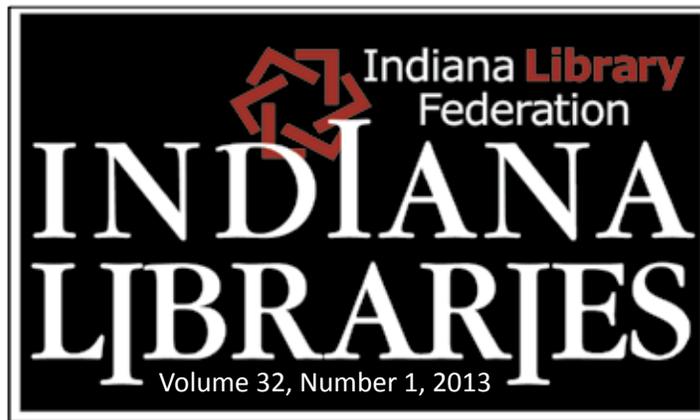


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From the Guest Editor's Desk:

By J. Douglas Archer

Advocates of intellectual freedom each have her or his own story of how they became involved in "the cause." Way back in the early 1980s, I attended my first American Library Association (ALA) Annual Conference in Philadelphia with my newly minted MSL to scout out the opportunities for involvement in the wider profession. You need to understand that I was one of those librarian-as-a-second-career people. I had been a socially involved pastor for several years committed to civil rights, peace and religious liberty. I needed a break. I had no intent of getting hooked into any more of that "movement" stuff.

While wandering the convention center, I passed an open door to a standing room only session and looked in. There were Cal Thomas, Nat Hentoff and Judith Krug having at it over religion and censorship. In spite of my best intentions, I was hooked. I joined the Intellectual Freedom Round Table (IFRT) and the rest, as they say, is history. Over the intervening years I have had the honor and pleasure of serving and chairing almost all of IFRT's committees along with ALA's Intellectual Freedom Committee and, most relevant to Hoosier readers, serving on and chairing the Indiana Library Federation's Intellectual Committee for many years.

During this time, I have had the privilege of fighting the good fight with numerous Indiana intellectual freedom champions including early mentors John Swan and Danny Gunnells and many, many other dedicated opponents of censorship too numerous to name. In ALA this has included first and foremost, that force of nature, Judith Krug, founding Director of ALA's Office for Intellectual Freedom and the Freedom to Read Foundation and a myriad of other intellectual freedom stalwarts. I am especially indebted to the unsung heroes who have struggled week in, week out in local libraries. They are unknown because they have done such an excellent job of developing, implementing and following good IF policies that their challenges have never seen the light of day.

In this issue you will meet many of today's leading defenders of Intellectual Freedom as they address the vast diversity of challenges facing today's libraries and librarians. This includes the current and several past chairs of ALA's Intellectual Freedom Committee and Intellectual Freedom Round Table, current and past ALA presidents along with "line librarians" in library school and school, public and academic libraries who have been vigorous opponents of censorship and defenders of reader choice. Topics include everything from a broad appeal to affirm the freedom to read to a narrow look at religion in American public libraries. In between you will find discussions of labeling, privacy, civic engagement, service to minorities, the benefits and threats of new service initiatives such as open shelf holds and unrecognized allies in the struggle to preserve the freedom to read.

My hope is that, as you browse these pages, one or more of these essays will grab your attention and, as happened to me over 30 years ago, you too will be hooked (or re-hooked) into becoming an active defender of one of our professions' core values – free and open access to our libraries' resources for all people so that they may read, view, listen to or otherwise access whatever *they choose* without fear of government interference or intimidation.

The Freedom to Read

By Kent Oliver

As a document stating the premises behind librarians' and publishers' position on censorship and access to information there is nothing more inspiring than "The Freedom to Read." The original document was developed in 1953 during the Westchester Conference of the American Library Association and the American Book Publishers Council, which would later morph into the Association of American Publishers. It is a dynamic statement that elicits the central concept around intellectual freedom that motivated many to become librarians: to provide and protect access to information without restriction. Presenting this document to audiences of librarians and the general public in the United States during a new century reveals the continual flux of intellectual freedom and our profession. "The Freedom to Read" was written during the height of McCarthyism and is a statement of opposition to our government's violation of the First and Fourth Amendments as well as public censorship. Audiences and readers unfamiliar with its origin often assume that, due to the content, it is a more recent document addressing the temper of our country since the events of 9/11.

Most librarians join the profession with a limited understanding of intellectual freedom and its principles. They are probably even less aware of their crucial role in defending the First Amendment. The American Library Association (ALA) is emphatic that intellectual freedom is a core value of our profession. The ALA's Core Values, developed and presented by the second Core Values Task Force and adopted by ALA Council in 2004, states that librarians will uphold the principles of intellectual freedom and opposes censorship. The question arises in real life situations if librarians are truly committed or simply acknowledging concepts? Does current practice and policy in libraries skirt the issue of adhering to intellectual freedom?

A case in point is the recent trend in libraries to customer self-checkout and self-service hold pick-up. This change allows for good customer service and efficient use of staff but potentially creates a confidentiality violation for library users. Privacy is an important corollary of the right to read. Without thoughtful service implementation and a basic understanding of customer privacy rights, evolving library automation practices can place customer privacy in jeopardy. Awareness is the key to moving intellectual freedom forward as change occurs. The arrival of what appears to be a true e-Book era in libraries presents new privacy concerns. The sharing of library customer data with

third party vendors is complicated and controlled through contractual agreement. Previously, libraries exercised primary control over customer data dictating by whom, how and why it was accessed and disseminated. In addition, State laws govern how and why this data may be accessed, obtained or used in the courts. Access to and use of library customer personal information by a third party for commercial use and potential government access presents a dilemma for librarians.

"The Freedom to Read" statement anticipated society's forces conspiring to control what we read and write. Articles 4, 5 and 6 are quite explicit in dealing with different forms of censorship. One of those, labeling, is often misunderstood in the library environment today. Not only should librarians avoid internal labeling practices which create obstacles to accessing materials, but they must guard against unbalanced external review systems and processing tools. Organizations reviewing and rating materials with a political and moral agenda make this difficult.

Librarians using book review resources, especially in the youth area, should be aware of a resource's authority to review as well as the potential motives behind the reviews. Is the mission of the source to review the quality of writing or to comment on the content's "appropriateness" according to artificial or less obvious political standards? It is certainly appropriate that we set boundaries or restrictions for our own reading or as parents for our children. What is not appropriate is when limits are set, overtly or covertly, by individuals or organizations for readers and parents who are attempting to exercise their First Amendment Rights.

Librarians, publishers, booksellers and attorneys have joined together in the Freedom to Read Foundation in defense of books and reading. The First Amendment to the United States Constitution guarantees all individuals the right to express their ideas without governmental interference, and to read and listen to the ideas of others. As Supreme Court Justice William Brennan said in the 1989 United States flag burning decision, *Texas vs. Johnson*, "If there is a bedrock principle underlying the First Amendment, it is that the government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable."

The Freedom to Read Foundation (FTRF) was established to promote and defend this right; to foster libraries and institutions wherein every individual's First Amendment freedoms are fulfilled; and to support the right of libraries to include in their collections and make available any work which they may legally acquire. The Foundation stands in opposition to the chilling impact of censorship on authors and publishers. As the litigating arm of ALA and the book industry, the FTRF often defends the First Amendment in our courts.

FTRF's defense of librarians sometimes takes it to what would seem faraway places. In 2011 FTRF was part of a U.S. Supreme Court victory in the case of *Brown v. Entertainment Merchants Association et. al.* This decision overturned a California law which banned the sale of violent video games to minors. The importance for librarians and publishers was voiced in the Court's majority opinion that video games constitute a form of First Amendment protected speech, just like books, plays and movies. The details of this case and most cases involving the defense of the First Amendment can have significant impact on the rights librarians exercise for their patrons.

The final paragraph of "The Freedom to Read" statement should be required reading for all library and information students. This eloquent statement is capable of standing alone in addressing our fear and asserting our strength as the profession defends intellectual freedom:

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

Librarians remain the gatekeepers of knowledge as they have been for centuries. That knowledge is on the bookshelves, in library community forums, on the Internet and in databases. Intellectual freedom is that core professional value that helps us understand how crucial it is that the gates remain wide open for everyone's freedom to read.

Resources:

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Intellectual Freedom: Moving Beyond Freedom From...to Freedom To...

By Barbara K. Stripling

The concept of freedom is often associated with the absence of restrictions on that freedom, such as **freedom from** tyranny or social injustice. Indeed, intellectual freedom is most often related to **freedom from** censorship, the invasion of privacy, Internet filtering, and the lack of access to information and ideas. Librarians have accepted responsibility for leading the fight against restrictions on intellectual freedom. In the 21st century, however, **freedom from** is only half the battle for intellectual freedom. The other half is the freedom to construct opinions and conclusions that are supported by sound evidence and balanced consideration of multiple perspectives. Much of the responsibility for “**freedom to**” must shift from librarians to individuals who are seeking information. Individuals must accept responsibility to pursue information and ideas in a way that overcomes the funneling and filtering of the digital environment and brings exposure to a variety of points of view. This **social responsibility** in the access and use of information has become integral to the concept of intellectual freedom.

Freedom From . . .

The library profession accepts responsibility for leading the educational, political, and legal efforts to maintain freedom from censorship, inequitable access, filtering, and, increasingly, threats to privacy. Rapid changes in the information world as well as political and legal pressures demand constant diligence. The American Library Association (ALA), its divisional intellectual freedom committees, and state library associations provide the essential foundation for national alertness and advocacy, influence over legislative agendas, challenges in court, and the development of local policies to implement the principles outlined in the *Library Bill of Rights* and its interpretations.

Individual librarians cannot afford to be complacent by assuming that these professional associations are “handling” intellectual freedom issues, however, because the challenges to that freedom often occur in their own local communities, influenced by the communities’ constantly changing information and social environments. Ideally, librarians, library boards, trustees, school districts and communities have adopted policies and procedures that forestall local intellectual freedom challenges. Even with locally adopted policies on collection development, challenged materials, patron privacy, and confidentiality, changes in technology and information access as well as in laws and regulations frequently require additional policy guidelines or new implementation decisions.

For example, libraries that decide to use RFID have intellectual freedom and privacy issues to consider as they integrate the new system. Collection development policies must be updated to incorporate consideration of electronic material. School librarians may find that school bandwidth issues restrict live access to online materials in nonprint formats, and they may have to develop procedures to capture that content for limited use within copyright guidelines. School librarians may also encounter unexpected electronic access issues if the school district adopts a new filtering software program with pre-set filtering parameters.

Maintaining a level of library service that provides intellectual freedom **from** the challenges of censorship, violation of confidentiality or privacy, over-filtering, and restricted access is a responsibility that librarians should not take lightly. The most troublesome restrictions are those that are invisible to patrons – for instance, patrons do not know when access to a legitimate site with health information for gay teenagers is blocked unless they are aware that the site even exists, a clear example of invisible censorship. Patrons cannot see when their personally identifiable information is captured in the background by a software program, an example of violation of privacy. Librarians themselves may not realize when their policies or procedures put intellectual freedom at risk. A controversy over the display and self-checkout of patron-hold materials arose within the past year because some librarians realized that the patron’s name was put on the outside of the book and placed on a public shelf for pickup, clearly a violation of the right of every individual to seek information in privacy. Even librarians who consider themselves strong advocates of intellectual freedom were surprised that the procedures within their own libraries did not protect their patrons’ rights to privacy.

Freedom To . . .

The library world has undergone a shift in focus during the last number of years from library-centered to user-centered services. Library advocacy efforts, for example, are being transformed into community-based initiatives that may start with national design but are translated to meet local needs and priorities. The emphasis on users or patrons provokes a discussion about our patrons’ goals and reasons for using (or not using) our library services.

The intellectual-freedom question for librarians in user-centered libraries should be: “What must our libraries give patrons the **freedom to do**?” Patrons’ goals are generally much

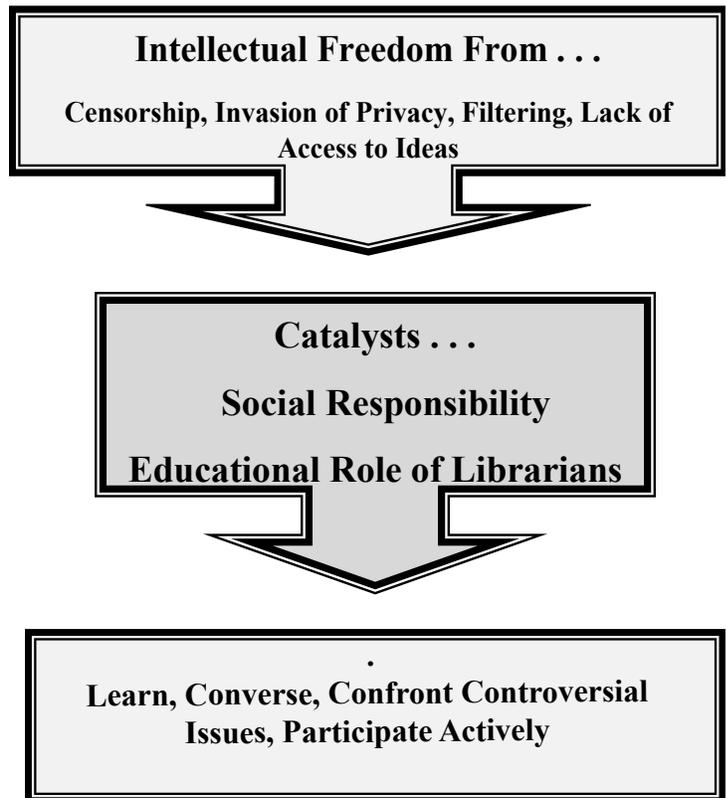
higher than simply accessing information. Intellectual freedom incorporates the **freedom to learn** by discovering new ideas; the **freedom to converse** with others, both face-to-face and virtually; the **freedom to confront controversial issues** by seeking information from multiple perspectives and points of view; and the **freedom to participate actively** in a safe and supportive environment.

Some characteristics of the electronic environment demand that librarians assume the educator role and make the “freedom to do” a shared responsibility between themselves and their patrons. The filter-bubble phenomenon identified by Eli Pariser (Pariser, 2011) is an invisible form of censorship built into search engines like Google.com and Amazon.com in which search results and ads are tailored according to past searches and geographical location. If, for example, a patron searches for “energy” from a computer in one location (city is auto-detected in Google), and then manually switches the location to another city, the search results and ads change accordingly. Although harder to detect, the same type of filtering occurs as a result of the search terms entered on previous searches. If a user searches for green energy sources consistently, then the filter-bubble characteristic of the search engine would prioritize green energy sites in the search results for “energy.” This phenomenon has major implications for both the freedom to explore ideas and the freedom to seek multiple perspectives on controversial issues. If a patron does not know that his search results are being filtered, then he can easily be fooled into thinking he has accessed a balance of accurate and varied perspectives. Librarians must educate their patrons about this skewing of the search results and teach their patrons strategies to overcome the resulting bias.

A second aspect of the digital environment that requires librarians to educate their patrons and shift some of the intellectual freedom responsibilities to them is the interactivity available through social tools. Although social tools make it much more possible for librarians to create a participatory library culture, they also facilitate the publishing of inaccurate, inflammatory, and poor quality information. As a result, some of the collection development responsibility previously held by librarians must now be assumed by the patrons themselves. Some school districts ban the use of online social tools at school and some are starting to prohibit any online communication directly between teachers and students. School librarians are left with the dilemma of fostering the freedom to participate actively in a safe and supportive online environment without access to that very environment for teaching responsible use.

Social Responsibility

The catalysts for moving beyond **freedom from** to **freedom to** are social responsibility and the educational role of librarians.



If library patrons are going to be intellectually free, then librarians must teach them, either explicitly or through scaffolding and modeling, to be socially responsible in the access and use of information. Librarians in all types of libraries are educators in some sense of the word. In public and special libraries, teaching may occur one-on-one as librarians are helping individual users find information. Teaching may also be built in to navigation aids and explanatory documents prepared by librarians for self-guided searching, such as database guides and pathfinders. Explicit teaching is obviously a primary role for school librarians, and, in fact, the teaching of social responsibility is reflected in the national standards of the American Association of School Librarians (AASC), *Standards for the 21st-Century Learner*, where learners are expected to “. . . participate ethically and productively as members of our democratic society” (American, 2007).

Five areas of responsibility should be taught to students to enable them to exercise their **freedom to** seek and use information in a socially responsible way:

- Evaluating information
- Active searching for multiple perspectives
- Constructing one’s own ideas, opinions, and conclusions based on evidence
- Responsibly interacting with others
- Monitoring one’s own online publishing and behavior

Evaluating Information

Much of the responsibility for evaluating resources and information has shifted from librarians to users, especially in the online environment. School librarians use fake websites, websites that are obviously biased or inaccurate, Wikipedia, and authoritative websites to guide students through the process of evaluation based on accuracy, credibility, authority, currency, and point of view. Students discover how to draw clues from the web address, “Contact” and “About” pages, documentation and citations, comparison of information with other sources, and even links from and to the site. Students also find out quickly that the “author” or “publisher” of many websites is unknown and that, even if the producer of the website is listed, the producer’s authority and credibility may be hard to determine.

Active Searching for Multiple Perspectives

The most difficult aspect of evaluating online information for most students is determining point of view and the validity of evidence offered to support that perspective. In the online environment, the first problem is that students often do not encounter balanced overview information first (or maybe ever) in the search process. Consequently, they do not have a broad perspective on all sides of an issue as they begin their investigations. With little or no knowledge of the multiple facets to their topics, students will follow a serendipitous research path that takes them to a website with one perspective that links to other websites that support the same point of view.

On the library shelves, librarians can provoke consideration of multiple points of view by purchasing materials that provide accurate and comprehensive information on all sides to an issue. Since these books are shelved next to each other, students who encounter one point of view are likely to encounter others. In the online environment, such linkage is obviously not possible. Websites rarely provide information on all sides to an issue and websites with opposing viewpoints may not even surface in the top results of a search.

Unless students are taught to take responsibility for seeking alternative perspectives, they will follow the natural path of looking at the top sites listed in their search results and ignoring the bias or limited point of view represented by those sites. Librarians must help students develop specific strategies for developing search terms that elicit opposing viewpoints, for thinking of antonyms as well as synonyms to broaden their searches, for capturing and following up on any clues about different perspectives, and for questioning and evaluating the information that they do find to determine the limitations of the point of view presented.

Constructing One’s Own Ideas, Opinions, and Conclusions Based on Evidence

Perhaps the most important responsibility that librarians can impart to students is to construct their own ideas, opinions, and conclusions based on the information they find. By processing the information mentally and drawing conclusions, students will have converted information to knowledge and understanding and will have achieved a high level of intellectual freedom. Too often students restrain their own thinking by simply copying information they find without engaging in forming their own understandings.

Teaching students to construct ideas is difficult. Librarians must teach their users to use thinking skills like comparison, analysis, synthesis, pattern-finding, and organization in order to engage in thoughtful creation of their own ideas. Students may resist the extra work required, but a combination of provocative and supportive questioning by the librarian may help them move to deeper levels of understanding.

