoe slovo na Vserossiiskom koordinatsionnom soveshanii rukovoditeley pravoohranitel'nykh organov*. 21 November, Kremlin. <http://president.kremlin.ru/text/appears/2006/11/114259.shtml>.

Rossiskaya Gazeta. 2000. *Dontrina informatsionnoy bezopasnosti Rossiiskoi Federatsii*. http://www.rg.ru/oficial/doc/min_and_vedom/mim_bezop/doctr.shtml.

Transparency International (TI). 2006. *Bribe Payers Index: Analysis report*. http://transparency.org.ru/doc/BPI_2006_Analysis_Report_01000_193.pdf.

Trushina, I. & Firsov, V. (Eds). 2002. *Bibliotchnaya etika v stranah mira*. St Petersburg: National Library of Russia Publishing House.

Ugolovniy Kodeks Rossiiskoi Federatsii (UK-RF). 1996. <http://www.uk-rf.com/>.

UNESCO. 1999. *Statistical yearbook: Culture and communication*. http://portal.unesco.org/uis/ev.php?URL_DO=DO_TOPIC&URL_SECTION=201.

UNESCO. 2004. *Policy guidelines for the development and promotion of governmental public domain information*. http://portal.unesco.org/ci/en/ev.phpURL_ID=15862&URL_DO=DO_TOPIC&URL_SECTION=201.html.

United Nations (UN). 2003. *Convention Against Corruption, 2003*. http://www.unodc.org/unodc/crime_convention_corruption.html.

World Summit on Information Society (WSIS). 2003. *Plan of action*. http://www.itu.int/wsis/documents/doc_multi.asp?lang=en&id=1160|0.