

TRAINING OF LAW LIBRARIANS TO GUARANTEE THE RIGHT TO INFORMATION

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SUMMARY: I. *Introduction*. II. *The Training of law Librarians*. III. *Teaching and Training on Right to Information Issues*. IV. *Training of Law Librarians to Guarantee the Right to Information*. V. *Conclusions*. VI. *Bibliography*.

I. INTRODUCTION

With the arrival of new information services in Libraries, librarians have assumed the role of trainers of their users, contributing knowledge and skills to the community in which they work. Law librarians are no exception, they must train users in the search for specialized information, in the recovery of thesis and jurisprudence; they must provide information and data that reinforce the creation and reforms of statutes or regulations, and above all things, they must prioritize the universal guarantee of the Right to Information.

For this reason, it is extremely important for law librarians to be trained and formed in aspects related to free access to information, the satisfaction of demands or information needs, the user guidance during the information request process through government platforms, etc.

II. THE TRAINING OF LAW LIBRARIANS

Training librarian staff who work within different organizations is an activity of great importance for libraries, since there is a demand for new spe-

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cialists with roles focused on the use of Information and Communication Technologies and it is essential to satisfy the needs of users by using them.¹ These roles can be seen reflected in the consultation and reference services, in the search for specialized information, etc., that with the arrival of the current health crisis they have had to be offered remotely to users who request them.

Law libraries and their staff have had to adapt their services to the various situations arising from the global crisis, as Nejdl and Lewis point out,² law libraries have had to rework their procedures and services in order to support the institutions or faculties where they are located to preserve their missions during the pandemic.

Thus, the main objective of legal librarians is to respond to their institutions and users in the face of situations generated by various factors. So, for the librarians to respond optimally, they must be trained and equipped with various skills under programs focused on meeting the needs of users; towards managing emerging technologies, the use of academic platforms for information retrieval, the innovation in the services or products offered³ and, the warranty of access to information.

Hernández Pacheco points out that even more and more, the training of library staff is aimed at adapting and developing skills that provide an extra value to each of the services offered by libraries.⁴ In the case of legal or specialized libraries, specialized training must be taken into account, this means, library staff should be trained in scientific and technological research, in the use of platforms for the retrieval of scientific information, etc. In addition to the afore mentioned, the American Association of Law Libraries mentions that the training of law library staff has six main characteristics:⁵

¹ Guo, Jing; Huang, Qinling and Lu, Xiaobin, "Design and Implementation of a Subject Librarian Training Program for University Libraries in China", *Reference & User Services Quarterly*, vol. 54, issue 2, 2015, p. 1, available at: <https://doi.org/10.5860/rusq.54n2.43>.

² Nejdl, Clanitra Stewart and Lewis, Edna L., "Academic Law Libraries and the Early Days of the COVID-19 Pandemic", *AALL Spectrum*, vol. 25, issue 1, 2020, p. 16.

³ Hernández Pacheco, Federico, *Dirección de recursos humanos en bibliotecas y otras instituciones*, México, UNAM, Instituto de Investigaciones Jurídicas-Instituto de Investigaciones Bibliotecológicas y de la Información, 2020, p. 255, available at: <https://doi.org/10.22201/iibi.9786073015790e.2020>.

⁴ *Ibidem*, p. 29.

⁵ American Association of Law Libraries, *AALL Body of Knowledge [BoK]*, Chicago, AALL, 2018, disponible en: <https://www.aallnet.org/wp-content/uploads/2018/07/BoK-FINAL-06.22.2018-web.pdf>.

- *Professionalism and Leadership at every level.* The commitment to learning and training continues to cultivate communication and collaboration in the organization.
- *Research and analysis.* To take full advantage of and interpret the acquired knowledge and legal data to create a competitive advantage that contributes to the needs of the environment.
- *Information Management.* To guarantee timely access to legal information that supports quick and accurate legal decision-making.
- *Teaching and training.* To develop activities and learning programs for students, lawyers, researchers, staff and any other member of the institution where the library is immersed.
- *Marketing and outreach.* To train staff to add an extra value to the services and products offered by the library.
- *Management and business acumen.* That the staff is trained to align the objectives of the library with the objectives of the institution, to manage the financial and human resources that the library has.

Each of these characteristics has different skills that must be taken into account in the training of staff working within legal libraries; these skills can range from a complex analysis of regulations and legislation, to having communication skills to promote library services. In turn, these competencies are supported by skills that, according to María Almanza, are the following:⁶

- To provide and personalize reference services on legal issues and also on relevant non-legal issues.
- To assist the user in their research, using both printed and electronic resources that exist not only in the library but also in other collections that can be accessed.
- To have knowledge and skills to add content to the variety of resources to improve and facilitate the user's access to the required information (keywords, Internet links, etc.).