Responsibly Interacting with Others

Students are drawn to interactive communication with their friends through multiple social tools. Librarians can help students thrive in the online environment by teaching them to interact responsibly; treating others with respect, maintaining their own privacy and the privacy of others, understanding the code switching required to use online communication effectively for both personal and academic reasons, and helping them learn to maintain focus instead of simply flitting from one conversation or tool to another.

Librarians must actively teach socially responsible behavior in the online environment through lessons and experiences in both safety and responsibility. School districts may develop digital citizenship curriculums to guide the development of this social responsibility. The following is a brief overview of the digital citizenship curriculum framed by the New York City School Library System:

(See page 11.)

Grade	Responsibility	Safety
1	Respecting yourself and others	Only talk to people you know
2	Respecting your own privacy	Cybersafety (real friends vs. digital friends)
3	Respecting the privacy of others	Safe Searching - staying in a kid friendly zone and what to do when things go wrong
4	Digital communication tools and netiquette/respectful collaboration	Safe navigation and keeping your computer safe (don't click here - avoiding viruses)
5	Intellectual property/plagiarism	Protecting own privacy (digital footprint, creating strong passwords, logging off your accounts, thoughtful uploading "think before you post!")
6	Evaluation of online information	Cyberbullying - social networking
7	Fair use/respecting the digital privacy of yourself and others	Cyberbullying and responsibility for self
8	E-mail etiquette Social networking	Cyberbullying and responsibility to others
9	Plagiarism	Use of technology tools - viruses, phishing Digital footprint: creating a "professional" online identity
10	Intellectual property and fair use (using diverse formats)	Digital footprint: Cyber slander
11	Multiple points of view	Digital footprint: Going viral, "Think before you post!"
12	Social networking for college and career Plagiarism Multiple points of view	Digital footprint: Credit card, financial information

Digital Citizenship Curriculum Framework – New York City School Library System

Monitoring One's Own Online Publishing and Behavior

The ease with which anyone can post and publish information to the web is empowering but it also necessitates the teaching of self-monitoring. Students may develop the impression that, if they publish their writing on the web, through a blog or posting on a social network site, then they have authority and expertise. They may also develop the mindset that, if they write it and their writing appears online, then it is true. The mental habits that ensue from such thinking are actually antithetical to intellectual freedom because they involve no evaluation of information, no recognition of alternative viewpoints, limited sensitivity to responses of others, and conclusions and opinions offered with little supporting evidence.

By building self-assessment into every online experience, even those experiences in which students use professional databases and websites, librarians can help students develop the ability to monitor their own online behavior and assess

their own online publishing. Intellectual freedom in the online environment carries with it the responsibility to behave ethically and respectfully at all times.

Moving Users Beyond *Freedom From to Freedom To*

Librarians have accepted the mission to empower library patrons to be effective users of information and ideas. An essential component of that mission is to create an environment that protects and promotes the intellectual freedom of everyone engaged with the library and of the community as a whole.

The responsibility for protecting the **freedom from** censorship, lack of privacy, filtering, and lack of access is most often fulfilled by professional library associations at the state and national levels and by individual librarians at the local level who maintain vigilance and develop local policies that guarantee intellectual freedom for every community member.

Promoting the **freedom to** learn, converse with others online, confront controversial issues, and participate actively in the online environment falls within the realm of both librarians and individual users. By teaching social responsibility, librarians can both provoke and support their users behavior in ways that guarantee their intellectual freedom to construct their own ideas. By sharing responsibility for intellectual freedom with their patrons, librarians strengthen the foundation of intellectual freedom for our society as a whole.

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Libraries and Strong Democracy: Moving from an Informed to a Participatory 21st Century Citizenry

By Nancy Kranich

At a recent public forum at a small New Jersey library, local citizens told strategic planners that they were pleased with their access to a diversity of resources and programs offered by the library. But they also voiced concerns about the loss of access to local information now that the community's bi-weekly newspaper ceased publication. Moreover, they expressed a desire to go beyond traditional library programming so they could interact with each other about local concerns no longer communicated through trusted local media. No doubt, forum attendees recognize the essential role of information to participation in community life -- a role well-articulated by the Knight Commission on the Information Needs of Communities in a Democracy (Knight Commission, 2009). In its 2009 report, the Commission stated, "The time has come for new thinking and aggressive action to ensure the information opportunities of America's people, the information health of its communities, and the information vitality of our democracy" (Knight Commission, 2009, p. 1). In an era when citizens yearn for more participation in civic life, traditional news media have abandoned local communities in New Jersey and beyond. Understandably, some have turned to libraries to fill the information and engagement voids left in their communities.

Alienation From Public Life

Despite the fact that Americans have far more access to a diversity of ideas than ever before, many have fled the public square, alienated and removed from the dialogue about possibilities. They claim they have too few opportunities to hear diverse views and engage in authentic dialogue about pressing problems—a concern well documented by Diana Mutz (2006) in her book, *Hearing the Other Side: Deliberative Versus Participatory Democracy*. Their hope has unraveled as they lose the capacity to create necessary, believable change. As Robert Putnam (2000) and others have observed, declining public participation begun in the last third of the 20th century continues. At deliberative forums around the country in 2006, participants reflected on Putnam's findings when they considered how to reclaim the public's role in democracy. They expressed alienation from politics and community affairs and felt powerless to do much about them. They referred to themselves as consumers, rather than citizen proprietors--bystanders instead of active members with a sense of ownership in their democracy. They also expressed concern about the loss of public space where they could meet other citizens informally to discuss community problems and political issues. In short, they saw

the average citizen as unrepresented, voiceless, and homeless, but they also presumed that increased public engagement would rejuvenate hope and public-mindedness. After careful deliberation, they concluded that they, after all, had a significant role to play, recognizing that democracy's challenge is "our" problem and not "their" problem (Doble, 2006).

Stages of Public Engagement

Since the early days of the republic, citizens have debated their role in a participatory democracy. The Organisation for Economic Cooperation and Development (OECD) provides a three-stage framework for considering this role (2001). The first--the Information Stage--is a one-way relationship in which government compiles and delivers information to citizens. Michael Schudson (1998; 2003) refers to this stage as "monitorial" citizenship, where citizens only pay attention when things go wrong. While he believes that citizens should know what their government is doing, he also expects them to "know what they need to do with what they know" (Barber, 2003, p. 311). Benjamin Barber (1984) considers this stage "thin democracy" dominated by representative institutions with relatively passive citizens.

Stage two--the Consultation Stage--constitutes an interactive two-way relationship between informed citizens and their government, where voices are heard through public opinion surveys and commentary related to proposed legislation and regulations. Citizens during this stage have an opportunity to express their preferences--a stage that Barber (2003) refers to as "plebiscitary democracy." Stage three--Active Participation--occurs when citizens engage directly in the decision- and policy-making process, proposing options and shaping outcomes. Barber (1984) calls this "strong democracy," where citizens "regard discourse, debate, and deliberation as essential conditions for reaching common ground and arbitrating differences among people in a large, multicultural society" (Barber, 2003, p. 37). As a remedy to incivility and apathy, Barber contends that this stage enables active citizens to "govern themselves in 'the only form that is genuinely and completely democratic'" (1984, p. 148).

Barber's strong democratic practice ideals are reflected in the work of several information theorists who recognize that self-governance requires an engaged as well as informed citizenry. To this end, Leah Lievrouw (1994, p. 350) posits the fundamental paradoxical question: "How can it be that American

citizens by and large feel alienated from the very political system they profess to believe in, at the same time that they have an ostensibly unprecedented array of media and information sources at their disposal?" In her essay, she describes an information environment that must shift from "informing" to "involving," contending that an involved—not just informed—citizenry is more likely to participate in democratic political processes. Lievrouw proposed a framework based on a typology developed by social theorist Jurgen Habermas (1979, 1989) and others who espouse that successful democracy requires citizens to go beyond access and voting to engagement in discursive action. In this context, Jaeger and Burnett also underscore the value of engagement and discursive action, and suggest that a policy environment redefining the role of information in society must rely on "Libraries, as established guardians of diverse perspectives of information, . . . to protect and preserve information *access and exchange* [emphasis mine] in this new policy environment. . . facilitating and fueling deliberative democracy" (2005, p. 464).

Libraries Foster an Informed Citizenry

Libraries have informed local citizens ever since Benjamin Franklin founded the first public lending library in the 1730s. His novel but radical idea of sharing information resources departed from the rest of the civilized world where libraries were the property of the ruling classes and religion. The first significant tax-supported public libraries, organized in the mid-19th century, were conceived as supplements to the public schools as well as "civilizing agents and objects of civic pride in a raw new country" (Molz & Dain 1999, p. 3). Early on, librarians explored innovative ways to bring books and library services to such underserved populations as the homebound, poor white families in the rural south, immigrants in large cities, sailors at sea, and prison inmates (Freeman & Hovde, 2003). They also worked hard to assimilate new immigrants (Jones, 1999), although it took another century before they integrated African Americans, Native Americans, and other disadvantaged residents into mainstream services (Jones, 2004). In the twentieth century, libraries deployed a number of creative means including mobile and outdoor libraries, packhorse rural delivery, literacy training, and reading to the blind to ensure that everyone in their communities was served. More recently, 99% of libraries provide access to the Internet, ensuring equal opportunity and leveling the playing field for all Americans. In fact, libraries are now the number one point of Internet access for the public outside the home, school, and work, leveling the playing field for those left behind in the digital age (U.S. Department of Commerce, 2002, p. 39). Through these efforts, librarians have upheld the most sacred ideals of intellectual freedom, providing resources, services, facilities and enlightenment for all people, representing diverse points of view and safeguarding them from censorship. As stated in the preamble to the American Library Association's (ALA) *Code of Ethics*,

*In a political system grounded in an informed citizenry,
we are members of a profession explicitly committed to*

intellectual freedom and the freedom of access to information. We have a special obligation to ensure the free flow of information and ideas to present and future generations (ALA, 2008).

Expanding upon the ethics statement, Candace Morgan states in the American Library Association's *Intellectual Freedom Manual* (2010) that, "A democratic society operates best when information flows freely and is freely available, and it is the library's unique responsibility to provide open, unfettered, and confidential access to that information. With information available and accessible, individuals have the tools necessary for self-improvement and participation in the political process" (Morgan, p. 37). Indeed, in the information age, librarians have succeeded in fulfilling the fundamental responsibilities consistent with their intellectual freedom values.

Thomas Jefferson's conviction that a healthy democracy depends on an informed citizenry helped articulate the relationship between citizens and self-governance since the early days of the republic. Libraries, colleges and schools were founded to create and sustain an informed populace. For generations, the idea of an informed citizenry has served as a guidepost for librarians, validating their essential role in promoting political, economic and social prosperity and in building the capacity for current and future citizens to participate effectively in the processes of democracy. They have fulfilled this role by amassing diverse collections so that the people can make up their own minds about the issues of the day. They have served as repositories of public documents so that the public can monitor the actions of the government. And they have taught young people the skills necessary so they can find and use information effectively. But, as Richard Brown (1996) suggests, the Jeffersonian definition, meaning and purpose of an informed citizenry, so taken for granted during the course of American history, has changed over time, as more and more information has become readily available to all. The problem is no longer the lack of information but an absence of engagement.

Despite almost universal access to schools, libraries, and information, Americans are no better informed about the issues and choices before them than in earlier days. As local news outlets disappear, citizens disconnect from one another, and new technologies leave many behind in the digital age -- some unable to participate fully in community life.

If libraries are to continue to meet the personal and civic information needs of their communities, they need to reexamine their core beliefs and strengthen their capacity to move beyond the bounds of informing citizens to engaging them more actively in public life. This means not only that citizens are well informed about their government and the issues of the day, but also that "they can participate fully in our system of self government, to stand up and be heard. Paramount in this vision are the critical democratic values of openness, inclusion, participation, empowerment, and the common pursuit of

truth and the public interest” (Knight Commission 2009, p. 2).

Changing the Library Paradigm from Thin to Strong Democracy

Moving from an informed to an involved citizenry necessitates a paradigm shift for those who still cling to a “thin” notion of democracy. Undoubtedly, librarianship has pointed in this direction for a long time, but without officially acknowledging this transformation. If libraries are to remain the cornerstone of democracy (Kranich, 2001), they must recognize that they are moving from an informed, monitorial citizen model of service to an engaged, strong democracy model. Focusing solely on informing citizens is insufficient to equip them to participate in a 21st century democracy. In short, a strong democracy needs libraries to go beyond providing access to information to delivering informal learning opportunities and spaces for citizens to engage in the civic life of their communities.

Contrary to some beliefs, librarians have long recognized the importance of engaging communities in democratic discourse. In the late 19th century public libraries continued “the educational process where the schools left off and by conducting a people’s university, a wholesome capable citizenry would be fully schooled in the conduct of a democratic life” (Ditzion, 1947, p. 74). By the 1920s, the idea of libraries as informal education centers that advanced democratic ideals took hold (Learned, 1924). After the troops returned from World War II, the New York Public Library launched a nationwide program of discussions about the meaning of the American democratic tradition and actions on issues of local concern. Such efforts to rejuvenate the democratic spirit in the country were described by Ruth Rutzen, Chair of ALA’s Adult Education Board. She described these discussions as ideal opportunities for libraries to assume community leadership roles by spreading “reliable information on all sides of this vital issue and for the encouragement of free discussion and action” (Preer, 2008, p. 3). The American Heritage Project funded during ALA’s 75th anniversary in 1952, became a reaffirmation of the importance of intellectual freedom during a period plagued by Cold War censorship as much as an opportunity for discussion groups to consider traditional American values. According to Jean Preer, ALA “demonstrated its belief that loyalty to democracy and commitment to free speech were not only compatible but identical” (Preer, 1993, p. 166). In 1952, ALA also joined a national effort to increase voter turnout by distributing election information and organizing discussion groups and other activities by positioning public libraries to offer what Preer refers to as “an experience of democracy as well as a consideration of it” (2001, p. 151).

A hiatus in these library-sponsored democracy experiments occurred during the 1960s when major demographic shifts and social upheaval left Americans less familiar and trusting of their neighbors. Putnam (2000) and others have painstakingly documented the decline of civic participation in America during that period. Many scholars also focused on new forms of

citizen participation that recognize the central role of information to bolster civic engagement. But not until Putnam (2000) published his bestselling book *Bowling Alone* did the importance of reviving community and increasing civic engagement transcend academic discourse and gain widespread public attention.

Echoing Putnam and other theorists were a number of writers who envisioned libraries as central to the revival of civic life (Willingham, 2008; Schull, 2004; Baldwin, 2002; McCabe, 2001; Kranich, 2001; McCook, 2000; Molz & Dain, 1999). These librarians have urged their colleagues to reclaim the library’s civic mission by helping constituents learn about complex public issues of local concern and practice deliberative democracy, while providing safe spaces to discuss issues in a non-confrontational, nonpartisan, deliberative manner. More recently, the Institute for Museum and Library Services (IMLS, 2011) has focused its 2012-2016 strategic plan on the civic role of libraries, with a mission statement that calls on IMLS to “inspire libraries and museums to advance innovation, learning, and cultural and civic engagement by providing leadership through research, policy development and grant-making.” Two of the plan’s five strategic goals, involve civic engagement, stating:

1. IMLS places the learner at the center and supports engaging experiences in libraries and museums that prepare people to be full participants in their local communities and our global society.
2. IMLS promotes museums and libraries as strong community anchors that enhance civic engagement, cultural opportunities, and economic vitality.

Also in 2011, the Urban Libraries Council issued a leadership brief on community civic engagement, calling on public libraries “to shape and lead discussions, decisions, and strategies that encourage active and purposeful civic engagement.” The brief recommends that librarians identify new roles that move them “from supporting players to valued leaders in today’s civic engagement space...[that will] broaden their impact as the go-to resource for building a culture of enlightened, engaged, and empowered citizens.”

After several decades, libraries around the country have resumed the convening of deliberative forums, as reflected by an expanding literature about these programs. Newly renovated facilities offer comfortable, inviting, neutral, and safe spaces conducive for citizens to engage in discourse, learn together, frame issues of common concern, deliberate about choices for solving problems, deepen understanding about other’s opinions, and connect across the spectrum of thought. At some libraries, users also enhance their civic literacy--“the knowledge and ability of citizens to make sense of their world and to act as competent citizens” (Milner 2002, p. 3). Incorporating dialogue and deliberation into their civic missions are public libraries in Johnson County (Kansas) and Des Moines (Iowa)

as well as academic libraries at the University of Georgia and Kansas State and Illinois State universities, to name a few. As venues of civil discourse, these libraries are well equipped to serve as active agents of democracy where citizens come together to make tough choices about issues of common concern.

The Virginia Beach (Virginia) and the Des Plaines (Illinois) public libraries have gone even further by positioning themselves as civic agents in their communities. Back in the 1990s, Virginia Beach citizens did not trust their local government. The library was asked to step in as convener of a group of city staff, citizens, and scholars working together with public officials to name, frame, and deliberate about local issues, which helped restore trust in public institutions while creating a cadre of citizens not only better informed, but also more capable of making difficult choices together (Caywood, 2009). In Des Plaines, librarians and other community partners asked the question, “What does it take to meet the needs of Des Plaines residents?” The community conversations that the library framed and moderated led to greater awareness of local services and new collaborative approaches for further action (Griffin 2006). Both of these libraries activated their civic potential by demonstrating their capacity to assume a more active role in local, civil discourse. Examples such as these provide useful models for the profession. But without a critical mass of libraries seizing opportunities to engage their school, campus and local communities in authentic, meaningful dialogue, libraries will not emerge as widely acknowledged institutions that foster strong democracy.

Libraries and Community Engagement

Just as citizens yearn to reconnect with each other through democratic discourse, library leaders across the profession recognize the need to engage, embed, and integrate libraries into the life of their communities, schools, and universities if they are to remain relevant and appreciated in the digital age. For example, academic librarians are promoting deeper engagement by embedding services in the teaching, learning, and research processes (ACRL, 2007; ARL, 2009; Lewis, 2008; Lougee, 2002; Stamatoplos, 2009; Westney, 2006; Williams, 2009). Nancy Kranich (2004) and her colleagues (Kranich, Reid and Willingham, 2004) have encouraged academic libraries to “play a critical role in kindling civic spirit by providing not only information, but also expanded opportunities for dialogue and deliberation as a practice ground for democracy” (Kranich, 2010a). In schools, librarians seek to collaborate more closely with teachers and engage more directly with students by integrating their resources and services into the curriculum (Darrow, 2009; Loertscher, 2008; Loertscher, Koechlin & Zwaan, 2008). As with academic librarians, Kranich (2006) has called upon school librarians to join forces with organizations like the Campaign for the Civic Mission of Schools to provide substantial opportunities for young people to participate in civic activities and learn skills for democratic deliberation. Finally, in local communi-

ties, public librarians are aspiring to build partnerships that deliver impact and results, realign their civic missions and embed their services in their communities (Hill, 2009; IMLS, 2009; Lankes, et.al. 2007; Putnam & Feldstein, 2003; Urban Libraries Council, 2005). Kranich (2010b) has documented the historic and current trends in adult learning through civil discourse in public libraries, encouraging them to find active ways to engage community members in democratic discourse and community renewal. In the words of Chrystie Hill, “If we stay focused on our users, stakeholders, and their needs, and continually design to them, we’ll be better positioned to stay engaged with our communities no matter what’s taking place around us” (2009, p. 53).

