

***The 28th IFLA Pre Conference of Library and Research Services for Parliaments
8 to 10 August 2012***

Chief Information Specialist Erika Bergström, Library of Parliament

The Role of the Finnish Library of Parliament in Providing Access to Knowledge

The Library of Parliament is the central library for parliamentary, legal and political information in Finland. It is an open public library serving anyone who needs information in its field of expertise. The library's collections amount to over 500 000 volumes, it offers information service and information retrieval trainings to its clients. The Library has a present staff of 42 persons.

My contention is, that the Library of Parliament has had, and still has a remarkably important role in providing citizens access to knowledge about law, lawmaking, politics and society. In my opinion it is not, however, possible to describe the role of the Library as a promoter of openness and transparency without taking a trip back in time.

The early steps towards openness

In Finland the roots to transparency dates back to the 18th century when Finland was still a part of the Kingdom of Sweden. The Finnish enlightenment philosopher and politician Anders Chydenius (1729-1803) was an outspoken defender of freedom of trade and industry, often referred to as the "Adam Smith of the North". Chydenius was also an eager proponent for freedom of press. He strongly believed that it was not possible for lawmakers to make good laws, for the lawyers to practice law or for the people to understand the law without sufficient knowledge. On his initiative the world's first Freedom of Press Act was adopted in 1766. The Act abolished political censorship and it ensured access to government documents.

The Act as such did not survive for long as it was abolished in 1772 by the Swedish king Gustav III. The principle of publicity, however, remained central in the Nordic countries. Internationally the Nordic countries are considered forerunners in questions of transparency and openness.

Openness and transparency in modern legislation

During most of the 19th century (1809-1917) Finland was under Russian rule. After Finland gained its independence in 1917 freedom of speech was written into the Constitution of 1919.

The principle of publicity as we understand it today was first regulated in the 1951 Act on the Publicity of Official Documents. This Act was replaced by the present Act on the Openness of Government Activities (Openness Act) which was adopted in 1999.

The principle of openness has a very strong legislative position in Finland today, as the principle of openness is ensured in the present Constitution of Finland which was enacted in 1999. Section 12 of the Constitution reads:

Section 12 - Freedom of expression and right of access to information

Everyone has the freedom of expression. Freedom of expression entails the right to express, disseminate and receive information, opinions and other communications without prior prevention by anyone. More detailed provisions on the exercise of the

freedom of expression are laid down by an Act. Provisions on restrictions relating to pictorial programmes that are necessary for the protection of children may be laid down by an Act.

Documents and recordings in the possession of the authorities are public, unless their publication has for compelling reasons been specifically restricted by an Act. Everyone has the right of access to public documents and recordings.

Section 14(4) of the Constitution further gives the administrative authorities an active obligation to promote openness as it states:

“The public authorities shall promote the opportunities for the individual to participate in societal activity and to influence the decisions that concern him or her.”

The meaning of the principle of publicity can be summarized to comprehend both the right of access to documents and the public authorities’ duties to disclose information when required. Access to documents is the predominant rule, secrecy is the exception. Exceptions should be provided for in law and exceptions should be narrowly interpreted. Documents including for example health data or commercial secrets can be excluded from the scope of openness. Thus the principle of publicity is not an absolute right; it should be balanced with other basic rights such as the right of privacy.

The Openness Act goes even further as it obligates authorities to act proactively and communicate to the public about their activities. Also the Administrative Procedure Act obligates authorities to maintain a high level on their services, which also includes active measures in openness and transparency.

The blessing and dilemma of the web

Today public documents and information can rather comprehensively be accessed through the internet. Finland was progressive in offering citizens access to public information on the internet already in the mid-1990s when documents such as laws and parliamentary documents were released on the web.

The legal databank Finlex (www.finlex.fi) was developed and taken into use in the 1980s. At first the use of Finlex was subject to charge, but in 1997 it was made freely available for the public on the web. The service has since evolved and expanded and now provides its users with materials such as legislation, case-law, international treaties, preparatory works and translations of legislation. Parliamentary documents were made available for the public on the Parliament web site in 1995.

Also other public web sources provide information about law, legislative initiatives, politics and society. For example the portal HARE (www.hare.vn.fi) provides data and documents on legislative projects prior to the stage when they are brought to the Parliament. The suomi.fi portal (www.suomi.fi) gives citizens information relating to public administration and includes for example e-services and forms, legislation and news from the public administration. Ministries, government authorities, etc. maintain websites and portals with information relating to certain subject areas.

Consequently it is obvious that public documents are well available for the public. The challenge today is not the lack of access to information, but rather the overload of information citizens are faced with. Citizens are obliged to know the law. Unawareness of the law is not a justification in criminal law. In the year 2011 a total of 1577 statutes were passed in Finland. In addition to national legislation Finland is bound by a massive EU-legislation. Further, interpreting the law often requires knowledge of preparatory work and case-law.