For the purposes of this chapter, the formation and training of the legal librarian in the exercise and related activities will be addressed with the Right to Information.

⁶ Almanza, María B., *El acceso a la información jurídica en bibliotecas del Poder Judicial de la Nación desde la perspectiva de los bibliotecarios*, tesis de licenciatura, Argentina, Universidad Nacional del Mar de la Plata, 2017, available at: <http://humadoc.mdp.edu.ar:8080/xmlui/handle/123456789/659>.

III. TEACHING AND TRAINING ON RIGHT TO INFORMATION ISSUES

The approach of any aspect of the teaching and training of legal issues in Mexico, varies a lot if it is formulated from a public institution or a private institution.⁷ In Latin America, teaching around the social sciences and humanities is carried out in faculties, organisms inserted within an institution or school of higher education.⁸ These seek to train professionals who coordinate and work in an interdisciplinary manner to promote collective work.

For its part, legal education in areas of Right to Information is constantly changing, due to the fact that the normative and judicial system by which the activities of this guarantee are governed is in permanent updating. However, training in legal issues should serve to expose the great errors and gaps regarding legal issues related to information, and librarians must be professionals who must venture into these areas, not only to defend individuals and their guarantees, but also to promote multi and interdisciplinary research between different areas of knowledge.

A law librarian must have training in informational fields to be able to carry out different useful processes for their profession, in the same way, must also have knowledge of law in areas of access to information and data protection, in order to guarantee and promote the fulfillment of this important right.

The formation of the right to information cannot only be composed solely of classical and magisterial doctrines⁹ in the environment of human rights and data protection, must use different pedagogical and expository methods to develop a critical vision of professionals, call themselves lawyers or librarians.

Teaching should combine classical methods with practical cases (informative activities, cases of access to government information, exclusion of the right to information), to generate a discussion of a real problem or a good argument in order to create an awareness about the evident deficiency of this guarantee in society.

This teaching must never lose its goal: train librarians who are experts in the right to information, since, to fall into a deficiency, the training of these professionals would generate a problem in society to comply with such guarantees by not having specialists who guarantee and promote this right.

⁷ Carbonell Sánchez, Miguel, *La enseñanza del derecho*, México, Porrúa-UNAM, 2004.

⁸ Witker, Jorge, *Metodología de la enseñanza del derecho*, México, Porrúa, 2008.

⁹ Carbonell Sánchez, Miguel, *op. cit.*, p. 19.

Indeed, as in other disciplines, the teaching of this legal branch should foster in students the ability to investigate, create writings to publish them later, to develop works to dissert them in academic or cultural events and finally, encourage feedback between students and teachers to create content relevant to the area.

Gabriela Ponce mentions that the close relationship between the trainer and the students will result in two important points in the formation of the Right to Information to: first, help throughout their training to perform tasks optimally; and second, to develop and renew the science, making it multidisciplinary with other informative disciplines, without neglecting the legal nature that defines it.¹⁰

From a legal point of view, the aspects that the teaching of Right to Information must have are proposed by José María Desantes, quoted by Gabriela Ponce Báez:¹¹

- The organization of reality, research and discoveries, own or from others.
- Communication, typical of each discipline.
- The pedagogical exhibition.
- Active and passive participation by teachers and students.

These characteristics must be permeated in training programs in Information Law. Likewise, the teaching of Information Law must be composed of fundamental aspects and theories, contents of the legal area, as well as from different branches of knowledge, such as, Information Sciences (library science, archives, documentation, among others) and different areas of social sciences.

IV. TRAINING OF LAW LIBRARIANS TO GUARANTEE THE RIGHT TO INFORMATION

As mentioned in the previous sections, legal librarians must respond to each of the demands of the users who attend the legal information units and for the staff to respond correctly to each of these needs, must be trained in activities related to legal work within their institutions.

¹⁰ Ponce Báez, Gabriela, *Fundamentos del derecho de la información en México*, tesis de doctorado, Madrid, Universidad Complutense de Madrid, Facultad de Derecho, 2015, available at: <https://eprints.ucm.es/33362/1/T36459.pdf>.

¹¹ Desantes, José María, citado en Gabriela Ponce Báez, *op. cit.*

One of these activities is to guarantee access to the Right to Information within law libraries, since they are institutions that seek to promote equal access to each of the information services that the library makes disposable.¹² For this, the staff must be trained in activities such as access to information, the protection of personal data, the transparency and accountability, among others that are from the area of the Right to Information.