David Lankes (2011) and his colleagues (Lankes, et.al., 2007) are encouraging libraries to move in the direction outlined by the Urban Libraries Council and others. In a 2009 Charleston Conference keynote speech, Lankes (2009) told his audience that the question is not: “What is the future of libraries?” Rather, the questions should be: “What should be the future of libraries and librarians in a democracy?” His answer was to recommend a conceptual shift from focusing on the collection of artifacts to the facilitation of knowledge creation through conversation in a safe environment. David Carr (2011) offers a similar plea to both librarians and museum curators, encouraging them to move beyond the documentation of the past to reinventing their institutions as places for the expression of American voices—for open conversations as the public mode of learning in museums and libraries.

Much evidence indicates that librarians are eager to assume a role in developing the civic capacity of citizens so they can revitalize communities and strengthen democracy. A number of them are participating in ALA’s Libraries Foster Civic Engagement Membership Initiative Group (ALA Libraries Foster Civic Engagement, n.d.) and are shaping ALA’s new Center for Civic Life (ALA Center for Civic Life n.d.). Many also take part in the annual September Project—a project designed “to break the silence following September 11, and to invite all people into libraries for conversations about patriotism, democracy, and citizenship” (September Project, n.d.). Moreover, a gathering of librarians, library school students, journalists, and civic-minded citizens who attended an April 2011 workshop entitled Beyond Books: News Literacy and Democracy for America’s Libraries were eager to explore what is possible for communities and democracies. Attendees ended their conversations by issuing a consensus statement that commits participants

“to work together to create informed, engaged communities and advance 21st-century democracy... Journalists and librarians are well positioned to join with the public to strengthen community networks that engage and empower people. Together, we can fill a deficit in the information ecology of 21st century communities” (Beyond Books 2011).

Moving Libraries From Informing to Engaging Citizens

Strong democracy needs libraries to provide informal learning opportunities and spaces for citizens to engage. Unquestionably, librarians are ready and eager to move from informing to engaging citizens in their communities. And citizens like those in one small town in New Jersey fully expect their libraries to do just that. After all, creating opportunities for citizens to deliberate positions the library at the heart of the local, campus, or school community. But even though libraries are among the most trusted of public institutions (Public Agenda 2006), as well as ideally positioned to span the boundaries of their communities, they are not necessarily well prepared to “look carefully at opportunities to strengthen their role in addressing serious problems in their own communities” (Public Agenda 2006, p. 13). Part of the problem, as reported by Kranich (2008b), is that they are not certain how to proceed. The realm of listening to communities, curating local information, and convening deliberative conversations necessitates the adoption of new competencies as well as a shift from a mission that informs citizens to one that both informs and engages them. The core intellectual freedom tenets of librarianship have “undergone continual change since the late 19th century” (Krug & Morgan, 2010, p. 12). As the nation’s great experiment in democracy comes under increasing threat, it is time that librarians recommit to ensuring an informed and engaged citizenry as the basis for intellectual freedom and freedom of access to information. As stated in the Introduction to ALA’s *Intellectual Freedom Manual*:

Intellectual freedom is freedom of the mind, and as such, it is both a personal liberty and a prerequisite for all freedoms leading to action....It is an essential part of government by the people. The right to vote is alone not sufficient to give citizens effective control of official actions and policies. Citizens also must be able to take part in the formation of public opinion by engagement in vigorous and wide-ranging debate on controversial matters.... (2010, p. xvii).

Today’s libraries are well equipped to serve as active agents of democracy if they take intentional, strategic action to ensure the civic health and information vitality of their communities and their democracy. Indeed, they have the potential to become the cornerstones of a strong democracy where citizens can come together to make tough choices about issues of common concern.

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“How We Came to Love Books”: Not With Labels and Not With Emoticons!

By Barbara M. Jones and Pat Scales

What is the impact of the closing down of the Wilderness on the development of children's imaginations? This is what I worry about the most. I grew up with freedom, a liberty that now seems breathtaking and almost impossible . . . Art is a form of exploration, of sailing off into the unknown alone, heading for those unmarked places on the map. If children are not permitted—not taught—to be adventurers and explorers as children, what will become of the world of adventure, of stories, of literature itself?

-Michael Chabon, “The Wilderness of Childhood,” in *Manhood for Amateurs* (2009)

Introduction

Before the advent of today's newest book rating and labeling systems, a classic book was published *Voices of Readers: How We Come to Love Books* (Carlsen & Sherrill). Some of the answers won't surprise you, availability of libraries and librarians; social interaction; role models who value reading; family members who read aloud. But the one that might surprise you is—“freedom of choice in reading material.” Researchers of reading have not changed their mind since that book was published in 1988.

This article is by two women who grew up with that freedom of choice and went on to become librarians. They were allowed to read what they chose. Neither grew up in an ultra-liberal community. They discussed their reading regularly with family and friends. They continue to share their love of reading with new generations of children and want them to grow up as unfettered as they were. They helped the library profession support the freedom to read by being writers of, and practitioners of, the principles of the *Library Bill of Rights*. They know that these principles have stood the test of time and that practical experience with libraries and families bears out those principles.

Critics argue that the literature is so much darker now. What about the violence in *The Hunger Games* by Suzanne Collins, the first novel in a dark trilogy about a dystopian world? Could books with teen suicide like *Orchards* by Holly Thompson and *Thirteen Reasons Why* by Jay Asher cause “copycat” suicides? Schools have similar questions about novels that deal with drug and alcohol use and abuse. Yet, teen readers say that books like *Burnout* by Adrienne Maria Vrettos

and *Gone* by Lisa McMann cause them to think about the ill effects of the drug culture. Hopefully this article will show that times haven't changed all that much. Parents, librarians, teachers, and other community members still need to take responsibility for children's reading—not to create barriers, but to instill enthusiasm. Reading should not be viewed as an “unsafe” activity in the way taking drugs is. Reading is a way to learn and talk about uncomfortable issues. Labels like “violence,” “suicide,” and “drug and alcohol abuse” on books take away that “wilderness” experience so eloquently described by Michael Chabon. Why read the book if you already know the ending? If you already know that Dad drinks two martinis or that a girl isn't allowed to grieve for a friend who has killed herself? And the research does not show a causal relationship between reading about those things and acting upon them.

The two authors' article is not a “point/counterpoint.” Both are unabashed supporters of the freedom to read—for children as well as adults. Both believe that librarians should be trained to help children select books that they want to read, and that are age appropriate. Whether you agree or not, it is important that you engage in this conversation over a trend that is a threat to the library profession and a barrier to nourishing a generation of new readers.

What Do You Mean by Labels and Rating Systems?

Labeling and rating systems in libraries range from a call number range on a bookshelf to an online ranking of a book, which uses 1-5 martini glasses to designate how much drinking occurs in the book. The former label is directional and makes no value judgment about the contents; the latter does. Directional labels are essential in helping readers find what they want; the other kind of label takes topics completely out of context and assigns a subjective ranking. It is the latter that concerns ALA and these two authors.

Students in K-12 schools are labeled the first day they enter the schoolhouse door. They know the minute the teacher administers that first aptitude test where they are likely to fall, and for various reasons, most are stuck with the label assigned them for the duration of their school years. At one time, the school library was a place where students felt equal. They could expect free access to information and they were encouraged to read whatever interested them

regardless of their reading ability. The librarian didn't care if a girl was reading "Harlequin" romance novels, or whether she was poring over *Emma* by Jane Austen. A student could leave the library with a backpack filled with books on the Bermuda Triangle and come back for more the next day. The scenario is different in many school libraries today. Students aren't free to move through the book stacks and search for that one novel that will turn them on to reading, or explore books on a subject that they heard about on television.

The political focus on student achievement has found a path to school libraries and dimmed the lights for free and open access to materials for all students. Reader guidance has been taken over by computerized reading programs like Accelerated Reader (AR), an assessment program developed by Renaissance Learning that measures reading comprehension. This program assigns "reading levels" to books, and many schools use much of their library budget to purchase "spine labels" that designate such levels. Students are required to take out books only on their "reading level." A point value is assigned to each book, and students are expected, based on their reading ability, to achieve a certain goal. In some schools, prizes are awarded to those who reach their goal. The program has become so popular in many schools that public libraries are now reporting that they are under pressure by parents and board members to place "reading level" labels on books in the children's collection and on MARC records. And Accelerated Reader now offers an App for the i-Phone and i-Pad so that students can actually take a reading quiz from the comfort of their home.

The irony of the Accelerated Reader program is that its stated mission on the Renaissance Learning website is to "build a lifelong love of reading in every student." We submit that students won't develop the love of reading when they must bear the brand of their reading level each time they make a book selection. What happens when the competition is over? Do students become injured athletes and never play the game again?

Labeling and rating systems have been a concern since the 1950's, when during the McCarthy era, some libraries wanted to label books as "communist." The American Library Association addressed that relationship between content labeling and rating systems in its first 1951 version of *Labeling and Rating Systems: An Interpretation of the Library Bill of Rights*, declaring such labels as a violation of the *Library Bill of Rights*. The latest version adopted in 2009 reaffirms the same core beliefs about such systems:

- "When labeling is an attempt to prejudice attitudes, it is a censor's tool."
- "Prejudicial labels are designed to restrict access, based on a value judgment that the content, language, or themes of the material, or the background or views of the creator(s) of the material, render it inappropriate or offensive

for all or certain groups of users."

- "Many organizations use rating systems as a means of advising either their members or the general public regarding the organizations' opinions of the contents and suitability or appropriate age for use of certain books, films, recordings, Web sites, games, or other materials. The adoption, enforcement, or endorsement of any of these rating systems by a library violates the *Library Bill of Rights*."

This interpretation of the *Library Bill of Rights* applies to library materials and information for minors. In fact, in 1967 the ALA clarified that library intellectual freedom policies and professional best practices extend to children and young adults—in *Free Access to Libraries for Minors*. The 8th edition of the *Intellectual Freedom Manual* documents that decision as well as subsequent related policies and best practices: *Access to Resources and Services in the School Library Media Program; Minors and Internet Interactivity; Access for Children and Young Adults to Nonprint Materials; and Importance of Education to Intellectual Freedom*.

Labeling and Rating Systems in the Twenty-First Century

The twenty-first century has brought new versions of labeling/rating systems to the marketplace. **Common Sense Media**, **Story Snoops**, and **Facts on Fiction**, are three web-based organizations that rate books by content in an effort to "help parents become more informed about what their children are reading." Common Sense Media¹ uses the following emoticons as warnings: bombs for violence, lips for sex, #1-5 for language, \$ for consumerism, and martini glasses for drinking, drugs, and smoking. This site also states whether the book has any educational value and redeeming role models. The reviewer assigns a title an overall "On," "Off," or "Pause" rating. For example, *When You Reach Me* by Rebecca Stead, the 2010 Newbery Medal winner, is rated "on" for ages 9 and up. It gets three bombs for violence because the main character is afraid to walk home alone past a group of bullies; one lip because a boy and a girl kiss several times, and "the mother has a boyfriend but he does not have a key to the apartment;" one #1 for mild language like "idiot," "shut up," and "that's bull;" and one \$ because a few companies and name brands like McDonalds and Blow Pops are mentioned. The reviewer does give the novel a three for positive role models.

The focus of Story Snoops is fiction for ages 9 and up. The four moms from the San Francisco Bay area that run the website are well read and better writers than the reviewers at Common Sense Media. They don't use emoticons to rate books, but they have crafted a list of keywords that flag the controversies in novels. Such keywords for *When You Reach Me* are "breaking and entering," "disturbing imagery," "homelessness," "juvenile fist fighting," "kissing," and "minor character death." There is also a section called "The Scoop:

(spoiler alert)” where they issue mild warnings. *Chains* by Laurie Halse Anderson, is a story set during the American Revolution and is recommended for ages 9 and up by the publisher. “The Scoop (Spoiler Alert)” states, “People die in battle and by lynching, and a cannon decapitates a boy. Isabel is badly beaten and her face branded. That said, historical accuracy serves the reader well, depicting the flaws in both parties and ultimately delivering a happy ending.” They feel that the book is better suited for a young adult audience, but 10-year-olds could handle it if used in the classroom.

Facts on Fiction uses graphs to rate books on a scale of # 1-6 in the following categories: Positive Elements, Mature Subject Matter, Profanity/Language, Sexual Content, Violence/Illegal Activity, Tobacco/Alcohol/Drugs, and Disrespect/anti-Social Elements. For example, *The Graveyard Book*, the 2009 Newbery Medal novel by Neil Gaiman, receives an “As a Whole” #6 rating for Mature Subject Matter because it deals with death and witchcraft; #3 for Profanity/Language because the characters make degrading comments like “fiddle-pated old dunderheads,” “stupid,” and “little snot,” and uses Religious Exclamations like “Good Lord.” It also gets an “As a Whole” #3 rating for Sex because “courting couples had used the grass of the graveyard as a place to cuddle and snuggle and kiss and roll about.” The ratings for Violence include: # 4 for violent actions of fantasy nature; #3 because a character commits a misdemeanor and a felony; #3 for non-life threatening injuries; #5 because there are scenes involving aggressive conflict; # 3 for gore; #2 because there is intense violence. This all adds up to a # 5 “As a whole” rating for violence. Specific examples from the novel, referenced by the page number, explain the ratings.

The Common Sense Media website states that they “rely on developmental criteria from some of the nation’s leading authorities to determine what content is appropriate for which ages.” However, they never identify the authorities. Story Snoops is more honest about their approach. They simply state that they offer reading suggestions from “a mom’s perspective” for teens and tweens. There is no statement on the Facts on Fiction website regarding their book selection criteria, or how they determine age recommendation. All three sites claim that they are NOT about CENSORSHIP, but instead they are providing a tool for parents to know what is appropriate reading material for their child. Facts on Fiction attempts to convince critics in this way:

We are NOT

- An Attempt to Censor Books
- An Attempt to Remove Books from Libraries
- An Attempt to Recommend or Not Recommend Books

Yet the information on the website about the founder and president of Facts on Fiction states, “she founded the

organization after finding her eight-year-old child’s school-recommended a book peppered with expletives, a man fondling a woman’s breasts, children looking at pornographic magazines and references of gore and child abuse.” She doesn’t state the title of the book.

We have at least one documented case of a book that was removed from a library based on a Common Sense Media review. There is another case of a teenage girl who walked into a public library and asked the teen librarian to help her find a good book to read. As the librarian began telling the girl about specific books, the father keyed the titles into his i-Phone. When the librarian asked if he was checking reviews on Amazon, he informed her that he was checking the ratings on Common Sense Media. This unnerved the librarian because she felt that the girl wanted her help, and that the father didn’t trust her knowledge of the literature or what appeals to teenage girls.

It is so easy to take the path of least resistance and use these tools to help pick books for youth. Here’s why you should take a more professional approach to book selection:

- These rating/labeling systems bypass the professional expertise of a librarian, who is trained in collection development, reader services and information literacy. All these specific professional tasks are ignored, jeopardizing professional library jobs and depriving library users of that expertise.
- They deprive parents, librarians, and youth from exposure to a vast array of materials that are rejected by a non-library organization with a prejudicial viewpoint.
- Such labeling systems can easily be written into law, as has happened in some countries. In the United States they would be a clear violation of the First Amendment, and thus a concern for libraries.
- Many labeling systems are based on assumption of a causal relationship between violence, sexuality considered immoral by some, or illicit drug use and information content. Scientific research has produced decidedly mixed conclusions, but nonetheless has been used to pressure library collection development decisions.
- All organizations, including ALA, have professional philosophies and missions. Using the labels of other organizations with different philosophies and missions, to make library decisions, substantially weakens the impact of the American Library Association in an arena it knows best.
- In short, these Web-based labeling systems serve exactly the same functions as older systems and are just as much a violation of the *Library Bill of Rights*. In reading its history and interpretations, it is hard to come to any other conclusion.

For almost two years, a group of publishers, authors, researchers, and librarians have been developing strategies for addressing the increased use of labeling/rating systems, and the growing power of the organizations promoting them. We are contemplating some of the following:

- Create awareness among library and information science educators, practicing librarians, and the general public about these online tools and show them how they stifle the love of unfettered reading and exploration and lead to professional ethical compromises.
- Create awareness of how these tools jeopardize the profession of librarianship.
- Produce publications and selection tools, like more accessible book reviews, that consider the book as a whole and that can serve as substitutes for the current online tools.
- Work with parent groups like the PTA to advocate the value of parents reading to their children and letting children select books they want to read — by browsing the shelves rather than by filtering with an emoticon system.

We ask you to join us with your ideas on how to preserve the “wilderness” so that children can once again explore the world of reading for themselves.

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Missing the Boat: Journalists, Librarians, and Intellectual Freedom

By Evan Davis

One of the things that surprised me when I became a librarian was how important intellectual freedom is in this profession. I had spent most of the previous 25 years writing for newspapers and was well and truly committed to freedom of the press, but I had never realized that journalists had such close potential allies over at the library.

I don't recall any reference to mutual interests with librarians in the various journalism publications I read and conferences I attended, not to mention the newsrooms where I worked -- vice versa for library publications, conferences, and workrooms. Newspaper editors were traditionally wary about allying with anybody about anything for fear of losing their journalistic objectivity. Meanwhile, librarians saw the press as a conduit for promoting library programs and perhaps as a watchdog over library policies and spending -- if the newspaper bothered to cover the library board meetings at all.

Yet, the shared interests are important. Newspaper journalists and librarians both depend on a literate public, which means early and excellent education is vital to them. They work to maintain Americans' rights to say or print what they want; to read and view what they want; to oppose censorship; to advocate for open and available government records.

On the down side, both libraries and newspapers are dealing with intense competition from new technologies. The Internet erodes newspapers' revenues. It reduces use of the libraries' reference desks, while e-books mount a challenge to the whole concept of printed books. Both fields anxiously court the younger generations; libraries struggle to keep up with technologies and social media while newspapers try to adjust to the trend of young people getting their news over the free Internet. I'm not predicting the demise of either institution, but shrinkage is happening and change is mandatory. I'm grateful I'm not out job-hunting in either field.

How can libraries and newspapers work together for the common good of themselves and of the people they serve? It's a question that's gaining traction. The Seattle-based organization Journalism That Matters held a conference in April 2011 titled "Beyond Books: News, Literacy, Democracy,

and America's Libraries" (Journalism, 2011). Later, two of the speakers from the Seattle event took part in a panel on civic engagement at an American Library Association annual conference. As recently as this April, Journalism That Matters held an event about journalism's future that included librarians.

As part of its Privacy Revolution initiative ALA's Office for Intellectual Freedom has received a two-year grant intended to assist library users, librarians, and journalists in learning how to evaluate the news. The primary target group is high school students, who will be asked to create journalistic projects based on news literacy principles. Four large library systems hosted journalism "summer schools" in 2012 (American, n.d.).

Closer to home, the Indiana Library Federation's (ILF) Intellectual Freedom Committee looked into the possibility of hosting a pre-conference at the 2012 ILF conference on the topic of the shared interests of newspapers and libraries. Unfortunately, not enough people signed up and the pre-conference had to be canceled. Nevertheless, the IFC will continue to work to raise awareness in both the newspaper and library communities that they are in the same battered boat and that helping each other will increase their chances of staying afloat.

