



**USERS' RIGHTS AND RESPONSIBILITIES IN THE HEZEKIAH OLUWASANMI LIBRARY,
OBAFEMI AWOLOWO UNIVERSITY, ILE-IFE**

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ABSTRACT

The study examined the rights and responsibilities of library users in the Hezekiah Oluwasanmi Library, Obafemi Awolowo University, Ile Ife. The users` rights in Hezekiah Oluwasanmi Library include among others, right of access to information and information materials. Users are entitled to information materials in the library and about the library as an institution. This brings to bear the essence of reference services in the library and include among others, answers to users` query, users` education and orientation and the likes. One of the basic responsibilities of users in the library is to use the library with its resources and facilities responsibly. Users, in order to ensure enduring service delivery, and preservation of good order in the library, are expected to be unreservedly compliant with the rules and regulations governing the access and usage of the library`s resources and facilities. The study also identified organs for the enforcements of users` rights, which include Heads of Departments, University Librarian, Library Management Committee and Library Security. While all these organs are in place, yet, there are certain infringements as a result of inadequate knowledge about users` rights and responsibilities. The study concluded that sheer ignorance and low level of awareness on the part of users` to their rights accounts largely for the continuing infractions of users rights. The study recommended increased awareness inform of orientation for library users and adequate publicity, use of suggestion box in strategic locations and political will on the part of the management to enforce users` rights and responsibilities.

Keywords: *Users, Rights, Responsibilities, Enforcement*



Introduction

A Library is a place where there are collection of books and other forms of recorded knowledge, purposefully and systematically organized and preserved by qualified library personnel for use by either the public or target group. As a repository of man's knowledge of the universe, the library is the most dependable source of information on any subject whatsoever. The modern library does not merely acquire published documents or books but also documents original information emanating from its locality, such original documentation covers socio-cultural issues, which ordinarily might not have been the subject of books for a long time to come (Nwalo, 2000). Obanewa, Adewale and Asokhia (2002) classified library users into four groups: general, creative, adult, and specialist interests. General readers are those who read for information and general enlightenment. They consult newspapers, encyclopedias, general works and related documents. The library offers this group of users excellent opportunity to update themselves and be very current about national and international affairs.

The library serves as a powerful means of developing individual readers in their varied interests. Creative readers read novels, magazines, fiction and fantasy. The library resource offers these users materials which are interesting, entertaining, and educative. Adult students' interests centre on information for serious academic pursuits. They consult textbooks and reference works. The last groups of library users are people with specialist interests, including scientists, medical doctors, engineers, undergraduate and post-graduate students. The last category of library users concentrates on textbooks and journals that are relevant to their professions or callings. They may conduct research as part of the requirements for completing a degree, for laboratory activities, to report findings, and review existing literature in different subject areas.

Advocacy on the subject of rights and responsibilities of users, are considered central to the theme of this paper. However, it is of the opinion that the existence of these rights is subject to users' diligence in their responsibilities as users. Part of responsibilities is responsible usage of library resources and being compliant with the existing library rules and regulations. This paper observed that many library users are being denied rights accruing to them as legitimate users. The end result is that these denials create a wrong impression in the minds of the users, especially young undergraduate users and ultimately affects the image of the library and decimate its status in the eye of innocent library users. Hezekiah Oluwasanmi Library, Obafemi Awolowo University, Ile-Ife, is a typical University Library established for the sole purpose of servicing the academic needs of the parent institution, that is, Obafemi Awolowo University, Ile-Ife. The library, which holds over 700,000 volumes, consists of various reading rooms, arranged according to Library of Congress Classification Scheme, classes A to Z. The South wing houses books in classes A to J and the North wing, classes K to Z (Library Handbook Revised, 2012).