According to the International Federation of Library Associations and Institutions (IFLA), librarians must be trained in various activities to respond and guarantee the right of access to information, among these are:¹³

- Legal, regulatory and legal aspects to facilitate access to information.
- Promotion and awareness of access to information to its population and how the librarians, its work and its users contribute to the development of the 2030 Sustainability Agenda.
- The role of the librarian in aspects of connectivity, Internet access and information literacy.

These are some of the aspects pointed out by IFLA. These can be reinforced through inter-institutional programs developed by libraries in agreement with the organizations that guarantee access to information, such is the case of the training offered by the National Institute for Transparency, Access to Information and Personal Data Protection (*Instituto Nacional de Transparencia, Acceso a la Información y Protección de Datos Personales, INAI* by its acronym in spanish) to public and private institutions in terms of transparency, mediation and monitoring of requests for information made by users, access to public information, etc. Law libraries, because of being public institutions, in some cases, must be checked accountably by the corresponding office in terms of transparency and regulations, for this reason, the law librarian must have training in the exercise of accountability under the transparency regulations dictated by the Law or by the institution to which they belong. In the same way, the librarian, must be aware of the procedure to

¹² Hernández Pacheco, Federico, “Bibliotecas: instituciones promotoras de la igualdad”, in García Ramírez, Sergio and González Martín, Nuria (coords.), *Covid-19 y la desigualdad que nos espera*, México, UNAM, Instituto de Investigaciones Jurídicas, 2020, p. 73, available at: <https://archivos.juridicas.unam.mx/www/bjv/libros/13/6349/10.pdf>.

¹³ International Federation of Library Associations and Institutions, “La importancia del acceso a la información para alcanzar el desarrollo sostenible en América Latina y el Caribe”, blog, available at: <https://www.ifla.org/es/news/la-importancia-del-acceso-a-la-informacion-para-alcanzar-el-desarrollo-sostenible-en-america-latina-y-el-caribe/> (accessed on April 17, 2022).

follow in the event that any user requests information in the public domain from the library, or in such a case that the user approaches this to help him in the request for public information in any of the obligated institutions.

In a same way, the organizations that guarantee access to information can collaborate with law libraries by training staff in the retrieval and search of specialized statistical information that is available through the National Transparency Platform (*Plataforma Nacional de Transparencia*) of Mexico and that in said tool, there is the information that the subjects obliged to carry out the accountability exercise deposit on the platform. The legal librarian must be able to retrieve the information stored in the National Transparency Platform or in another tool quickly and efficiently, since the data is of great value for the development of research that users are carrying out.

In addition to the above, with the support and guidance of companies and organizations, librarians must receive training that encourages inter and multidisciplinary research, since the Right to Information, being an area studied from various disciplines, it must be linked to various topics related to their work, an example of these would be library science and information sciences, since this is the discipline in charge of studying libraries, their users and their needs, it must take into account access to information; on the other hand, communication sciences also support the Right to Information, since these also study the info-communicative activities that occur as a result of the use of telecommunications, free expression and freedom of the press. In addition to this, legal librarians must receive training in legal research methodology and in social sciences, since this will reinforce the training they have previously had, providing them with skills that facilitate their analysis of information, among others.

In addition to the above, a legal librarian requires, forgiving the redundancy, legal education and training, this means, must know the regulations and laws of your locality or nation so that in turn you can guide your users in the search for legislation; in addition, it must promote and create its own environment so that citizens can freely exercise their fundamental rights and, therefore, the Right to Information. This is why libraries and their staff must create awareness programs focused on the recognition of the rights of individuals, such is the case of the movement promoted by IFLA called *Libraries for Human Rights*,¹⁴ in which it seeks to involve libraries as promoters of Human Rights and, in turn, guarantee and guide users through its services.

¹⁴ International Federation of Library Associations and Institutions, "Access to Library Services Is a Human Right", blog, available at: <https://www.ifla.org/g/lsn/access-to-library-services-is-a-human-right/> (accessed on April 18, 2022).

V. CONCLUSIONS

Actually, a legal librarian specialized in various fields of legal knowledge is of the utmost importance in order to guarantee that each of the services offered by the library has the necessary quality so that the user can access and use it. For this reason, having specialized personnel in the Right to Information grants a pleasing value to libraries, since this professional, it would guarantee free access to information within the information units and would follow up on each of the demands of the users.

Indeed, training is required that draws from various areas of knowledge to instruct legal librarians in emerging fields of work, such as transparency and access to information in public or private institutions; the management and analysis of systems focused on requests for information; mediation between the bodies that guarantee access to information and the various state institutions, among many others.

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