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The First Amendment and Internet Filtering in Public Libraries

By Gretchen Kolderup

Since the Internet began to be available and be widely used in public libraries, people have been calling for online content to be monitored. Congress first passed the Communications Decency Act (CDA) in 1996 in an attempt to regulate indecency and obscenity on the Internet; the Supreme Court struck it down in 1997. In 1998 the Child Online Protection Act (COPA) was passed in an attempt to modify the CDA by focusing on “material harmful to minors.” In 2009 the Supreme Court refused to hear an appeal of a lower court ruling declaring it unconstitutional, effectively killing COPA eleven years after it was passed. In 2000 the Children’s Internet Protection Act (CIPA) was created to protect minors from explicit content online and to provide a method for the federal government to encourage libraries and schools to adopt filtering software by tying the use of such software to the availability of federal funding for Internet connectivity. The Supreme Court upheld CIPA in 2003 (Sobel, 2003). Additionally, over the last two and a half decades, countless individual conflicts have occurred between libraries, patrons, parents, school districts, and interest groups such as the American Library Association (ALA), the American Civil Liberties Union, and Family Friendly Libraries over the role of the library in protecting patrons from objectionable content and the rights of those patrons to access information.

Since CIPA requires libraries to install Internet filters if they are to receive federal e-Rate funding to support Internet connectivity and the purchase and maintenance of computers in the library, the use of filtering software in libraries has become more prevalent over time: in 2000 25% of public libraries used filters, by 2002 it was 43% (Oder, 2003), and in 2005, 65%. In Indiana in 2003, 66% of public libraries used filtering software and another 22% said they had plans to install filters in the future (Comer, 2005). Especially since 64% of libraries report being the only provider of free Internet access in their communities (Public, 2011), what parts of the Internet a library allows access to matters. But even though filters have improved since their initial creation, they still both underblock and overblock content, and practical matters of implementation further deteriorate their value. Moreover, the use of filters in a library setting continue to violate principles set out in the Constitution and various statements and resolutions of the ALA.

Family Friendly Libraries asserted that Internet filters would address the following problems: “child pornography trafficking on public library computers; public display of graphic sexual images exposing passers-by, including children, to harmful images; criminals being attracted to public libraries

by Internet sessions that are untraceable by law enforcement; the potential for harm to children who are exposed to child pornographers and those who choose to openly view pornography for pleasure in close proximity to children” (Family). The Supreme Court ruling supporting Internet filtering explained that the use of Internet filters in public libraries does not violate patrons’ First Amendment rights because of the “ease” with which these filters can be removed for “bona fide research or other lawful purposes” (United, 2003).

Filtering software usually uses a two-pronged approach: a pre-determined list of URLs for “inappropriate” websites, often sorted into various categories, is created by the company offering the software, and access to these URLs is blocked entirely. The software will also monitor the text of websites for forbidden words or phrases and block content to those websites as they are discovered. The composition of (and rationale behind) the lists of blocked URLs is maintained as a trade secret, and librarians must choose among categories to block without knowing exactly what they are blocking (Houghton-Jan, 2008).

The ability of filters to block content appropriately has been an issue since they were first introduced. In 1999 a study conducted by the Censorware Project found that the Declaration of Independence, the Bible, and the complete works of Shakespeare were all blocked by SmartFilter, which was being used in the Utah public school system (Heins, 2001). Lori Bowen Ayre wrote a thorough article in *Library Technology Reports* in 2004 that outlined the history and development of filters, how filters work and conflicts that arise in their use in the library, what filters were available and how they performed, how filters should be implemented in light of the then-recent decision upholding CIPA, and the future of filters in libraries. She concluded that “[n]o filter, however, actually limits its categories to obscene material and child pornography because the current definition of obscenity doesn’t work on the Internet” and pointed out that the companies who create Internet filtering software are not guided by information professionals but rather use automated methods to classify websites (Ayre). In 2005 *Consumer Reports* tested Internet filtering software and found that improvements had been made in blocking pornographic material but that many websites without objectionable content were still being blocked (Consumer, 2005). And in 2008, filters were still both underblocking and overblocking, as found in a study conducted by the San José Public Library. They tested four leading filtering software packages and found that clearly pornographic material—both text and images—

were not filtered out, and that academic information (about sexuality especially) was still being blocked. Most importantly, though, the librarians who conducted the study noted that they “were not able [...] to find any product on the market that successfully allows filtering only of images that are classified as obscene and harmful to minors” (Houghton-Jan, 2008). Since Internet filtering software still filters broadly by URL and narrowly by text, the only way to identify obscene images or video is by examining the text around them, which is less useful as the Internet becomes more visual.

Internet filters have improved since they were first introduced but are still extremely technologically limited in their ability to recognize pornographic images and universally underblock and overblock content, denying patrons access to material protected by the First Amendment while still allowing objectionable material to be accessed. While Family Friendly Libraries looks to Internet filtering software to protect adults and children alike from accidental exposure to pornographic material and to keep criminals out of the library, the software available even today is unreliable in its filtering (Consumer, 2005).

Supporters of filtering software and its defenders on the Supreme Court have pointed to the ability of librarians to disable the filters upon the request of an adult patron as evidence that First Amendment rights are not being suppressed. But numerous examples of barriers to the disabling of filters have appeared in the library press; clearly even if filtering software can be disabled, practical matters of implementation and staff knowledge prevent this disabling from being easy, as the Supreme Court has said it is. Furthermore, in a Washington State Supreme Court case that upheld CIPA, the court observed that of 92 requests to have content unblocked, only 8 were responded to within an hour. In total, 29% were responded to within the same day, 32% were responded to the next day, 22% took three days, and 5% took longer (with no record about whether or not the remaining requests were ever responded to) (Bradburn, 2009). These waiting periods for information create further unacceptable barriers to access.

Even if filters can be disabled upon request, that request must first be filed. While the right to privacy is not explicitly outlined in the Constitution, Supreme Court cases dealing with the Fourth Amendment have granted citizens some rights to privacy. Within a library setting, patrons have a right to privacy and confidentiality in their search for information. In a statement on privacy and confidentiality, the ALA notes that “[l]ack of privacy and confidentiality chills users' choices, thereby suppressing access to ideas” (Privacy). If a patron is using the Internet to seek out information about sensitive—but still legal and protected—subjects and he or she encounters a message from the filtering software indicating that the website he or she was trying to access has been blocked, the patron, who perhaps was using the Internet to avoid revealing personal details to another person, must ask a librarian to unblock the website. The Supreme Court’s specification that filters should

be lifted for those doing “bona fide research” opens patrons up to questioning about their intentions and how they will use the information they are seeking, which can be embarrassing, create barriers to access of information, and violate patrons’ privacy. Filters not only do an imperfect job of filtering and suffer further in their real-world implementation, but even attempting to disable them can create further barriers to a patron’s attempt to access Constitutionally protected information at the library.

The First Amendment states in part that “Congress shall make no law [...] abridging the freedom of speech.” From this Amendment courts have derived the notion of Constitutionally protected speech, which makes allowances for obscenity, material protected by copyright, and hate speech and slander. When the ALA successfully challenged CIPA in the Court of Appeals for the Eastern District of Pennsylvania, the judge wrote in his decision that “[...] the library plaintiffs must prevail in their contention that CIPA requires them to violate the First Amendment rights of their patrons [...]” because Internet filtering software overblocks content online and because no filtering software’s definition of inappropriate material was “identical to the legal definitions of obscenity, child pornography, or material harmful to minors” (ALA, 2002).

Although the Supreme Court overturned this District Court ruling in affirming that to receive federal e-Rate funding, libraries must block otherwise Constitutionally protected speech, there is no law that mandates filtering. Libraries are legally permitted to provide unfiltered Internet service to their patrons. In doing so, though, they do give up federal e-Rate funding, which some libraries are not financially able to do. In fact, 18% of public libraries in Indiana reported in 2003 that they had modified their computer usage policies because of CIPA, and “one librarian asserted, ‘The \$10,000 T-1 line is simply not something we can afford without e-Rate’” (Comer, 2005).

The ALA has also issued statements outlining professional principles for librarianship that conflict with the use of filtering software. One of the assertions in the Freedom to Read Statement is, “It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous” (Comer, 2005). That filtering software companies create categories of objectionable material and populate those categories with URLs without transparency forces an Internet user in a library with filters to accept the prejudgment of these companies about what is or is not acceptable material. The Freedom to Read Statement also contains a clause explaining that “[t]here is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression” (ALA, 2006). CIPA does not just mandate the use of filtering software on computers in the children’s area of the library to receive federal funding, but that all computers, even staff terminals, have filtering software (Ayre, 2004). CIPA is

ostensibly about protecting children, but it also limits adults' access to material, treating them like children and attempting to protect them from themselves. And finally, the *Library Bill of Rights* states that "[a] person's right to use a library should not be denied or abridged because of origin, age, background, or views" (ALA, 2006). Even children deserve access to information; it should be parents' responsibility, not the library's or the government's, to monitor a child's Internet use. Furthermore, teaching children how to use the Internet safely equips them to successfully navigate the Internet as adults. The ALA mentions the benefits of educating rather than regulating in their Resolution on Opposition to Federally Mandated Internet Filtering (ALA, 2001). And the U.S. District Judge who struck down COPA in 2007 wrote, "perhaps we do the minors of this country harm if First Amendment protections, which they will with age inherit fully, are chipped away in the name of their protection" (Urbina, 2007).

Arguments in favor of Internet filtering paint filtering software as an effective way to protect children from danger online, and that the use of such software does not violate First Amendment rights. However, even the best filters not only continue to block constitutionally protected speech and infringe on the ALA-supported rights of patrons—adults and children alike—they also underblock content that many would deem objectionable. Thus filters continue to simultaneously fail to effectively protect children and while at the same time limiting the access rights of adults. While still maintaining that no filters fully conform to the *Library Bill of Rights*, the ALA's Office for Intellectual Freedom and Intellectual Freedom Committee are well aware of the difficulties facing libraries who choose to filter or who are forced to do so. Consequently they are developing materials that will offer guidance to libraries on how to minimize the negative impact of whatever filtering product they choose to use.

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Free to Choose: Reflections on Challenged and Challenging Books

By Jen Selinsky

Imagine this. You walk into a library and pull a book from the shelf. It is a fiction book, and the title suggests that it contains some sexually explicit material. You then try to hide the book from other patrons, but someone saw you choose the title.

Though you seem to be embarrassed by your action, you walk slowly to the circulation desk. As the librarian checks you out, her friendly expression is unwavering, and you find that she does not seem to judge you in any way. After she tells you to have a nice day, you walk outside the building. Then, you take a long look at the book's title, smile, and head to your car. Even if a certain title may be known to spread controversy, you were able to check out this book because you had the right to choose. The First Amendment of the Constitution and intellectual freedom go hand in hand to defend the rights of Americans to read whatever they choose.

Intellectual freedom, as defined by the ALA is: "the right of every individual to both seek and receive information from all points of view without restriction. It provides for free access to all expressions of ideas through which any and all sides of a question cause or movement may be explored. Intellectual freedom encompasses the freedom to hold, receive and disseminate ideas (Fitzsimmons, 1998)." Intellectual freedom as affirmed in the First Amendment gives people not only the right to have and express ideas, but to spread and share their ideas with others.

The "bible" for intellectual freedom advocates is the American Library Association's *Intellectual Freedom Manual*. It succinctly explains the function of intellectual freedom and why it is important. "A democratic society operates best when information flows freely and is freely available, and it is the library's unique responsibility to provide open and unfettered access to that information (American, 2006)." The text then goes on to describe the challenges that the library faces when it comes to intellectual freedom: "Unfortunately, libraries must frequently confront and deal with objections to library materials, most often by those who believe that unlimited access and information and ideas causes harm to the individual and society, and sometimes both (American, 2006)."

I am going to discuss four very different examples of works of fiction that have been challenged in the United States. Let's start with a classic novel by James Joyce, *Ulysses*. John Ockerbloom, editor of *Banned Books Online* in the section called "Books Suppressed or Censored by Legal Authorities," indicates that the novel, and even though it is acclaimed as one of the best books of the 20th century, was not allowed into the

United States many years after its publication because it was deemed profane. "*Ulysses* by James Joyce was selected by the Modern Library as the best novel of the 20th century, and has received wide praise from other literature scholars, including those who have defended online censorship... *Ulysses* was barred from the United States as obscene for 15 years, and was seized by U.S. Postal Authorities in 1918 and 1930. The lifting of the ban in 1933 came only after advocates fought for the right to publish the book" ("Banned Books Online," 2003). Some readers of today may not find the material in the novel objectionable, but one has to consider the time period during which *Ulysses* was written. This is evidenced today by authors such as Stephen King and Anne Rice. Their novels may offend a potential audience of current readers, but years into the future, some people may not look upon these works as controversial. Times changed and so do people's attitudes regarding objectionable materials.

The next book, *Blubber*, by Judy Blume, I remember reading in junior high. Although I did not know it at the time, this book stirred up considerable controversy. On her CNN webpage, Jamie Allen notes that "Judy Blume's 'Blubber,' a book about a school girl who's teased for being overweight ... Blume, who has also written books on blossoming sexuality, says she has the distinction of being one of the most censored authors within America" (Allen, 1999). Blume responds that "'One of my concerns is that writers will begin to feel the censor on their backs, and we won't get their very best,' Blume says. 'Instead their fear, or the fear imposed by the publisher, will limit them. When I lock myself up to write, I cannot allow myself to think about the censor, or the reviewer, or anyone but my characters and their story'" (Allen, 1999). "Blume says she doesn't even censor what her children read. 'Not even when my daughter took 'Portnoy's Complaint' off the shelf'" (Allen, 1999). This is a wonderful example of an author who is not afraid to fight the big challenge of censorship that faces many writers.

Next the Harry Potter series by J.K. Rowling has stirred up a lot of controversy. The author talks about the release of the final book in the Harry Potter series, *Harry Potter and the Deathly Hallows*. "A number of Christian groups, including the Congregation for the Doctrine of Faith and the Vatican's chief exorcist, have condemned the Harry Potter books as a seductive appeal to witchcraft" (Real, 2007). The next sentence, however, talks about how others feel about the book, especially the parents of children who can distinguish between truth and make believe: "One does feel one is on the other side

of the looking glass, when our society's children appreciate the difference between make believe and reality better than some adults" (Real, 2007). The statement I find most convincing in favor of the books, however, is the underlying theme of self-sacrificing love: "Moreover, they have proposed again and again that the most powerful magic in the universe, one capable of saving the whole world, is a self-sacrificing love" (Real, 2007). If that isn't a good value, then I don't know what is. After all, most major religions teach about the importance of love.

One of the most common examples of banned books is probably Mark Twain's *The Adventures of Huckleberry Finn*. Though some of his other books have been banned from school libraries and public libraries, Huck Finn seems to be the most controversial. "In March 1885, the Library Committee in Concord, Massachusetts, reached a decision: Mark Twain's new book—*The Adventures of Huckleberry Finn*—would be banned from the town's public library. The Committee was appalled by the author's use of bad grammar and rough language" (Bilyeu, 2010). The article then went on to describe how the advertisement of the ban, according to Twain, would sell more copies of the book: "The Library's ban made headlines, but Twain was pleased with the uproar. 'After all, it was free advertising... That will sell us 25,000 copies for sure'" (Bilyeu, 2010). While the book has always been a big seller and is one of Twain's most highly popular novels, it still generates controversy -- today because of its use of the "n" word rather than its bad grammar.

One of the best fictional defenses of intellectual freedom is *The Day They Came to Arrest the Book* by Nat Hentoff. The basic plotline consists of Mark Twain's *The Adventures of Huckleberry Finn* being placed under arrest and trial. The end of Hentoff's novel, however: "The other four members of the school board voted to free Huck Finn from any and all restrictions in the classrooms and the library of George Mason High School" (Hentoff, 1982).

A classic defense of intellectual freedom is Eli Oboler's *Defending Intellectual Freedom*. Oboler states that humans, as a whole, are free thinkers, and that they are going to do whatever it takes to fight for their freedom: "...so far as freedom of his mind is concerned ... the individual is paramount in fighting for freedom" (Oboler, 1980).

These examples of the defense of intellectual freedom and opposition to censorship, highlight their importance in public, school and academic libraries nationwide. As Americans, it is our constitutional right to choose what we would want to read. Since there will always be people who challenge the right of other people to choose for themselves what they would read, the battle is never done.

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A Decade of Change: From Student to President, but Always an Intellectual Freedom Advocate

By Martin Garnar

In 1998, I was a library student at the University of Denver's recently resurrected library and information science program. My advisor, who was chair of the state Intellectual Freedom Committee (IFC), suggested that I attend a meeting and see if I was interested in getting involved. I was surprised that a mere student would be welcomed onto a committee and eagerly accepted her offer. The first meeting I attended was focused on the new concerns about internet filters and how they might impact access to information. When we talked about the need to educate our colleagues about filters, I volunteered to be part of the "Intellectual Freedom Road Show" that traveled around the state and was presented at regional conferences. Suddenly, I was supposed to be the expert on an emerging technology and found myself testing different versions of filters (both free and proprietary), all the while hoping that my university's information technology department wouldn't penalize me for my search activities.

After two years of presentations and work on updating our state intellectual freedom manual, somehow I found myself as chair of the state Intellectual Freedom Committee. At the time, things looked pretty good. The library world was doing quite well. We had just received our first state grants for libraries after years of hard legislative work. The Children's Internet Protection Act (CIPA) had not yet been signed into law, and state versions of the bill were not in existence. The USA PATRIOT Act and the horrors of September 11th were a year away. I thought my biggest concern would be handling all of the Harry Potter challenges. Boy, was I wrong...

During my tenure as IFC chair, our committee and our profession faced a number of unexpected challenges. Instead of reaping the benefits of the long-awaited state grants, we found ourselves scrambling to preserve longstanding programs that were taken for granted. After an expected victory in the CIPA case at the 3rd Circuit Court, we were shocked to learn that the U.S. Supreme Court decided to uphold the law, thus sending libraries scrambling to find filtering solutions or ways to cover the lost federal funds if they didn't choose to filter. In addition, we found ourselves facing a stream of state filtering bills that wore down our resistance and were ultimately enacted for school and public libraries. Finally, the very roots of our civil liberties were shaken with the passage of the USA PATRIOT Act. Instead of my anticipated presentations on how to submit a challenge form, I found myself on Colorado Public Radio and at countless luncheons speaking about the dangers of the USA PATRIOT Act, all the while wondering if my activism made me a target for FBI investigations. Was

anything being gained from this time of turmoil? Yes. The Colorado IFC became an experienced producer of information, having nearly cornered the market on USA PATRIOT Act brochures and publications. In fact, it won national recognition for its work by receiving the SIRS-ProQuest award for intellectual freedom activities. IFC members continued to travel around the state sharing ways of promoting intellectual freedom in spite of the new political climate, thus gaining valuable presentation skills in the process.