Hezekiah Oluwasanmi Library currently has four departments, namely: Collection Development, Readers Services, Technical Services and Research Development. The departments are further divided into sections and units:

- (a) Collection Development Department
 - i. Serials
 - ii. Orders
- (b) Readers' Services Department
 - i. Circulation
 - ii. Reference
 - iii. Faculty Libraries, e.g., Law Section
- (c) Technical Services Department
 - i. Cataloguing
 - ii. ICT
 - iii. Reprography
- (d) Research Development Department



- i. Africana
- ii. University Archives
- iii. Government Documents (Library Handbook, 2012, p.5)

The above identified departments, sections and units of the library account for the extent of the service nature of the library to its users. The rights exercisable by library users in Library centre on the access to the information obtainable from the library's holdings, which includes books and other information resources. These rights exercisable by users are however, subject to fulfillment of certain condition precedents. It is however observed that despite mechanisms outlined by the library in safeguarding the rights of the library users, cases of infractions of users rights are still been reported, albeit in most cases informally. The informality occasioned in the reportage has made it difficult for the library's operative and management to frontally address this infraction. This paper is however set to examine the situation and unravel the mystery surrounding continuing cases of users' rights.

Review of Related Literature

A library is a place where individual access information and ideas. Libraries are not to be regarded just as a place for reading. They exist in many countries across the world and are often considered an essential part of having an educated population (Rubin, 2010). Information is an important resource which is essential for the progress of any individual and that of a nation. Access to information means unhindered access to the entire citizens, which reflect the interest of the citizenry. Access to information is a basic right of the citizen and a pre-condition to a developed community and nation. User's rights in the use of library could also be linked to the idea of Freedom of Information, which refers to citizen's right to access information. Freedom of information supports the universal right to information and knowledge that provide information that is updated, reliable, balanced and appropriate to the needs of the society. The idea of freedom of information is supported by the Nigerian government with legislation on the promulgation of Freedom of Information Act (FOI) 2011. Access to information guarantees every person the right to obtain information on demand. Sebina (2005) examines access to information and their enabling legislation and identified that Freedom of Information Act presents challenges, prospects and opportunities from records managers.

The concept of Freedom of Information came forth from the basic right to Freedom of Expression enshrined in the Universal Declaration of Human Rights UDHR (1948). This right is an important aspect of the universal guarantee of Freedom of Information which includes the right to seek and to receive as well as to impart information. The African Charter on Human Rights, Article 19 of the Declaration states: "Everyone has the right to Freedom of Information". In agreement with the ALA Library Bill of Rights adopted in June 1939 and re-affirmed in January 1996, "all library system and network policies, procedures or regulations relating to digital information and services should be scrutinized for potential violation of user rights.

Users' access should not be restricted or denied for expressing, receiving, creating, or participating in constitutionally protected speech. If access is restricted or denied for behavioural or other reasons, users should be provided due process, including but not limited to formal notice and a means of appeal". "Libraries should use technology to enhance, not deny digital access. Users have the right to be free from unreasonable limitations or conditions set by libraries. Librarians, system administrators, vendors, network service providers, or others contract agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate and use information effectively".

According to the ALA philosophy in Intellectual Freedom principles for Academic Libraries based on an interpretation of the Library Bill of Rights, it is the contention, within the framework of ALA that a strong intellectual freedom perspective is considered critical to the development of academic library collections, services and instruction that dispassionately meets the education and research needs of a



college of university communities. It was stated, that, the purpose of the statement, is to outline how and where intellectual freedom principles fits into academic library setting and thereby raising consciousness of the intellectual freedom context within which academic librarians work. ALA, however, recommended, that the following principles should be reflected in all library policy documents:

1. The general principles set forth in the *Library Bill of Rights* form an indispensable framework for building collections, services, and policies that serve the entire academic community.
2. The privacy of library users is and must be inviolable. Policies should be in place, that maintain confidentiality of library borrowing records and of other information relating to personal use of library information and services.
3. The development of library collections in support of an institution's instruction and research programs should transcend the personal values of the selector. In the interests of research and learning, it is essential that collections contain materials representing a variety of perspectives on subjects that may be considered controversial.
4. Preservation and replacement efforts should ensure that balance in library materials is maintained and that controversial materials are not removed from the collections through theft, loss, mutilation, or normal wear and tear. There should be alertness to efforts by special interest groups to bias a collection through systematic theft or mutilation.
5. Licensing agreements should be consistent with the *Library Bill of Rights*, and should maximize access.
6. Open and unfiltered access to the Internet should be conveniently available to the academic community in a college or university library. Content filtering devices and content-based restrictions are a contradiction of the academic library mission to further research and learning through exposure to the broadest possible range of ideas and information. Such restrictions are a fundamental violation of intellectual freedom in academic libraries.
7. Freedom of Information and of creative expression should be reflected in library exhibits and in all relevant library policy documents.
8. Library meeting rooms, research carrels, exhibit spaces, and other facilities should be available to the academic community regardless of research being pursued or subject being discussed. Any restrictions made necessary because of limited availability of space should be based on need, as reflected in library policy, rather than on content of research or discussion.
9. Whenever possible, library services should be available without charge in order to encourage inquiry. Where charges are necessary, a free or low-cost alternative (e.g., downloading to disc rather than printing) should be available when possible.
10. A service philosophy should be promoted that affords equal access to information for all in the academic community with no discrimination on the basis of race, age, values, gender, sexual orientation, gender identity, cultural or ethnic background, physical, sensory, cognitive or learning disability, economic status, religious beliefs, or views.
11. A procedure ensuring due process should be in place to deal with requests by those within and outside the academic community for removal or addition of library resources, exhibits, or services.
12. It is recommended that this statement of principle be endorsed by appropriate institutional governing bodies, including the faculty senate or similar instrument of faculty governance (ALA, *An Interpretation of the Library Bill of Rights*, 2014).

Li and Madison (2016) underscored the necessity of involving users in the space planning in the library. This, according to them, account to the fact that users being the main target to satisfy with the library facility being provided should have a say by contributing to the decision making with respect to learning amenities within the university. This idea of involving users as stakeholder in library space planning was further justified by the word of Benneth (2009) to the effect that “students should be treated



as intentional learners rather than customers, view the library building as one of the chief places on campus where students take responsibilities for and control over their on learning...”. Early in the year 2003, the American Library Association, ALA in a newsletter on Intellectual Freedom, expressed a reflection of their opposition to the section of the U.S.A Patriot Act and the Revised Attorney General Guidelines to the Federal Bureau of Investigation (FBI). The section concerned , which expand the authority of the Federal Government to investigate citizens and non-citizens, to engage in surveillance, and to threaten civil rights and liberties guaranteed under the United States Constitution and Bill of Rights, are deemed to be capable of undermining the rights to privacy of library users.

ALA contended that the enacted laws, regulations and guidelines increase the likelihood that the activities of library users, including their use of computers to browse the web or access e-mail, may be under government’s surveillance without their knowledge or consent. ALA in strong terms advocate, in strong terms, a reconsideration of the regulation as it is capable of fundamental infringement on the users` right to privacy and confidentiality of library records, leads to suppression of free and open exchange of knowledge and information among others. Pekala (2017) discussed users` right from the standpoint of right to privacy. He posits that every users of electronic database is entitled to his privacy with respect to his search histories. He identified that library communities has established many guiding documents that embody its ethical commitments to protect patron’s privacy. The ALA codes of ethics in its third principle stated “we protect each library users` right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted”.

Users Rights in Hezekiah Oluwasanmi Library

Hezekiah Oluwasanmi Library (HOL), Obafemi Awolowo University, Ile-Ife, subscribed to and adopts in practical terms, the expressions, as touching the right of users as spelt out in American Library Association (ALA, Library Bill of Rights). It has always been the resolve of the HOL. to implement and enhance global best practices in terms of servicing the library users and support the actualization of the vision and mission of the parent institution. The library believes in ensuring smooth and unhindered access to information materials of all categories of users patronizing the library. The collection policy has always been all embracing. The library strives to support the parent institution in living to her motto, which is “for learning and culture”.

Users` rights in Library include among others, right of access to information and information materials. Users are entitled to information in the and about the library. This brings into bear the essence of reference services in the library and include among others, answers to users` query, users` education and orientation and the likes. After registration, users are entitled to right of entry and exit from the library either for reading or other purposes subject to library`s rules and regulations. Users also have right to borrow books for the purpose of research Except for the non-circulating library materials, users have right to borrow library books and materials to be taken out of the library for certain number of days with the use of users` borrowers card. Non circulating materials in this connection means materials regarded as scarce and reserved materials. Reference materials such as encyclopedia, journals publications, dictionaries, bibliographies and some others for general use and day to day consultations are also considered as non-circulating because they have to be always available for every user, usually for quick reference.