The challenge for citizens today is thus how to find the relevant information and the tools to understand it, i.e. how to turn information into knowledge. I argue that the Library of Parliament has a crucial role in helping citizens finding the knowledge they need.

The Library of Parliament is born

The Library of Parliament was founded in 1872, when the Grand Duchy of Finland was still a part of the Russian empire. The estates decided that a library and archive should be established to manage a small collection of parliamentary documents donated by the Swedish government.

In 1908 the Finnish Member of Parliament, Mr Oskari Helenius-Seppälä made a proposal, that the Library of Parliament should be an institution open to all. Five years later, in 1913 the then director of the Library of Parliament, Mr Axel Herman Bergholm, made a proposal to the Parliament's Office Commission that the Library should be made a public institution. He justified his proposal with efficiency. Valuable literature had been acquired to the library and it would reasonable to allow the use of that material also to external clients. The proposal was accepted and the Library of Parliament was made a public library in the field of law and political science on 30 April 1913. The openness was not just an empty promise; it was decided that the library should be open for 5½ hours per weekday when the Parliament is in session and 4 hours per weekday otherwise.

The Library of Parliament has undergone a lot of changes since 1913, but openness has been the core value all the time. Our Library will proudly celebrate its hundredth anniversary as an open public library next year!

The meaning of openness at the Library of Parliament today

Openness has been a core value for the Parliament Library for almost a hundred years. A strategy for our external clients' services was adopted on 9 March 2011. In the strategy the Library's vision is defined as follows:

“The vision of the Library of Parliament is to support democracy, fulfill the right to public information ensured in the Constitution, promote the access to legal, parliamentary and political information and advance the possibilities for its clients to function as active citizens in the society.”

The Library is a part of the Parliament organization and naturally the Library's goals are consistent with those of the Parliament as a whole. In the Parliament Office strategy of 2011 openness and good interaction was defined as one core value.

To anchor the principle of openness and transparency on a strategic level provides a solid ground for the work in the Library. The everyday work at the Library is crucial for the fulfilment of openness and transparency in practice. If a parallel is drawn to the meaning of the Openness Act, it

could be said that the Library is not merely offering materials and information to its clients'. We strive at ensuring adequate knowledge about parliamentary, legal, political and social topics. The aim is to provide the user with the tools to understand the Finnish parliamentary and legal system.

In this presentation it is not possible to give an exhaustive presentation of the measures and services taken at the Library to promote support and advance openness to our clients. I have chosen only a few examples, not even claiming these measures to be the most important ones.

Generous opening hours

As mentioned earlier, the Library had rather generous opening hours already when it opened its doors to the public back in 1913. Today the Library is open a total of 57 hours per week. Evening opening hours and the possibility to visit the Library on Saturdays enables for example clients working full time and clients not residing in Helsinki to visit the Library. Loan, reference and information services are operated by trained staff during opening hours, which is crucial for the clients in gaining support in obtaining access to knowledge.

Information management trainings

The Library offers free of charge information management trainings that are open to the public. The trainings cover subjects such as parliamentary information sources, legal information sources and the EU's and international organisations' information sources and databases. Through the trainings we aim at bringing our clients closer to the information they seek and add knowledge about the information sources. In the Library's strategy of 2011 the advancement of web based trainings was proposed as a future development project. Providing training sessions on the web will widen the access to our training sessions geographically and to new client groups.

Information packages on legislative projects

Presently information relating to legislative projects is quite well available on the web, but the information is scattered into different sources. For a person not familiar with the subject it can be very challenging to gather all the relevant information relating to the project. In November 2011 the Library of Parliament launched a new web based service introducing information packages about pending legislative projects. The idea of the information packages is to facilitate the access to background materials to legislative projects and thus improve the client's understanding of the legislative initiative in question.

The projects chosen are of particular interest to our client groups, such as reform of the municipality legislation, the reform of the adoption act or the Biobank Act. Information packages include preparatory work, parliament documents, news, literature etc. The legislative initiatives are monitored and the information packages are constantly updated with new materials.

Lakihankkeiden tietopaketit – LATI:

<http://lib.eduskunta.fi/Resource.phx/kirjasto/oikeudellinentieto/tietopaketit/index.htm>

To sum up

As described above, legislation, parliamentary documents and other preparatory materials are rather comprehensively available on the web. The information is, however, scattered into many sources.

These sources all have search logics of their own and the use of these sources often require guidance for novice users. It should also be kept in mind, that not all materials are available on the web. A lot of sources, such as older abolished acts and parliamentary documents prior and legal and political literature is still only available in print. The role of any Parliament Library is to provide its clients the tools to find the right information and understand it.

As I see it, the Library of Parliament is an important gateway in providing information about the Parliament and its work and the Finnish legal system to its client. The Library has an almost hundred year long history as an open public library. Access to information and to knowledge can always be improved. Now, at the dawn of our Library's next century of openness, we must be innovative and constantly improve our services so we can provide our clients added value.