For a state-level committee, the IFC was very active. This was partly due to frustration with the state association's executive board. In 2002, there was a movement to adopt resolutions protesting the USA PATRIOT Act. The Colorado IFC campaigned for the state association to adopt such a resolution, but were overruled by concerns that advocacy for civil liberties would jeopardize the newly-won state funding for library collections. The pragmatic arguments won the day, and the state association's board rejected the initial resolution expressing concern about the USA PATRIOT Act. However, the state legislature still voted to strip funding for library collections despite our official lack of support for the new "anti-terrorist" legislation. From the state IFC's perspective, we had betrayed our principles for the sake of funding and still lost out. When we received the SIRS-ProQuest award for the best regional project for our USA PATRIOT Act brochure, we felt a sense of vindication for sticking with our principles but were still saddened by the political climate that forced our pragmatic colleagues in the state association to demur from supporting our opposition to the USA PATRIOT Act.

At the time (2003), there was some idle conversation about taking over the state library association's executive board so that intellectual freedom issues would have greater prominence going forward. By 2006, idle conversation had turned to action. The president of the state library association was a member of the Intellectual Freedom Committee. I continued this trend when I was elected in 2006 to be the president-elect of the state library association. When I assumed the office of president in 2007, the Intellectual Freedom Committee's focus had shifted from being concerned about reporting challenges to library materials to the protection of patron information from over-enthusiastic collection by the government. Little did I know that the next issue would be noteworthy of journalistic investigation.

In 2007, the state Intellectual Freedom Committee invited the United States Attorney for Colorado to participate in a civic

dialogue about the anonymity of information. The U.S. attorney came to a preconference presentation that was devoted to the ethical implications of providing anonymous access to the internet. The preconference was an excellent exercise in discussing the variety of viewpoints while exploring the strengths and weaknesses of each position. During the dialogue, all sides acknowledged that we shared the common ground of protecting children, but there were differences in how we would reach that common ground. A week after our preconference, the local paper featured a story titled "Libraries secure for kid porn" (Cardona, 2007). This immediately put libraries on the defensive as we didn't want libraries to be seen as the safe haven for child pornography. A series of meetings ensued, but we could not come to agreement on the best way to police illegal activities while preserving the rights of innocent citizens. The eventual resolution to this situation was the resignation of the U.S. attorney when Barack Obama was elected president in 2008. In the absence of a legislative remedy, the Colorado community is not assured of privacy protections from the USA PATRIOT Act. We are still waiting to see what the legislative landscape will reveal as current legislative questions are resolved.

In 2003, I was asked to look back at my years as state IFC chair. Initially, I was disheartened by the threats to privacy stemming from the filtering requirements and the desire to collect information about our library users. However, I quickly saw that the library profession needed to be proactive about challenges to reader privacy and that we were making good headway towards developing educational programs needed to inform our colleagues about the changing landscape. Looking at the current state of affairs, I see that we continue to need leaders at all levels who are well versed in the intellectual freedom issues facing society as a whole, while still being articulate about the local issues that our colleagues face daily.

As in the past, librarians are challenged to inform our communities about the threats that may restrict access to information, while retaining the believability that we have labored to secure. The challenge of 21st century libraries is to ensure access to information while teaching our communities to be ever vigilant to new threats to open access. Only a consistent commitment to the importance of free information will provide the energy needed to keep up the fight.

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Privacy, Libraries, and Engaging the Public: ALA's Choose Privacy Week Initiative

By Angela Maycock

Privacy serves as one of the foundations of intellectual freedom and, as such, is a compelling concern for libraries of all types. Today, we live in an era where more of our personal information is made available than ever before, both online and otherwise. The ease of communicating information in the digital age has changed the way we live, work, and learn – often in wonderfully exciting and positive ways. But the capacity of computers, online networks, and databases to collect and store personal information presents growing challenges to individuals' privacy. Surveillance cameras have become prevalent in our libraries, schools, and communities, as has software monitoring our Internet use. These realities present the potential for constant, penetrating surveillance and virtually unlimited storage and scrutiny of data. As a result, many see our privacy as rapidly vanishing. Yet, privacy is a fundamental right of library users and a necessary condition for the unique and important work of all types of libraries – facilitating open access to information for all.

Libraries today are under increasing pressure to discard their long-standing commitment to readers' privacy rights. Fears ranging from terrorism to child safety have been used to strip away statutory privacy protections for library records, eliminate anonymity in the library, and encourage the philosophy that "good" people should have nothing to hide. This situation demands a renewed advocacy for readers' rights to privacy. Beyond crafting effective library privacy policies, librarians must also envision a role for themselves in the broader struggle to preserve and protect their users' privacy rights.

Libraries' Commitment to Privacy

Protecting reader and online privacy and confidentiality has long been an integral part of the mission of the American Library Association (ALA) and the library profession. As early as 1939, librarians affirmed a right to privacy for library users in the ALA *Code of Ethics*. By 1973, librarians were encouraging state legislators to adopt library records laws to protect users' privacy, a campaign that continues today all across the country. Article III of today's *Code of Ethics*, last revised in 2008, asserts library users' "right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted" (American, 2008).

In addition to their shared ethical framework and core values, librarians in this country also have direct and immediate

day-to-day experience with privacy issues. Library staff members handle users' personally identifiable information and reading records daily. Other privacy concerns that affect libraries directly include questions about individuals' expectations of privacy, about the rights of others (including parents and law enforcement) to access reading records, and about appropriate uses of surveillance technologies.

Privacy is also a vital component of information literacy and of any efforts to educate library users about responsible Internet use. It is a particularly relevant topic in the case of children and young adults using online resources, and is a cause of great anxiety for many individuals, including parents. While adults may be inclined to limit Internet use to protect young people's privacy, "Minors and Internet Interactivity: An Interpretation of the *Library Bill of Rights*" states: "Prohibiting children and young adults from using social networking sites does not teach safe behavior and leaves youth without the necessary knowledge and skills to protect their privacy or engage in responsible speech. Instead of restricting or denying access to the Internet, librarians and teachers should educate minors to participate responsibly, ethically, and safely" (ALA, 2009).

Do Library Users Care About Privacy?

Librarians share a long history and strong commitment to protecting user privacy because of its impact on one of our most basic core values, intellectual freedom. True intellectual freedom cannot exist without privacy. An expectation of privacy is necessary for individuals to feel free to seek and receive information on any topic, and to form opinions according to their own conscience. Yet, in light of various erosions of privacy and new social norms that encourage disclosure, many have questioned whether the average person truly cares about privacy today.

Despite repeated public statements from prominent individuals that "privacy is dead," research consistently shows the opposite – that people in general have an active and vested interest in the privacy of their personal information. A June 2010 survey, for example, "found that 81 percent of those polled said they were 'somewhat' or 'very' concerned about companies tracking their Web surfing habits and using that information for advertising, while 88 percent said it is 'unfair' for companies to do such tracking without an Internet user's permission" (Gruenwald). These findings are consistent with

other polls and research showing that a majority of Americans desire more control rather than less over how their online information is collected and used.

Adults are not alone in their concerns about privacy. Young people also have a deep and abiding interest in how their information is used (and sometimes abused), particularly when it resides online. Teens and young adults are avid users of social networking tools, and research shows that they take advantage of online privacy controls to a greater extent than many adults. In 2007, the *Pew Internet & American Life Project's* "Teens, Privacy and Online Social Networks" report found that a majority of teens are actively engaged in maintaining their privacy online. "While many teens post their first name and photos on their profiles, they rarely post information on public profiles they believe would help strangers actually locate them such as their full name, home phone number or cell phone number" (Pew, 2007).

Research reported by Hoofnagle et al. has shown that "young-adult Americans have an aspiration for increased privacy even while they participate in an online reality that is optimized to increase their revelation of personal data" (2010). The study, "How Different are Young Adults from Older Adults When it Comes to Information Privacy Attitudes and Policies?" found that, contrary to prevailing opinions, many young people's attitudes on information privacy line up with those of adults. Yet young people may lack knowledge or be misinformed about privacy issues, keeping them from taking full advantage of available privacy controls. Librarians – whether in school, public, or academic library settings – can help fill this gap by providing teens and young adults with information and promoting meaningful dialogue about privacy online.

ALA's Privacy Initiative

In 2010, ALA launched Choose Privacy Week to highlight privacy concerns and library users' rights in a digital age. The first-ever Choose Privacy Week took place May 2-8, 2010. Choose Privacy Week grew out of an ALA Council resolution in 2006, calling on intellectual freedom and other groups within ALA to develop a "national conversation on privacy." The goal of this program is to spark a nationwide move toward education and discussion around today's most pressing privacy issues.

Choose Privacy Week is sponsored by ALA's Office for Intellectual Freedom. Like Banned Books Week, Choose Privacy Week will be celebrated annually. Libraries are at the core of this effort because they play such a vital role in sharing information in this country. As the information hubs of their communities, libraries are naturally positioned as the perfect places for individuals to learn about, think about, and talk about today's privacy issues. ALA has developed ideas, tools, and resources specifically relevant to academic, public, and school libraries and that can help target particular library users with privacy messages.

During the first-ever Choose Privacy Week in 2010, many libraries in Indiana and hundreds across the country took part in a variety of ways. The Hamilton East Public Library (in Fishers and Noblesville, IN) was inspired by the Choose Privacy message to plan a "Be Good to Yourself Night," with an underlying theme about the value of public and personal privacy, for library users 12-19 years old. They combined information on cyber-safety and technology with fitness, volunteerism, self-esteem assessment and several other topics.

The Pulaski County Public Library in Winamac, IN celebrated Choose Privacy Week by equipping patrons with Privacy Toolkits. The toolkits included information on digital privacy, bookmarks, and buttons. Patrons were also able to sign a large poster board proclaiming that they "Choose Privacy" and encourage others to do the same. Each participant was entered into a drawing for local theatre tickets. To learn more about these and other libraries' 2010 Choose Privacy Week events, visit www.privacyrevolution.org/index.php/privacy_week/choose_privacy_week_events.

Resources and How to Get Involved

ALA realizes that in May some school and academic libraries are nearing the end of their instructional year and may be hard-pressed to devote an entire week to the topic of privacy. However, like Banned Books Week, Choose Privacy Week can be celebrated at any time during the year. ALA encourages librarians to use the resources provided by ALA to spark a conversation on privacy in their communities, and to choose the day, week, month that is most appropriate for them to do so.

ALA has developed a set of posters, bookmarks, and buttons to help libraries raise awareness and celebrate Choose Privacy Week. They are available for purchase through the ALA Store at www.alastore.ala.org. The key resource for libraries is the *Choose Privacy Week Resource Guide*. This print guide provides basic information both on how to effectively maintain privacy in the library and on how to engage users on privacy issues today. The guide includes separate sections specifically targeting academic, public, and school libraries. However, the sample workshops, games, displays, and discussion series in each section can be adapted for use in any library setting.

Learn more about ALA's privacy initiative and Choose Privacy Week by visiting www.privacyrevolution.org, and contact Deborah Caldwell Stone, Deputy Director of ALA's Office for Intellectual Freedom, with any questions or to share your own experience with Choose Privacy Week. She may be reached at 312.280.4224, 800.545.2433, ext. 4224 or dstone@ala.org.

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A Fresh Look at Privacy-Why Does It Matter, Who Cares, and What Should Librarians Do about It?

By Trina J. Magi

Think back to the last time you took a commercial flight, and picture yourself standing in the airport security line. You show your boarding pass and photo ID to the TSA agent. Perhaps you struggle a bit with your laptop or backpack or purse while you remove your shoes and jacket and place them in the plastic bin. At the last minute, you remember to pull out the quart-size, zip-top baggie that's holding your miniature deodorant, shaving cream, and toothpaste. Then you wait for the signal that it's OK to proceed through the metal detector.

How did you act and speak in that airport security line? Did you behave differently than you normally do? Whether I ask these questions of librarians, community groups, or college students, the answers are strikingly similar: "I answer the agents' questions politely." "I don't question any instructions or policies." "I don't make any jokes." "I try to seem relaxed and calm." "I wear tighter fitting clothes so it doesn't look like I'm hiding something." "I don't discuss anything political or controversial."

There's nothing wrong with asking questions, making jokes, wearing loose pants, or discussing politics. But when you're under surveillance, you might avoid doing those things because you don't want to stand out. Now imagine that your whole life is like the airport security line. That's what life is like in surveillance societies. People practice "anticipatory conformity" in an effort to blend in and not attract attention—even if they're doing nothing wrong. A great deal is lost—or rendered invisible—in such societies. Vigorous dialogue, humor, authenticity, personal expression, and spontaneity are replaced by a stifling sameness.

Why does privacy matter?

In the same way that privacy—and lack of surveillance—are important for vitality in society, privacy is important if the library is to remain a vibrant marketplace of ideas. We must avoid the self-censoring chilling effect that may be created by revealing users' activities. That's why the American Library Association (ALA) *Code of Ethics* expresses a commitment to protecting the confidentiality of library users (*Code of Ethics*, 2008).

Through my study and work advocating for privacy and reform of the USA PATRIOT Act, I've come to learn that there are many reasons, in addition to avoiding the chilling effect, that privacy matters to us as human beings. Recently I reviewed scholarly literature on privacy from fields outside

library science, including psychology, sociology, law, political science, anthropology, philosophy, and public affairs. I read books and essays and articles by 37 scholars and identified 14 reasons privacy matters to us as individuals, to the development and maintenance of interpersonal relationships, and to our health as a society (Magi, 2011). Most of the 14 reasons have nothing to do with a desire to hide wrongdoing. Here are a few examples:

Example 1: Privacy provides the chance for relaxation and concentration—reducing the "friction" of relationships and society (Gavison, 1980; Solove, 2008). After a long day of meetings, does it ever feel good to you to come home to an empty house or apartment, close the door, and savor the chance to be alone for a while? That's why privacy matters.

Example 2: Privacy provides space for disagreement and allows more tolerance. For example, people's views about consensual sexual behavior are highly and legitimately varied, and reasonable people can disagree. Privacy means those views do not have to undergo public scrutiny and people are not forced to justify their choices (Rosen, 2000). That's why privacy matters.

Example 3: Privacy gives you a place to try out rough-draft ideas (Gavison, 1980). Have you ever confided in a friend about a problem, and appreciated the opportunity to "think out loud" and vent about possible solutions, including some solutions that you would never really pursue and wouldn't dream of sharing with a mere acquaintance? That's why privacy matters.

Example 4: Privacy preserves the chance to make a fresh start. Through most of human history, it's been easier to forget things than to remember. In the digital age, the opposite is becoming true. Now information about individuals may be kept permanently, keeping people tied to an increasingly irrelevant past (Mayer-Schonberger, 2009). So if you want a society that can forgive and allow for the possibility of individual change, that's why privacy matters.

Does anyone still care about privacy?

Scholars in many fields have identified a host of reasons privacy matters. But do people—including the people that use your library—really care about privacy? There are powerful voices urging us to believe they don't. For example, Scott McNealy, CEO of Sun Microsystems, said we have no privacy and we

should “get over it” (Sprenger, 1999). Facebook founder Mark Zuckerberg claimed, “People have really gotten comfortable not only sharing more information and different kinds, but more openly and with more people. That social norm is just something that has evolved over time” (Matyszczyk, 2010). It is important to note that these kinds of statements often come from corporate interests—from people who stand to make a lot of money by gathering personal data, packaging it, and selling it. Ironically, Zuckerberg last year sought a restraining order against a fan who sent him e-mail messages, flowers, and a hand-written note (“Facebook founder stalked,” 2011). It seems that while some people in power wish to maintain *their* privacy, they want us to believe that privacy is lost or irrelevant for everyone else.

There is, however, evidence that people do care about privacy. First, all states have laws or attorney general opinions protecting the privacy of library records (Chmara, 2009). Second, at the federal level, there is discussion about creating a consumer privacy bill of rights, with proposals coming from Congress and the White House (McCullagh, 2011; Valentino-Devries & Steel, 2011). Third, over the last five years, Facebook users have repeatedly expressed outrage over Facebook features and policies that violated user privacy. When Facebook introduced NewsFeed in 2006, 700,000 users signed a petition opposing it (Romano, 2006). When it introduced Beacon in 2007, 50,000 users joined an opposition group and a class-action law suit was filed (Klaassen, 2007). In 2009, Facebook announced it would own user content even if users deleted their accounts, and 86,000 joined a group opposing that policy (Vascellaro, 2009). Finally, a growing number of scholarly studies show that people are concerned about privacy. A few are highlighted below.

Report from Annenberg Public Policy Center at University of Pennsylvania. Twenty-minute telephone interviews with a nationally representative sample of 1,200 adults 18 and older showed that a clear majority express worry about their personal information on the Web. Almost all respondents (95%) agreed or strongly agreed they should have the legal right to know everything Web sites know about them (Turow, 2003).

Consumer Reports Poll. A telephone survey of a nationally representative sample of more than 2,000 adults 18 and older found that 93% think Internet companies should always ask for permission before using personal information; 72% want the right to opt out when companies track online behavior; and 61% are confident that what they do online is private and not shared without their permission (Consumers Union, 2008).

Harris Poll. In a nationwide online survey of 2,513 adults, a 60% majority was not comfortable when Websites use information about a person’s online activity to tailor advertisements of content based on a person’s hobbies or interests (Harris Interactive, 2008).

Studies show that teens and young adults care about privacy, too

Hoofnagle, King, Li, and Turow. A telephone survey of a nationally representative sample of 1,000 Americans found that privacy attitudes expressed by young adults ages 18-24 are not much different than older adults, except that a higher proportion of 18-24 year olds mistakenly believe that the law protects their privacy more than it actually does (Hoofnagle, King, Li, & Turow, 2010).

Johns and Lawson. This survey of 444 undergraduates at Iowa State University found that 85% said online privacy is important or very important, and 91% said the university or library should never disseminate students’ information to outside agencies (Johns & Lawson, 2005).

Pew Internet and American Life Project. In a survey of 935 teens ages 12-17, plus six focus groups with middle and high school students, Pew learned that most teenagers do take deliberate steps to protect their privacy online and manage their personal information. They do this in a variety of ways, such as keeping information vague, using first name only rather than a full name, deliberately claiming to be a younger age to achieve the restricted access built into the social network they use, and posting fake or false information. Only 2% posted their cell phone number (Lenhart & Madden, 2007).

boyd and Hargittai. A survey of 1,115 18- and 19-year-olds at University of Illinois, Chicago, found that “far from being nonchalant and unconcerned about privacy matters, the majority of young adult users of Facebook are engaged with managing their privacy settings on the site at least to some extent. . .most report modifying their settings” (boyd & Hargittai, 2010, p. 17).

boyd and Marwick. During 163 90-minute interviews with teens in 20 states, boyd and Marwick learned that participation in networked publics does not imply that today’s teens have rejected privacy as a value. All teens have a sense of privacy, although their definitions of privacy vary widely. To illustrate, the researchers quote one teen:

Every teenager wants privacy. Every single last one of them, whether they tell you or not, wants privacy. Just because an adult thinks they know the person doesn’t mean they know the person. And just because teenagers use internet sites to connect to other people doesn’t mean they don’t care about privacy. . .So to go ahead and say that teenagers don’t like privacy is pretty ignorant and inconsiderate honestly, I believe, on the adult’s part (boyd & Marwick, 2011, p. 1).

But if people care about online privacy, why do they give away personal information?

The above studies are clear that people, including young people, are concerned about privacy. It's also true, however, that people often behave in ways that suggest otherwise. Some have called this the "privacy paradox" (Barnes, 2006), and it may result in part from people's lack of understanding. The Annenberg Public Policy Center was among the first to show that the majority of U.S. adults who use the internet "have no clue about data flows—the invisible, cutting edge techniques whereby online organizations extract, manipulate, append, profile and share information about them" (Turow, 2003, p. 3). Several of the above-mentioned studies also indicate that people do not understand what's really going on behind the scenes, or they naively believe that if a Web site has something called a "privacy policy," that means that their privacy is protected. They don't understand that most of those privacy policies are really disclaimers indicating all the ways their personal data can be used.