Users` Responsibilities and Rules of Conducts in the Library

The basic responsibility of users in the library is to use the library with its resources and facilities responsibly. Users, in order to ensure enduring service delivery, and preservation of good order in the library, are expected to strictly comply with the rules and regulation governing the access and usage of the library’s resources and facilities. Hezekiah Oluwasanmi Library is predisposed to provide an atmosphere conducive to study, reading, and the legitimate use of library materials and services. To foster this environment, it is necessary that everyone in the library acts in a manner that is considerate of others. Any



behavior or condition that disrupts the orderly use of the Library, that could constitute harassment, or that affects the staff's ability to provide service, is prohibited and will be handled by the appropriate enforcement authority. Violators may be required to leave the Library.

- i. The Library reserves the right to ask its users to provide student I.D. or other identification, and upon request library users will be expected to comply. Refusal to comply with this request may result in denial of access to the library.
- ii. Smoking and other related offensive conducts are not permitted in the Library.
- iii. Eating and drinking are not allowed in the library.
- iv. Cellular phones and other personal devices must be, in the judgment of Library Staff, used discreetly and are prohibited in all areas where they disrupt library use. Cell phone ringers must be silenced in the Library.
- v. Disruptive Behaviours, such as blocking access, making disruptive noises, using or being under the influence of alcohol or illegal substances, using abusive language, and threatening or harassing others are also prohibited.
- vi. Individuals may not extensively use library facilities without demonstrating engagement in research or study. Loitering is prohibited.
- vii. Any use of another individuals I.D. to fraudulently access the Library's computers is strictly forbidden and will be reported to Library's security personnel for necessary referral.
- viii. When visiting the Library, shirts, blouses, shoes, and other appropriate attire must be worn. Persons who violate these rules may be removed from the Library.
- ix. Anyone who intentionally defaces, damages, or illegally removes library materials, furnishings, or equipment is subject to criminal prosecution.
- x. All users, both student and general public, will be expected to comply with Hezekiah Oluwasanmi Library's Policy on "Responsible Use of University Library's resource and materials".
- xi. Using images, including computer images, to harass other users or library employees, especially after a request to stop has been made, may constitute sexual harassment and will be handled by the appropriate enforcement authority. The Library's computer facilities in the e-libraries are not to be used for pornographic content viewing.
- xii. The Library is not responsible for lost or stolen personal articles. Belongings should not be left unattended.
- xiii. For their own safety, young children should not be left unattended in the Library. If a child becomes loud or disruptive, the child's parent or guardian must remove the child from the Library.
- xiv. Borrowing privileges or other library services may be limited or denied to any user who has abused or misused library privileges or violated any rules of conduct herein.

Organs for Enforcement of the Library's Rules

Hezekiah Oluwasanmi Library has several lines of enforcement of library rules for the smooth operation of the Library and usage of the resources and facilities. The organs and means are hereby exhibited:

- i) *The Security Personnel:* The Security Personnel in the Library are the first set of organs in the enforcement of Library's rules and compliant of same by the Library users. At the entrance, Library users are checked-in with their proof of identification. In case of students, by display of their identity cards and Library Access/permit card. For external users or visitors, by providing letter of introduction and /or other relevant documents and explanation on the purpose of visiting the Library and veracity of the claim. Apart from the entry check, the Security personnel also patrol the Library's Reading Rooms and maintain orderliness and decorum. It is the duty of the



- Security personnel in the Library to attend to any emergency situation and make necessary report(s), where and when necessary.
- ii) *Library Users:* A Library user can also be an organ for the enforcement of Library rules by reporting any defaulting user to any available library authority or staff. This happens, mostly, when a user, constitutes a nuisance to other users, thus making the Library, or a particular Reading room uncomfortable for other users. In most cases, this reportage is done discreetly by the aggrieved users.
 - iii) *Sectional Head/Library Staff:* Library's Sectional Heads hold, usually both academic and administrative position. In this Library, except for Maintenance Section, Bindery Section, Reprography Section and General Office, all other sections are headed by professional Librarians. Each sectional Head has an onerous duty of accounting for events and happenings in their various sections. Thus, a Sectional Head has a duty to enforce compliance and orderliness in his Section and Reading room. As an administrator, matters bothering on use of the library and maintenance of decorum therein are handled by the Sectional Heads.
 - iv) *Heads of Departments:* Heads of Departments also perform the functions of the enforcement of Library' rules. Usually they get involved, only upon reportage from the Sectional Heads, except in rare cases of direct knowledge of the infraction on Library rules of decorum by any Library user.
 - v) *University Librarian:* University Librarian handed down instructions with respect to the enforcement of Library's regulations through the Heads of Departments down to the Library Staff/Assistants.
 - vi) *Library Management Committee:* This appears as the highest decision making body, with respect to the internal workings of this library, Obafemi Awolowo University, Ile-Ife. This consists essentially, of the University Librarian, Deputy University Librarians and Heads of Departments as the case may be.