What if people do understand all that? If librarians see people willingly share personal information, are they then absolved of their obligation to protect user privacy? My answer is "no." Our judgment about whether other people are protecting their own privacy is not an adequate ethical basis for jeopardizing their privacy. Consider the following analogy: If someone says they value a long life but smokes cigarettes, we don't take that to mean that we may put toxins in the drinking water. It's not our place to turn observations of some people's behavior into a policy of no privacy for all.

What should librarians do?

Librarians can take many steps to protect user privacy:

- Adopt the American Library Association *Code of Ethics* and *Library Bill of Rights* as policy at your library—and promote the fact that you've done so. Post the documents prominently in your library, and be proud of the fact that libraries are different from commercial information providers. (The text is available at <http://www.ala.org/ala/issuesadvocacy/intfreedom/librarybill/index.cfm> and <http://www.ala.org/ala/issuesadvocacy/proethics/codeofethics/codeethics.cfm>.)
- Write and adopt a library privacy policy that states your commitment to protecting users and complying with your state law. (Guidance for doing this is available from the American Library Association at <http://www.ala.org/ala/aboutala/offices/oif/iftoolkits/toolkitsprivacy/default.cfm>.)
- If you implement a self-service "hold" system, be sure that you're not putting on public display the names of your users and the materials they want. (For a recently adopted ALA Council resolution on self-service hold practices, see pages 5-6 of the *ALA Intellectual Freedom*

Committee Report to Council at http://www.ala.org/ala/aboutala/governance/council/council_documents/2011_annual_docus/cd_19_2_19_4_ifc.pdf)

- Continue to advocate for reform to the USA PATRIOT Act.
- Continue to be wary of government and law enforcement intrusion at your library.

New privacy threats from commercial vendors

It's important to understand that it's not just the government that wants library user data. With the continuing emergence of new technologies, librarians also must become more careful and critical with regard to commercial interests, for whom personal data is a valuable commodity to be bought and sold. Many vendors of online products have begun to incorporate personalization features into their search-and-retrieval interfaces, inviting users to create personal profiles and online repositories where they can record their research interests, search strategies, and favorite articles. Concerned about the privacy implications of this trend, I studied the privacy policies of 27 major vendors of online library databases, and compared them to standards of the library profession and the Federal Trade Commission's *Fair Information Practices* (Magi, 2010).

In general, vendors fail to offer adequate privacy protection. Several vendors had no privacy policy at all, and almost none of the existing policies reflected the *ALA Code of Ethics*. Most vendors do little to let users control what happens to their personal information, are unspecific in saying how they protect information from unauthorized access, and indicate they will share personal information with other parties for a variety of reasons (some as vague as "to protect the well-being of the company"). In light of this, librarians should educate their users, giving people the information they need to make informed choices that are right for them. Don't assume users know anything about how a third-party database works and puts their privacy at risk; tell them, and let them decide what they want to do.

In addition to online databases, librarians should carefully evaluate other services provided by third-party vendors to ensure that the handling of user data is legal and ethical. For example, does your library's chat or text reference service route user names and questions through a third party? Is your e-Book vendor capturing data about your users? Is your automated library system storing circulation data in the cloud or on remote servers outside the library?

To protect user privacy, it's best to keep all such transactions and data within the library, but if you want to use a third party, be sure your state law and your library policy allows you to share user information. At University of Vermont, we asked the company that facilitates our text reference service to sign

a patron data confidentiality agreement stipulating that 1) the user data remains the property of the university, 2) the company will not share, sell or rent this data (including in the event of a company sale or merger), 3) the company will not make the data available to any agency of state, federal, or local government before contacting the library, and 4) the company will use appropriate measures to ensure security of the data.

Is protecting privacy worth the trouble?

It is becoming increasingly difficult to protect user privacy. Sometimes, it involves extra work and greater expense. Having studied privacy issues for a number of years now, I am convinced that privacy matters a great deal to our health as individuals, in our relationships, and as a democratic society. I am also convinced that holding firm to our commitment to protect privacy matters to the survival of libraries. Frequently, librarians talk and write about how to keep libraries relevant. As a former marketing professional, I know the importance of occupying a unique position in the marketplace—of finding something that sets your organization apart. More than ever, libraries hold a unique and critically important place in the information landscape. I can think of few other information providers that do what libraries do: provide a broad range of information, make it accessible to everyone regardless of means, while embracing the ethical principle that our users' personal information is not a commodity to be traded or sold. Our commitment to user confidentiality is rare and special, and it's a characteristic that research tells us is important to people. That means it's a competitive advantage, in the same way that reliability of its cars has been a competitive advantage for Toyota. I believe it's essential that we work to preserve that competitive advantage, both because it's the ethical thing to do, and because it's a practical way to stay relevant.

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Are Libraries Compromising Reader Privacy with Circulation Reminders?

By Robert P. Holley

A faculty member asked me about reader privacy during a recent meeting. I reassured her that most libraries erase circulation records as soon as the items were returned, that state law protects the privacy of library records, and that libraries in general are doing all they can to make sure that others will not be able to discover what their patrons read. I then suddenly stopped short. A new library service may be undoing all these attempts to protect reader privacy. The e-mail circulation reminders that both my academic and public libraries send me include my name and a record of the books that I've checked out. The libraries send these reminders out unencrypted. They get passed through all sorts of transit points on the way to me. They then sit in my e-mail box until I get around to deleting them. Furthermore, my e-mail provider may have cached copies of these e-mails, perhaps in multiple locations, as part of routine backups and other housekeeping duties. I also have my personal backup copies on a flash drive that would become available if anyone stole my briefcase.

I am bringing this issue up because I have not seen any discussion of this reader privacy concern though I cannot be certain that none exists. I am also not a lawyer so that I am giving a layman's interpretation of the laws surrounding library record confidentiality and could be wrong. I would welcome having those with more legal expertise address the status of circulation reminders in comparison with internal library circulation records.

The nature of e-mail itself provides the first possibility for the violation of reader privacy. To give some documentation on this issue, I'll quote three short sections from an article on e-mail security to show just how unprotected e-mail is from prying eyes.

You may already know that e-mail is insecure; however, it may surprise you to learn just how insecure it really is. For example, did you know that messages which you thought were deleted years ago may be sitting on servers half-way around the world? Or that your messages can be read and modified in transit, even before they reach their destination? Or even that the username and password that you use to login to your e-mail servers can be stolen and used by hackers?

Eavesdropping: The Internet is a big place with a lot of people on it. It is very easy for someone who has access to the computers or networks through which your information is traveling to capture this information and read it. Just like someone in the next room listening in on your phone conversation, people using computers "near" the path your e-mail takes through the Internet can potentially read and copy your messages!

Unprotected Backups: Messages are stored in plain text on all SMTP Servers. Thus, backups of these servers' disks contain plain text copies of your messages. As backups can be kept for years and can be read by anyone with access to them, your messages could still be exposed in insecure places even after you think that all copies have been "deleted" (Case, 2009).

All the efforts within the library to protect reader privacy are thus undone by the circulation notice that puts the information about my reading habits in an insecure environment. Anyone with access to the e-mail backups can easily find out what I've checked out by using my name and the name of the library as keywords to access the files. I may think that I don't need to worry, but perhaps I've made an enemy in the IT division of my university on account of the critical comment that I posted on a national blog. Perhaps the faculty member who asked me about the security of circulation records has an ex-spouse or ex-significant other who wishes to snoop. Would the library send out such a reminder with detailed information on the books that I've checked out on a postcard, visible for all to see? Yet one of the analogies that I've heard for years is that "e-mail is like a postcard."

The second set of threats comes after the circulation reminder is delivered to my computer. I get the reminder e-mail for books checked out from the Wayne State University Library System on my work computer because the library uses the e-mail addresses provided by the university. While a recent court decision has ruled that some e-mails sent or received at work are private, this decision is not broad enough to reverse the generally accepted principle that employers can read e-mails on an employee's computer (Fisher & Phillips

LLP, 2010). While doing so may actually be against a strict interpretation of my employer's e-mail policy, I also receive my public library's circulation reminders at work.

I may also need to worry that malware has infected my computer. "Today, authorities believe that there are between 20-40 million infected computers in the United States alone" (Password, 2006). While the attackers are most likely trying to discover the password to my bank account, their efforts, including examining my files and logging my keystrokes, could compromise the security of any records stored on my computer. Techniques also exist to steal my e-mail passwords allowing hackers to access my e-mail account wherever my e-mails exist in the cloud. Furthermore, today's e-mail providers allot almost unlimited storage and discourage users from deleting e-mails.

I'm a cautious computer user and make backups of my e-mails. I carry these backups on a flash drive in my briefcase. If someone were to steal this flash drive, this person would be able to recover my e-mails with the library circulation records.

While others exist, the last illegal threat to my library records that I'll note is hacking my e-mail provider. Both the University of California-Davis and Yale University have decided not to use Gmail on account of "potential problems with cloud computing" (Schools, 2010). While the theft or loss of data has not usually been associated with e-mail, the possibility is real.

Libraries also seek to protect patron circulation records from government scrutiny. Law enforcement officials have been known to ask employees at library service desks to supply circulation records even if doing so may be illegal without a court order. While staff in libraries have generally been trained to say no to such requests, the same may not be true for the IT person if the police officer shows up at a time when higher level supervisors are not available and the officer flashes a badge with a request to retrieve e-mails from the backup tapes.

While the laws protecting the privacy of library records vary from state to state, I would guess that many of these laws do not give e-mail circulation reminders the same higher legal protection that circulation records have. First, the library has sent out these reminders with the knowledge that e-mail is not a secure medium. Second, unless the laws have been updated recently, e-mail may not have existed when the various states enacted privacy statutes on the confidentiality of library records. In fact, law enforcement officials may not be specifically looking for library records when using a subpoena for e-mail records. I am not a lawyer so that the confidentiality laws may apply to circulation reminders, but I would not count on this without having a court case to support this position.

Access to e-mails is also not necessarily limited to government officials but may occur with civil actions. The following is the Google policy: "As stated in our [Terms of Service](#) and [Privacy Policy](#), Google complies with valid legal processes seeking account information, such as search warrants, court orders, or subpoenas" (Google). Fortunately, while a person's entire search history is available for the asking by subpoena, "that type of fishing expedition is not legally permitted for Web mail providers" since e-mail is shielded by the 1986 Electronic Communications Privacy Act (McCullagh). A subpoena asking for e-mail on a specific topic might be legal. The legal process called discovery often requires providing e-mail records that might include circulation reminders. A review of various news stories on access to e-mail by subpoena indicates an unsettled area of the law with contradictory court decisions.

If the concerns that I have expressed above have any validity, what should happen next? My principal suggestion is to explain the issue to library users and let them opt out of receiving e-mail circulation reminders if they have concerns about their reader privacy. Public libraries should find it relatively easy to implement such a policy since they have to ask their patrons for their e-mail addresses. The public library might even have a short form for patrons to sign when providing their e-mail addresses. As with most privacy agreements, I would bet that most will sign the form without bothering to read it. The case of academic libraries with automatic access to their patrons' e-mail addresses is more complicated. Perhaps each reminder could include a short statement about the potential privacy concerns and include an opt-out link similar to those that are included in many advertising messages. This link, however, must be operational unlike the ones from many spammers whose only goal is to verify the e-mail address for next time.

Perhaps some might consider my concerns to be alarmist. "Protecting user privacy and confidentiality is necessary for intellectual freedom and fundamental to the ethics and practice of librarianship." This statement appears on the American Library Association website that gives the "Core Values of Librarianship" (American, 2010). Efforts both legal and illegal to obtain access to circulation records may not occur all that frequently; but, when they occur, librarians have frequently pushed back as hard as they could, often against public opinion. In fact, librarians have considered protecting reader privacy important enough to do battle with the FBI and the Justice Department. The proverb states that "the chain is only as strong as its weakest link." With all the vigilance to protect circulation records within the library, I worry that libraries have created a weak link by sending out e-mail circulation reminders that will make it easier to learn what their patrons read.

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Fundamental Freedoms, Library Services, and Multi-Lingual Populations

By Loida Garcia-Febo

“As libraries serve diverse interests and communities, they function as learning, cultural, and information centres. In addressing cultural and linguistic diversity, library services are driven by their commitment to the principles of fundamental freedoms and equity of access to information and knowledge for all, in the respect of cultural identity and values.”

IFLA Multicultural Library Manifesto, 2008

Recently a number of libraries have had to justify providing access to information to multi-lingual customers. In light of this, I am revisiting resources that may help libraries in such situations. Access to information for all in the community is a right stated in Article 19 of the United Nations' Declaration of human rights, “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and **to seek, receive and impart information and ideas through any media and regardless of frontiers.**” [emphasis added] The UNESCO Public Library Manifesto mirrors this Article by expressing that “the services of the public library are provided on the basis of equality of access for all.” Furthermore, it says “Specific services and materials must be provided for those who cannot, for whatever reason, use the regular services and materials, for example linguistic minorities, people with disabilities, or people in hospital or prison” (UNESCO, 1994). Therefore, we can conclude that inclusive services for all community members reflect fundamental democratic values by which our society operates.

The Library Bill of Rights of the American Library Association (ALA) includes powerful policies promoting services of interest to all those within the library service area. For instance, “Books and other library resources should be provided for the interest, information, and enlightenment of **all people of the community** the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation” (*Library Bill of Rights*). By enriching their communities libraries contribute to life-long learning by its members thereby increasing their opportunity to develop skills needed to succeed in life.

ALA Policy 60 Diversity includes strong arguments for the provision of education, training, programs and services for multi-cultural, multi-lingual, multi-ethnic populations. Inclusiveness, combating racism and discrimination are also pivotal points of the Policy which highlights “the critical need for access to library and information resources, services, and technologies by all people” (ALA, 1998). Additionally, Policy 53.1.11 Diversity in Collection Development, states

that “librarians have the professional responsibility of being inclusive” and furthermore, “include materials and resources that reflect a diversity of political, economic, religious, social, minority, and sexual issues” (ALA, 2008). Consequently, libraries adhering to these policies will assist in the building of communities where all diverse groups have a voice and a space in the process.

Over the years, ALA has also approved resolutions in support of immigrant rights stating that “the library community opposes all attempts to restrict access to information by immigrants” and “supporting the protection of each person's civil liberties, regardless of that individual's nationality, residency, or status” (ALA, 2007). In 2005, the Association also adopted a Resolution in Support of Immigrants' Rights to Free Public Library Access (previously endorsed by REFORMA, The National Association to Promote Library and Information Services to Latinos and the Spanish Speaking). It highlighted the development of ways to educate “about alternate forms of identification that will allow free public access to library services for all immigrant populations” (ALA, 2005). This resolution paved the way for libraries to expand access to information for those using alternative types of identification to obtain library cards reflecting the profession's commitment to universal right of equal access for all.

We must continue unwavering advocacy for libraries to provide services reflecting our fundamental freedoms and access to information for all. Other helpful resources with facts to support arguments about the above rights may be found in the following titles, *Library services to youth of Hispanic heritage* (2000), *Immigrant politics and the public library* (2001), and *Still struggling for equality: American public library services with minorities* (2004).

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Religion, the First Amendment and America's Public Libraries

By J. Douglas Archer

When religion is mentioned in the same breath with libraries, censorship often pops into the minds of many Americans. It is certainly easy to find accounts of religiously motivated attempts to censor. Even a casual review of a popular guide to challenged materials will reveal a religious element in a significant number of cases (Doyle, 2004). The *Banned Books* series devotes one whole volume to books challenged on religious grounds (Bald, 1998). In addition, many of the examples in its other three volumes document attempts to censor based on religious commitments (Sova, 1998). However, broader analyses of the relationship of religion and America's public libraries are more difficult to locate (Archer, 2000). This essay, an extension and expansion of the author's earlier work, explores that relationship.

Though concerned with religion and public libraries, most of the observations contained in this essay could be applied with appropriate adjustments to other types of libraries. For instance, libraries associated with private, religious institutions would need to be mindful of the mission of their parent bodies and the needs of their primary communities.

Throughout this article, two phrases will be used almost interchangeably, intellectual freedom and the freedom to read. The library community, as represented by the American Library Association, uses the phrase "intellectual freedom" to encapsulate in a single positive formulation its opposition to censorship and its advocacy of those freedoms affirmed in the first and fourth amendments to the Constitution of the United States. These are freedom of the press, speech, petition and assembly -- and an implied right to privacy. The Supreme Court has held that the freedom to receive information, that is to read, view, hear, access, explore and otherwise inform oneself as one chooses (usually simply referred to as the "freedom to read,") is an additional and essential corollary of press and speech freedoms (Board, 1982). If people are free to speak or print but not free to hear what is said or to read what is printed, these liberties would be meaningless (Chmara, 2006). Therefore the freedom to read (i.e., to access information) is virtually synonymous with intellectual freedom (ALA, 2010, p. xv).

Freedom of and from religion is often treated separately from other First Amendment freedoms. This study will, in part, examine their interrelationship. In order to place this complex relationship in perspective, it begins with a brief overview of the origins of both religious and intellectual freedom and their expression in the first amendment to the United States Constitution. This extremely brief history is followed by an examination of their place in American public libraries divided into four sections, Collections and Access; Meeting Rooms, Exhibits and Literature Distribution; Subject Headings and Labeling; and Personnel and Patron Issues

While reference to fundamental constitutional principles and relevant court decisions is essential in any such study, the author is not an attorney and makes no claim to legal expertise. Rather, he is a life long advocate of both religious and intellectual freedom, an ordained minister and a librarian. It is from and through those commitments that this examination has been conducted.

Religious and intellectual freedoms are both commonly considered to be human rights. The development of the concept of human rights has a long history which will not be addressed here. Suffice it to say that the most ancient origins of human rights lie in the texts of the world's religions as duty to brothers, sisters, neighbors and the stranger in one's midst (Lauren, 2003). In the West the most well known distillation of these concerns is the golden rule, "do to others as you would have them do to you" of the Judeo-Christian tradition. But this concept, whether in its positive (*do* to others) or negative forms (*do not do* to others), is not limited to the Abrahamic faiths. It exists with varying degrees of centrality in most of the world's religious traditions (Shared belief, n.d.). It affirms the basic value of each and every individual human being and has provided a strong religious basis for the codification of human dignity in law and custom.

So, while human rights as they are delineated today in the United Nations' *Universal Declaration of Human Rights* have much more recent political and secular roots, deep support for them can be found in the teachings of the world's religions. It is probably not sheer coincidence that these twin

rights are listed together as Article 18 (freedom thought, conscience and religion) and Article 19 (freedom of opinion and expression) in the *Universal Declaration* (United, 1948). In the American context religious and intellectual freedom are enshrined together in the first amendment to the United States Constitution. Here, as in the Universal Declaration, they are co-located if not explicitly linked -- protecting one's right to believe, think and feel as one will.

This apparent linkage is not capricious. When the composition and ratification of the Bill of Rights were being debated, the use of royal "licensing" for printers to suppress both political and religious dissent was fresh in the post-colonial mind. At that time it was difficult to separate the political and religious expression given the historical entanglement of church and state in the Great Britain.

One of the earliest and most vigorous English advocates of press freedom was the political and religious dissenter, John Milton. In his *Aeropagitica* he included both explicit political and religious examples while arguing for freedom of the press (Milton, 1958). Thus from its beginnings freedom of the press included protection for more than political opinions.

Roger Williams, the preeminent colonial champion of religious freedom was a colleague if not friend of Milton. It has been claimed that they worshiped in nearby congregations and attended Cambridge at the same time (Gaustad, 1999, p. 62). At the least, it has been established that Williams tutored Milton in Dutch during the time that Williams was completing the *Bloody Tenant of Persecution*, his essay on religious freedom, and Milton was completing the *Aeropogitica* (Chelline, 1982). If they did not directly influence each other, their passion for liberty, both religious and political, grew with certainty from the common soil of Puritan non-conformity.

Consequently, though a literal interpretation of intellectual freedom might limit it to affairs of the mind, from its conception, it was a much broader concept. It encompassed thoughts and feelings, reason and emotion as they interact to form both one's transitory opinions and one's most deeply held beliefs -- from the ordering of society and partisan politics to one's artistic tastes and entertainment preferences to one's faith commitments. It is in this broad sense that the freedom to speak, print and read about one's own religion or another's views of religion (pro or con) is an integral part of intellectual freedom. This reading of the first amendment as including *all* views in the freedom to read including religious views is crucial to validating the legitimacy of the presence of religious resources in America's public libraries.

In addition to being assumed in the freedoms of speech and the press, religious beliefs and practice were also singled out for special treatment in the first amendment. This should not be surprising given the history of the abuse of religion by religion and the state under the British crown. Persecution for one's religion in addition to one's politics was a continuing concern of the founders. Most of them, their parents or their grandparents had suffered some degree of religion persecution during the shifting tides of political fortune represented by the succession of the Civil War, Commonwealth and Restoration. They understood that religion demanded special recognition and protection.

The only mention of religion in the original articles of the Constitution is the prohibition of religious tests for public office found in Article VI. This mention was not strong enough to assuage these very real fears during the constitutional ratification process. An affirmation of the freedom of the press and of speech was not enough. Specific protection of religion from the state and the state from religion was required. Therefore, the first amendment affirms both the right to practice one's religion (or no religion at all) in addition to printing and speaking about it and prohibits the state from establishing any particular religion, thus forcing it upon its citizens. The two religion clauses of the first amendment are often summarized as providing freedom of, freedom for and freedom from religion.

The American Library Association's *Library Bill of Rights*, an application of the first amendment to American libraries, affirms in no uncertain terms that access to **all** viewpoints of interest to *all* people in a library's community should be made available to its users. There is no exception for the religious views of authors or readers -- or the lack thereof.

I. Books and other library resources should be provided for the interest, information, and enlightenment of *all [emphasis added]* people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting *all [emphasis added]* points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval (ALA, 2010, p. 49).

Though the Council of the American Library Association has approved formal interpretations of many aspects of its *Library Bill of Rights* including gender and sexual orientation, none has yet been developed specifically for religion. Nevertheless religion is included in “Diversity in Collection Development” an Interpretation of the *Library Bill of Rights*.

Over time, individuals, groups, and entities have sought to limit the diversity of library collections. They cite a variety of reasons that include prejudicial language and ideas, political content, economic theory, social philosophies, *religious beliefs*, [emphasis added] sexual content and expression, and other potentially controversial topics. Examples of such censorship may include removing or not selecting materials because they are considered by some as racist or sexist; *not purchasing conservative religious materials*; [emphasis added] not selecting resources about or by minorities because it is thought these groups or interests are not represented in a community; or not providing information or materials from or about non-mainstream political entities (ALA, 2010, pp. 108).

In other words, public libraries have the same obligation to provide access to religious materials as they have to provide access to any other subject, however controversial. The fact that religious materials may be offensive to some or promote a particular point of view is irrelevant. Readers remain free to choose those views they wish to examine for whatever purpose. This approach is a direct application of the freedom to read independent of the religion clauses of the first amendment.

In spite of this understanding some have argued that providing religious materials which advocate a particular viewpoint (as opposed to merely describing viewpoints) constitutes an unconstitutional establishment of religion due to the use of public funds in their purchase. If a library were to limit its religious collection to materials representing one point of view, one denomination or one religion or even all religions but excluded anti-religious or non-religious views, it could rightly be accused of establishing religion in particular or in general. However, if it treats religion and religious topics as it does all others -- collecting a variety of views for the edification of its users allowing scholars, non-scholars, advocates and opponents to have their say in their own voices -- it should be safe from any such accusation.

While there is little case law dealing specifically with religious materials in public library collections, the cases that do exist do not reference the establishment clause. Rather, when the

provision of religious materials has arisen, courts have based their decisions on the speech and press clauses of the first amendment rather than those of the establishment clause. They have held that while the Constitution bars the establishment of a particular religion, it in no way prohibits libraries from providing information *about* religion in general or particular (Mach, 2006).

Since there is little case law addressing religious materials in public libraries, an examination of the study of religion in public schools, while not directly applicable, can provide an additional helpful perspective. This is true because public schools operate *in loco parentis* and therefore within a more restrictive legal framework. Therefore, anything permissible in them is almost certainly permissible in the significantly less restrictive environment of the public library.

Several relatively recent reports are careful to delineate the difference between teaching religion and teaching about religion, between promoting religion and providing information *about* religion. For example, a report issued in 1995 by an extremely diverse, *ad hoc* collection of religious bodies representing many faith traditions and numerous disparate groups within those traditions states that

Students may be taught about religion, but public schools may not teach religion. As the U.S. Supreme Court has repeatedly said, “[i]t might well be said that one’s education is not complete without a study of comparative religion, or the history of religion and its relationship to the advancement of civilization.” It would be difficult to teach art, music, literature and most social studies without considering religious influences (Religion in Public Schools, 1995).

Another excellent resource, *Finding Common Ground: a First Amendment Guide to Religion and Public Education*, has been prepared and updated by the Freedom Forum at the First Amendment Center, Vanderbilt University (Haynes, 1996).

The history of religion, comparative religion, the Bible-as-literature (either as a separate course or within some other existing course), or examinations of other scriptures are all permissible public school subjects. It is both permissible and desirable to teach about the role of religion in the history of the United States and other countries. One can teach that the Pilgrims came to this country with a particular religious vision, that Catholics and others have been subject to persecution or that many of those participating in the abolitionist, women’s suffrage and civil rights movements had religious motivations. If one can teach about these subjects in a public school, it would only seem logical that one should

be able to go to a public library, find a book on the topic and teach oneself.

Unfortunately, given the wealth of religious material from which to choose and a limited budget (no budget is unlimited), even the most well intentioned librarian is likely to be accused of censorship by selection, of favoring one point of view over others. However, this is true of every subject from art to zoology. Librarians are charged with consciously building diverse collections to meet the needs of their communities. No matter how difficult the task nor how heavy the flak, not censorship but selection should be the prime professional duty (Asheim, 2006).

In addition to these highly principled reasons, there are other far more practical rationales for the inclusion of religion in a public library collection. If for no other reason than self-protection, a library should build a diverse collection of religious materials. Mike Wessells, an ardent defender of intellectual freedom and a Pentecostal minister, has frequently made the point to library professionals and religious conservatives alike that one need not fear a diverse collection. Its very diversity guarantees that one's own views will be represented in the stacks. The answer to objectionable material in a collection is not its removal. The answer is to add additional materials which represent other points of view particularly those of the people who presented the challenge initially (Wessells, 1995).

For example, during the 1970s and early 1980s public libraries were often criticized for not collecting materials which appealed to or represented conservative Christians (Thomas, 1983). While later studies have shown that this is no longer true, the point was well taken (Dilevko and Atkinson, 2002). Libraries with a community need for such materials have made a positive effort to see that they were appropriately represented. They followed the basic principle of more information not less, adding new materials not removing old materials to diversify their collections. Unfortunately, in some cases this has contributed to another controversy, that of labeling – which is addressed below. The establishment clause would, of course, enter the picture if one chose only one religion or selection of religions, or, for that matter, only materials which treated religion in a positive manner.

It is highly unlikely that librarians (or their library board members) want to be in the unenviable position of telling citizens that libraries can in theory (if not in practice) have every imaginable viewpoint represented on its shelves on every conceivable topic no matter how controversial or inconsequential but have nothing about religion. Besides, one need not have a religious connection or commitment to

have need for information about religion or religions. As with all topics, one may be opposed to and even offended by a particular religion and still have need for information about that religion. For example, at the American Library Association's 2005 Annual Meeting in Chicago Susan Jacoby, an independent scholar and author of *Free thinkers: a history of American secularism*, noted that it was access to a Bible in her neighborhood public library that led her to become a free thinker and opponent of organized religion (Marty, 2005).

Lastly, the very process of collection building may better prepare one to weather the storms of censorship which are sure to come. Any decent analysis of community needs will include contact with community leaders. If these contacts are seen as a positive opportunity to build relationships with local religious leaders, to create a network of library supporters whose information needs are being met and whose views are represented in one's library, then these folks may come to see themselves as insiders or stake holders in their local library rather than outsiders with no sense of ownership or participation. After all, it is their library too.

Meeting Rooms, Exhibits and Literature Distribution

Any discussion of the use of library meeting rooms and exhibit spaces must address the concept of the public forum. Traditional public forums are places such as public parks and sidewalks where anyone may express almost any view he or she wishes, i.e., to engage in any constitutionally protected speech. The only permissible constitutional restrictions are the time, place and manner of such speech. Content, with a few exceptions such as incitement to riot, obscenity, and slander, may not be restricted. Religious groups throughout the country regularly use such space for many purposes including fellowship, recreation, education and worship -- on the same basis as other community groups.

Public libraries themselves are designated public forums for the express purpose of providing the public with a place to receive (read, view, listen to or otherwise access) constitutionally protected "speech" (information). Libraries may enact and enforce reasonable rules of behavior to facilitate that purpose (Kreimer, 1992). Space within public buildings in general and libraries in particular may be further designated as limited public forums (for example, meeting rooms, auditoriums, reading rooms and exhibits spaces) while other areas may be defined as non-public forums (for example, staff meeting rooms, or training facilities). The definition of appropriate use for a limited public forum may be very broad, such as a community meeting room (available to all community groups), or very narrow, such as the reference area

reading space (for reading) (Minow, 2003, pp. 226-227).

Libraries are free to establish limits on the use of such space as long as they are content and viewpoint neutral (Pinnell-Stephens, 2006). For instance, they may specify educational purposes only but not the subject of the educational activities or the view point of sponsoring groups. They may prohibit commercial activities as a whole but not favor one business over another. Libraries may prohibit or allow the serving of food and drink, prohibit the collection of any entrance fee, or ban amplified music. If a library tries to implement a content or viewpoint based restriction, they must meet the “strict scrutiny” test. And strict means strict.

As law professor Gerald Gunther famously put it, strict scrutiny is “strict” in theory and often “fatal” in fact. In order to survive a case that is judged under the strict scrutiny standard, the government (i.e., a library that restricts speech) must show that there is a “compelling interest” and that the measure is narrowly tailored to use the “least restrictive means” to meet that interest (Minow, 2003, p. 228).

Garden clubs, Young Republicans, stamp collectors, gamers, the KKK, and local religious groups should all be able to schedule such space on an equal footing. The only option would be to close the space to public use (Mach, 2006).

At least this has been the case until recently. In a December 2006 decision, the Ninth United States Circuit Court of Appeals in San Francisco ruled that Faith Center Church Evangelistic Ministries’ request to hold a worship service in a public meeting room in Contra Costa County’s Antioch library would violate the establishment clause of the first amendment. While rulings in several previous cases in other circuits involving public space in both public schools and public libraries have found that the free speech rather than the establishment clause applied in such cases, the Supreme Court refused to hear this case letting stand the Ninth Circuit’s decision. Thus, the constitutionality of religious groups using library meeting rooms for worship is now less certain (Egelko, 2006, p. B3).

The key factor in the Ninth Circuit’s decision was the use of the room in question for worship and the fact that the religious group specifically requested the room for that purpose. Other uses by religious groups, such as business meetings, prayer, or study, were not prohibited. It should also be noted that the Court did not rule that libraries should or must prohibit worship -- only that they could (Caldwell-Stone, 2007). In addition the Ninth Circuit’s decision is only binding within that Circuit which includes California, Oregon, Washington,

Arizona, Montana, Idaho, Nevada, Alaska, Hawaii, Guam and the Northern Mariana Islands.

Just to make things really interesting in *Citizens for Community Values, Inc. V. Upper Arlington Public Library Board of Trustees* a federal district court in the Southern District of Ohio ruled that a library could not prohibit a group from using a meeting room for worship that was otherwise available to community groups (Caldwell-Stone, 2008). Lastly, in a second Contra Costa case the United States District Court ruled on June 19, 2009 that, while the library in theory could ban worship, in practice its policy unconstitutionally entangled government in determining what constituted worship (Landgraf, 2009). Therefore, the American Library Association’s Office for Intellectual Freedom recommendation is that only time, place and manner restrictions for library meeting rooms remain the best (and safest) practice (Caldwell-Stone, 2007).

Exhibits raise similar issues. They are also a form of limited public forum – if the public is allowed to use the space. If any community groups are allowed to mount exhibits, all groups must be given equal access including religious groups. The recent Ninth Circuit decision is unlikely to be relevant for exhibits since it is rather difficult to imagine how an exhibit could be considered worship. The content of exhibits are subject to the same time, place and manner restrictions as meeting rooms. If the library itself mounts exhibits, it may run into legal difficulties over religious displays if those displays are celebratory rather than educational, if only selected traditions are represented, or if non-religious or anti-religious groups are excluded.

Literature distribution and bulletin boards also present challenges similar to community sponsored exhibits. Donated literature cannot be restricted based solely on its content though the time, place and manner most definitely can be used. For instance, a specific table or board in the lobby might be designated for distribution or posting along with rules for quantity, organization, frequency and cleanup.

Subject Headings and Labeling

Librarians organize, describe and display information in its many physical and virtual formats (e.g., books, serials, CDs, DVDs, microforms, documents, web pages, and ephemera) to facilitate user access to it. However, these same activities can create barriers to access when they discourage users by pre-judging content. For example, one only need reread Sandy Berman’s work on prejudicial subject headings to understand how easy it is to perpetuate injustice through the choice of descriptive terms (e.g., race, ethnicity, gender and religion)

(Berman, 1971). With the almost universal adoption of shared cataloging data, the elimination of prejudicial labeling in the form of subject headings has become a concern of the larger profession rather than the local public library cataloger.

Please note the difference between pre-judging the content of a publication and evaluating the presentation of that content. Book reviews, recommended reading lists and lists of award winners are one thing. Stereotyping and prejudicial labeling are another -- though the distinction may sometimes be subtle.

The local preparation of pathfinders and web pages and the development of labeling schemes (both textual and graphic) to guide users to resources of interest without prejudging the material or the user is another example of this drive to describe. Some of the less controversial labeling systems for fiction in wide use today are those employing genre headings such as "Westerns," "Mysteries," "Science Fiction," or "Romances."

However, the wide spread introduction of the label "Christian Fiction" has created quite a stir. "Christian Fiction" is certainly the preferred label by authors who write in this genre -- mostly conservative Evangelical Protestant Christians. On the other hand, there is a great deal of modern fiction that addresses Christian themes written by other Protestant, Catholic and Orthodox Christians (even by unaffiliated Agnostics or by Atheists) that are not so labeled. Some claim that the generic label "Christian" has been preempted by only a portion of the Christian community. On the other hand, some Protestant, Catholic or Orthodox authors object to being included under the label as recently used. If one persists in using such a label, in the interest of equitable treatment there remains the issue of finding suitable labels for other religions. Some libraries have taken an alternate approach and now use the label "Inspirational Fiction" to categorize all such material regardless of specific religious content -- or lack thereof.

Even more problematic is the use of graphic symbols. While a cowpoke's ten gallon hat might be innocuous for "Westerns," religious symbols (e.g., crescent moon, star of David or cross) could be problematic. Some consider the use of such symbols a violation of church-state separation. Some groups find them to be offensive. Simple color coding for various specialized collections keyed to a more nuanced guide to categories reduces (if not eliminates) most objections to one or two word, overly simplistic labels (Ralph and LaRue, 2005).

"Labels and rating systems: an interpretation of the *Library Bill of Rights*," recently revised, provides a helpful distinction between directional and prejudicial labels. It states that "Labels on library materials may be viewpoint-neutral

directional aids designed to save the time of users, or they may be attempts to prejudice or discourage users or restrict their access to materials. When labeling is an attempt to prejudice attitudes, it is a censor's tool (ALA, 2010, pp.155)."

If nothing else, the desire to provide guidance to religious fiction and other religious materials requires librarians to educate themselves as to the appropriate, non-prejudicial language employed and appreciated by the various religious groups which fill the American landscape. For instance, how many librarians know that Islam is the religion, that its adherents are Muslims but that its beliefs and practices are Islamic -- or that the adjective "Mohammedan" is highly offensive to Muslims?

Personnel and Patron Issues

The focus of intellectual freedom in public libraries is the right of users to exercise their first amendment rights to receive information. However, occasionally issues will arise involving library employee or library patron free speech rights to self-expression or freedom of religious practice.

These issues might involve anything from persons wearing modest symbols of their faith (such as a cross, crucifix, or star of David), to persons who insist on proselytizing on company time, to the enforcement of a dress code for library staff or users (for example, prayer coverings such as kippahs or head scarves) (Whitehead, 1995, pp. 31-32). They could even include a patron who refuses to be served by a specified gender because his or her religion forbids cross gender contact or a reference librarian who conscientiously objects to providing information on abortion because it contradicts a basic moral teaching of his or her faith.

With regard to claims of conscientious objection to providing information on objectionable topics, as a conscientious objector to participation in all war, this author notes a significant difference between the two positions. In the case of conscientious objection to providing information which one holds to be immoral, one is making one's objection after having accepted employment by an organization one of whose core values is intellectual freedom. The library's very purpose is to provide its users with access to all of the constitutionally protected speech it possesses regardless of the personal views of its employees.

A more relevant parallel to this situation is the person who has already joined the military and only afterward becomes a conscientious objector to participation in all war. In good conscience, he or she can claim conscientious objector status and, if not granted, refuse further participation if prepared to

take the consequences. Library employees are under no legal compulsion to seek, accept or continue to be employed in a job whose conditions they find morally objectionable. They always have the option of seeking other employment. They are not being forced to continue employment in a job which violates their conscience. A claim of conscientious objection in such a case stands the principle on its head.

If only the resolution of other such issues were this simple. They often involve a conflict among first amendment rights of expression, employer rights and employee obligations and are frequently regulated by municipal ordinances or state legislation. While employees do not lose all first amendment protections while on the job, neither are libraries as employers obligated to accommodate all employee or patron expressive behaviors. Conflicts rise between the expression of religious convictions and the right to be free of harassment in the workplace.

The law offers no clear resolution to this conflict. Such cases show a chronic tension between competing interests – the rights of employees to express their religious beliefs and yet be free from discrimination in the workplace. Two recent commentators note that the courts have largely ignored the “uniquely significant tension in religious harassment, treating all types of harassment identically (Minow, 2003, p. 312).”