Infringement of Users' Rights and Remedies

Infractions of user's rights could be in form of denial of access into the Library, Unjustified denial of access to the right to borrow books and other information resource to be taken out of the Library for private study, indiscriminate sanction or imposition of fines and or levies on overdue loaned books, disturbing noise from co-library user or library staff. All these and sundry of other limiting conditions and situations capable of impairing the maximum comfort and serenity expected to the usage of Library resources, facilities and premises constitute an infringement of users' right. These observable infractions of users' rights could be redressed by formal or informal complaint to the recognized authorities in the Library. Usually, the recognized authorities in the Library serving as channels for redressing infractions of users' rights are generally the Sectional heads, Departmental Heads and then the University Librarian. However, issues that are of general concern emanating from complaints and or petitions from Library users, the same requiring official statement and pronouncements are referred to the Library Management Committee.

Challenges and Constraints in Enforcement of Users' Rights

Many factors pose challenges to the enforcement of users' rights in this Library, among which are lack of information, docility and lack of willpower, insensitivity of non-professional library staff to the plight of library users. The Library, adopting the American Bill of Rights with respect to users' rights, is committed to protection of Library users' rights so as to fulfill its function, as the hub around which scholarship revolves. The necessary avenue needed to achieve this, is sometimes, limited with lack of information, docility and absence of willpower on the part of the library users, especially student, to pursue a case of infraction to logical conclusion. Many of the students whose rights had been infringed upon refused to supply necessary information to relevant library authorities for necessary action. This is



because, in most cases, there existed rumours and eavesdropping on cases of unreported infractions of users' rights by library personnels. This situation now leaves the library authority to resort to guess work and unreliable rumours and eavesdropping in fact findings with a view to deal with situation. This presumably, may be due to docility and lack of necessary willpower to pursue a case to logical conclusion. This situation, in many cases, denied the library management, an opportunity to stamp out bad behaviour and unfair treatment of library user by any erring and unscrupulous library personnel.

Conclusion

The subject of users' right to an appreciable extent is what can be said to be receiving appreciable attention at HOL. This is not unconnected with the library's belief in the philosophy of fundamental rights of a citizen, library users inclusive, and the alliance of the library with the Rights Principle as canvassed by ALA, Library Bill of rights and the worldview of library professionals with respect to general users' rights and access to information. Redress of cases of rights infringement has been quite problematic due to observed docility of users coupled with dearth of necessary information, in terms of reportage, to work with in addressing the challenge. It is however concluded that this is largely due to lack of necessary awareness and proper orientation on the part of the users to create a necessary impetus to do the needful.

Recommendations

- 1) Increased awareness of the existence of users' rights through users' education. The saying is that information is knowledge and knowledge is power. There is need to further increase the users' awareness of the existence of their rights through users' education programme and courses.
- 2) Adoption of the usage of Suggestion boxes to be conspicuously displayed for users to drop their complaint and be subjected to constant review. The production of this facility will assist the library in addressing the cases of abuse of users' right in the library by library personnel. Though it may be legally difficult for the library's management to handpicked any alleged library personnel on allegation contained in the letter dropped in the complaint box, it will still go a long way in assisting the library in placing such a personnel on surveillance. It is also recommended that the library professionals be sensitized about the sacredness of the users' rights and the need to religiously safeguard same as a matter of duty.
- 3) The library management must deploy necessary political will to rededicate self on the enforcement of users' rights and also intensify efforts on staff development to improve their exposure on the need for effective service delivery.



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