Unlike the principled defense of the purchase and retention of library materials or the advocacy of diverse collections, patron and personnel issues are often more effectively addressed by creative conflict transformation rather than by an appeal to the courts. Employee and supervisor training and clearly written and enforced harassment policies are crucial in order to minimize potential workplace disruptions and protect the competing rights of all involved (Montgomery and Cook, 2005, pp. 66-67).

Given the incredibly rich diversity of religious traditions now represented in America it behooves all public library employees and especially those in contact with the public to familiarize themselves with the beliefs, practices and customs of the groups present in their communities. The more aware they are of potential sensitivities, the more open minded they can remain and the more non-judgmental they can appear, the more prepared they will be to avoid unnecessary conflicts of first amendment rights (Gouker, 1987). If they are building collections with diverse religious resources, they should have the resources on hand to meet this challenge (Archer, 2005, 2008).

Conclusion

Determining the appropriate place of religion in the American public libraries is a serious and growing challenge. Meeting that challenge can mean better service for all. To that end the American Library Association’s Intellectual Freedom Committee recently developed a “Q & A” on religion in American libraries (American, 2010).

Libraries with genuinely diverse and inclusive collections and services provide their users with the opportunity to inform themselves about their own traditions and that of their neighbors – near and far. If they choose, they may learn about the beliefs and experiences which drive the actions of their friends and enemies past, present and future. Such a better informed society can only be a good thing for the republic.

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Supplementary Document Religion in American Libraries, a Q & A

By American Library Association

Introduction

It has often been said that there are three topics that one does not discuss over dinner: sex, politics and religion. These are three of the most personal, deeply felt and highly charged of human concerns. It should come as no surprise that they are often at the heart of library controversies. Recently, religion has become the explicit focus of several court cases involving libraries.

This Q & A provides guidance to libraries and librarians in protecting First Amendment rights to five freedoms: freedom of the press, speech, petition, assembly and religion. Courts have consistently held that for freedom of the press and speech to be meaningful, people must have the right to receive information: that is, to read, view, hear or access what they choose. In addition, the freedom of (and for) religion has been understood to include both the right of individuals to believe and practice their religion (the “free exercise” clause) and the right of individuals and the state to be free from religion (the “establishment” clause).

In most cases involving religion and libraries, these latter freedoms of, for and from religion are not at issue. Rather, the constitutional principles at stake are usually freedom of expression and the corollary freedom to access the expression of others. For instance, most challenges to materials with religious content infringe on the rights of persons to access constitutionally protected speech rather than limit the practice of religion or one's beliefs. However, sometimes the religion clauses may conflict with each other or with other First Amendment rights (e.g., in the use of meeting rooms or exhibit cases by religious groups, the distribution of religious literature and attempts to proselytize by patrons or staff). This Q & A will also address the most common of these conflicts.

For the purpose of this Q & A “religion” refers to all that touches on the ultimate—God, the gods, or one's understanding of the ultimate foundation of life. It includes formal organized systems of belief and practice and informal individual

spiritualities. It also refers to adherents of older religions (e.g., the major world religions), newer religions (e.g., those designated cults by some) and no religion (e.g., agnostics and atheists). Lastly, while this Q & A is most clearly applicable to public libraries, it should in most cases be appropriate for school and academic libraries. Private libraries, especially those associated with religious institutions, may apply these guidelines as appropriate in conformity with their institutional mission.

Collections

What types of religious materials may libraries buy for their collections?

Librarians have a professional responsibility to be inclusive rather than exclusive in collection development. Libraries serve all members of their communities and within their budgetary constraints should address all information concerns of all members—including religious information needs. Collections should reflect those needs by providing access to diverse religious thought without becoming a proponent of any of them. Articles I and II of the *Library Bill of Rights* are clearly inclusive regarding audience (“all people of the community the library serves”) and materials (“all points of view on current and historical issues”). For additional information, see “[Diversity in Collection Development: An Interpretation of the Library Bill of Rights.](#)”

May libraries collect religious fiction?

Yes. Collection development and materials selection should be done according to standards set forth in library policy that are tailored to the community that the library serves. These may include: contemporary significance or permanent value, community interest and/or demand, artistic and literary excellence, cost and format. Religious fiction is not easily classified despite attempts to define genres such as Christian Fiction and Inspirational Fiction. Nevertheless, excluding religious fiction would be a violation of the *Library of Rights*: “Materi-

als should not be excluded because of origin, background, or views of those contributing to their creation. Librarians should distinguish between providing access to religious fiction and the appearance of supporting or endorsing a particular religious belief.

May libraries label religious materials in their collections and, if so, what kinds of labels are appropriate?

Yes, but some considerations are necessary. People of all persuasions and traditions have sincere, heartfelt concerns when their government in the form of a public library addresses religious issues. As long as the selection of materials to be labeled is inclusive of all such persuasions and traditions and the labels used are viewpoint-neutral directional aids and not pejorative, this practice would not violate the *Library Bill of Rights*.

This practice of applying specific religious symbols to materials—such as using a cross to label Christian fiction—violates the establishment clause of the First Amendment and the *Library Bill of Rights*. Some libraries seek to avoid entanglement with religion by instead using a non faith-specific label to identify “inspirational fiction,” including material that does not have religious-based content. For additional information, see [“Labeling and Rating Systems: An Interpretation of the Library Bill of Rights”](#) and [“Questions and Answers on Labeling and Rating Systems.”](#)

What practical advice can be given for writing collection development policies for materials about religion?

Collection development policies should reflect the goals and objectives of the library as set forth in its mission statement and incorporate professional standards established in the *Library Bill of Rights* and *Code of Ethics of the American Library Association*. The policy may include a reference to the role of the library as a limited public forum providing access to the marketplace of ideas. For example, the library provides free access to different points of views and ideas. Collection development shall be content-neutral so that the library reflects a diversity of ideas including controversial points of view.

Are religious websites different or special?

No. Library users have the right to access any and all constitutionally protected speech, including religious speech. Religious content is no more or less protected than any other type of speech. If guides to websites are developed by the library,

they should follow principles similar to those used in preparing guides for print collections.

Meeting Rooms

Should library policy allow religious groups to use library meeting rooms?

Yes. Courts have consistently held that libraries may not exclude religious groups from their meeting rooms solely because the group is religious in character or because the meeting may include religious activities. Many precedents exist for the use of public facilities (e.g., school auditoriums or park pavilions) by all types of community groups, including religious groups for religious purposes. Courts that have considered the question have consistently held that libraries are limited public forums for the receipt of information. In turn libraries may designate areas within their facilities as limited public forums for community use in the exchange of information and may create rules for their use. As with collections, these rules should be content-neutral and address only behavioral restrictions (time, place and manner). Consistency is crucial: all groups should be treated the same and subject to the same rules, such as rental fees, frequency restrictions, noise policies or food bans.

What if a religious group wants to collect money as part of their meeting?

The same policies regarding money should apply to all groups. If nonprofit groups are allowed to collect membership dues during meetings, then religious groups may collect an offering. If no group may collect money for any purpose while using a library meeting room, then collecting an offering should not be permitted.

Should food and beverages, including sacramental items, be permitted?

Again, the same policies about food and beverages should apply to all groups. If alcohol is not permitted for any group, then the use of sacramental wine would not be allowed; however, it would be wise to avoid rules that, even though unintentional, privilege one religion over another. For instance, the Catholic Mass and the Jewish Seder include the use of wine while many but not all Protestant groups use grape juice in their observance of the Eucharist. Any fees related to cleaning services should apply equally.

May libraries prohibit worship services?

The safest course of action is to provide the same access and apply the same rules of use (time, place and manner) to all community groups. No court has ever ruled that a library must exclude religious groups or religious worship. Only one case has addressed the “worship & lquo; question. In Faith Center Church Evangelistic Ministries v. Glover, the Ninth Circuit Court of Appeals held that the Contra Costa, California, library could exclude worship services from its meeting rooms when a group self-identified its meeting as a worship service.

¹ In doing so, the Ninth Circuit cautioned that the library could not prohibit groups from engaging in other religious activities, including reading, Bible discussions, Bible instruction, praying, singing, sharing testimony, and discussing political or social issues. The Ninth Circuit then asked the trial court to determine if Contra Costa could apply its policy without violating the Establishment Clause by requiring library staff to decide whether a particular religious activity was worship. On remand the trial court ruled that Contra Costa's policy required library staff to determine whether the proposed use of the meeting room constituted a worship service, a violation of the Establishment Clause. The trial court permanently enjoined the Contra Costa library from enforcing its ban on worship services. For additional information, see Deborah Caldwell-Stone, [“Supreme Court Refuses To Review Library Meeting Room Policy Denying Access to Groups Conducting Religious Worship”](#) and [“Court Prohibits Library’s Practice of Prohibiting Religious Activities In Meeting Rooms.”](#)

Is a hymn sing permissible?

All groups should be subject to the same policies regarding noise. For instance, if a meeting room were soundproofed, there would be no reason to prohibit a hymn sing or, for that matter, a workshop for local rock music percussionists.

What should be considered when drafting a meeting room policy?

- In general, the following areas should be covered:
- Restrictions on length of meetings
- Frequency of using a room (e.g., no more than once a week/month)
- Rental fees for room or use of equipment
- Costs for cleaning if food or beverages are allowed
- Noise policies
- Consequences of not following policies
- An appeals procedure

Above all, policies should be applied equally to all groups.

Exhibits and Displays

Should religious groups be allowed to use library exhibit or display space?

Libraries are not required to open display or exhibit space to community groups. If libraries choose to open their exhibit and display space to community groups, space should be provided on an equitable basis to all groups that request it, regardless of the beliefs or affiliations of individuals or groups requesting their use. A library may wish to consider the amount of such space and its location when deciding whether to open it to community groups. Article II of the *Library Bill of Rights* states, “Materials should not be excluded because of the origin, background, or views of those contributing to their creation” and “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” For additional details, see &lquo; “Exhibit Spaces and Bulletin Boards: An Interpretation of the Library Bill of Rights.”

What practical advice can be given for writing exhibit or display space policies?

[“Exhibit Spaces and Bulletin Boards: An Interpretation of the Library Bill of Rights”](#) states:

Written policies for exhibit space use should be stated in inclusive rather than exclusive terms. For example, a policy that the library's exhibit space is open “to organizations engaged in educational, cultural, intellectual, or charitable activities” is an inclusive statement of the limited uses of the exhibit space. This defined limitation would permit religious groups to use the exhibit space because they engage in intellectual activities, but would exclude most commercial uses of the exhibit space.

- Some of the considerations that may be included in writing policies are:
- Rules or guidelines of the governing body (school board, library trustees, etc.)
- How often a group may use display or exhibit space
- The length of time for a display
- The kind of materials that may be displayed and any limits on the library’s liability
- Whether the library will require or give priority to display requests that highlight the library collection(s)
- Whether the library will require or give priority to display requests that are aimed at the library’s primary constituency

- Whether the library will allow notices soliciting funds, announcing meeting times, or giving contact information for the sponsoring group
- Whether to require that displays be viewpoint-neutral, educational, or informative
- Whether to prohibit single-holiday displays (allowing displays of all holidays or observations of the season or of the month) and
- Giving the library the right to refuse displays and providing due process for appeals of decisions.

Literature Distribution

Should the library allow religious groups to distribute religious literature in community distribution space?

If the library provides space for community groups to leave literature, religious groups should be allowed to do so on an equitable basis to all groups that use this space, regardless of the beliefs or affiliations of individuals or groups leaving such literature.

Policies covering the number of individual items of literature, the size and definition of such items and the length of time that items will be left out for distribution should be considered.

Accommodating Religious Beliefs

The issues addressed so far (collections, meeting room, exhibits and literature distribution) are all related to the primary purpose of libraries, to serve as a limited public forum for the receipt of information. The key word here is “receipt.” Libraries provide space where people may read, view, listen to or otherwise access information or expression of interest to them.

Libraries are not traditional public forums for expressive behavior by patrons or employees except when libraries explicitly designate space for the exchange of information such as meeting rooms or exhibit cases. The following questions are related to the religious views that patrons and employees bring with them into the library. Because of this context they are more community relations and employment issues rather than intellectual freedom issues.

A. Patron Religious Beliefs

What accommodations should librarians make for religious beliefs of patrons?

While libraries and librarians should respect the diverse

religious traditions of their communities, libraries exist to serve the information needs of all users in their communities. Library policies should be applied equally to shelving of religious books, service to patrons, or access to religious web sites as they would be to any other shelving, service or web access. In addition privileging one religious tradition over others could violate the establishment clause of the First Amendment.

What about religious dress and symbols?

Dress codes for patrons, if a library has one at all, should be limited to maintaining public health and safety.

What about special shelving requests for scriptures and other religious materials?

Placing specific materials on shelves according to religious point of view or status within a given faith community rather than according to the cataloging system used in the library can make it difficult for users to locate such materials. It would be a violation of the *Library Bill of Rights* to give special treatment to a specific sacred text or to limit access to such a text. It is appropriate to add additional titles or versions of a text to the collection to meet community needs or interest but not to remove or sequester them. The scriptures or religious materials of all religions should be treated equitably.

Attempting to accommodate competing and quite possibly conflicting demands for special shelving for specific items may be impossible given physical constraints. On the other hand, if a library sets aside tables or shelves for specialized materials or purposes such as atlases, directories, college guides, dictionaries or local history, it would be appropriate to set aside shelving for scripture, as long as all scriptures are treated equally, including texts that occupy a similar status among other groups (*e.g., The Humanist Manifesto II*).

How about gender relations?

Generally, library staff members should serve both men and women equally regardless of gender. For example, if a person comes to the reference desk with a highly personal question of a sexual nature (health, birth control, rape, etc.) and expresses a desire to talk with a person of the same gender, libraries may accommodate special requests but are not required to do so.

Patrons are always free to seek or not seek service from any staff person they wish.

B. Employee Religious Beliefs

What accommodations should libraries make for the religious beliefs of employees?

Employee rights to self expression including religious expression are more restricted than those of the general public for the simple reason that they are employed for a purpose. The workplace is not a public forum for the unfettered expression of one's views. For additional guidance, see ALA Policy 53.1.12 and "[Questions & Answers on Speech in the Workplace.](#)"

What are the library's responsibilities in accommodating employee religious observances?

As a general rule, employers should accommodate employee religious observance when it does not substantially interfere with the library's mission of providing access to information to the public. Such accommodations should be equitable for all religions. Informal accommodation among staff (e.g., trading coverage of service points on holidays) is one approach.

What limits should/may libraries place on the wearing of religious symbols by employees?

Libraries are limited public forums for the receipt of information *by the public*, not for speech *by employees*. Employers may regulate employee speech including symbolic speech that interferes with the mission of the library. In general, the wearing of modest symbols or statements of one's belief (religious, political, etc.) may be permitted. However, if the display of such expressions interferes with the library's mission, all such expressions should be banned regardless of expressive content (e.g., no religious or political jewelry, message buttons, or message t-shirts).

Can employees proselytize or witness to personal beliefs?

One employee's personal expression can easily become another person's harassment. Employees should respect each other's freedom to practice their religions and to be free from the religion of others. Failure to respect the wishes of coworkers can result in charges of harassment for the individual. Failure to respect and deal with claims of harassment by an employee can result in charges of fostering a hostile work environment for the library. Once again, libraries should be careful to avoid favoring one religion over another. In the workplace, people are free to believe as they want but their behavior, including speech (even religious speech), may be regulated. For

additional information, see Karen Sutherland, "[Freedom of Speech in the Workplace: The First Amendment Revisited](#)" or Eugene Volokh, "[Freedom of Speech vs. Workplace Harassment Law—A Growing Conflict](#)" or "[The Free Speech/Workplace Collision.](#)"

Can libraries establish dress codes for employees?

Dress codes for employees, if a library has one at all, should be limited to maintaining public health and safety and the ability of the library to execute its mission. Therefore, the library should have a substantial mission-related reason for any dress restrictions. For instance, it is hard to imagine a mission-related rationale for banning such religiously sanctioned apparel as yarmulkes, veils, head-coverings, shawls or burqas that is not rooted in cultural or religious prejudice.

Can an employee refuse to answer questions on the basis of individual conscience?

No. Article VII of ALA's [Code of Ethics](#) states that: "We distinguish between our personal convictions and professional duties and do not allow our personal beliefs to interfere with fair representation of the aims of our institutions or the provision of access to their information resources."

There is no valid parallel between claims of individual conscience and "conscientious objection" to military service. Enlistment or commissioning is voluntary; once in, military service is compulsory. The conscientious objector's claim is that he or she cannot perform his or her duties in good conscience and should be released from them. If a library employee claims conscientious objector status, she or he is free to seek other employment if unable in good conscience to continue to perform her or his primary responsibility of meeting the information needs of the public. For additional information, see "[Guidelines on Religious Exercise and Religious Expression in the Federal Workplace.](#)"

¹Decisions of the Ninth Circuit Court of Appeals apply only to states within the Ninth Circuit [California, Oregon, Washington, Arizona, Montana, Idaho, Nevada, Alaska, Hawaii, Guam and the Northern Mariana Islands]

Access this document at: <http://www.ala.org/offices/oif/statementspols/otherpolicies/religionqanda>

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The Freedom to Read Statement

By American Library Association &
Association of American Publishers

The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions

1. *It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.*

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We

need to know not only what we believe but why we believe it.

2. *Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.*

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

3. *It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.*

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

4. *There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.*

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ, and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

5. *It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.*

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

6. *It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.*

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

7. *It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.*

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

<http://www.ala.org/offices/oif/statementspols/ftstatement/freedomreadstatement>

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

A Joint Statement by:

[American Library Association](#)
[Association of American Publishers](#)

Subsequently endorsed by:

[American Booksellers Foundation for Free Expression](#)
[The Association of American University Presses, Inc.](#)
[The Children's Book Council](#)
[Freedom to Read Foundation](#)
[National Association of College Stores](#)
[National Coalition Against Censorship](#)
[National Council of Teachers of English](#)
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Library Bill of Rights

By American Library Association

<http://www.ala.org/advocacy/intfreedom/librarybill/>

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries that make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

A history of the Library Bill of Rights is found in the latest edition of the *Intellectual Freedom Manual*.

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Indiana Libraries

Submission Guidelines

Indiana Libraries is a professional journal for librarians and school library educators published by the Indiana Library Federation. The journal is published at least twice a year, often with one issue per year focusing on a special issue.

Practitioners, educators, and researchers are invited to submit manuscripts for publication. Manuscripts may concern a current practice, policy or general aspect of the operation of a library system in Indiana.

For more information and to discuss ideas for article topics, or to discuss guest editing a special theme issue, contact the Indiana Libraries editor:

Editor, Kristi Palmer
IUPUI University Library
755 W. Michigan
Indianapolis, IN 46202
Work Phone: (317) 274-8230
E-mail: kpalmer@iupui.edu

Instructions to Authors

Submissions: **Submission to *Indiana Libraries* is a fully digital process. Authors register with the *Indiana Libraries* journal website and submit all materials (manuscript, photographs, and any other supplemental files) through the online journal management system.** Step-by-step directions on the submission process as well as other guides on interacting with the journal management system are available at: <http://www.indianalibrariesjournal.org>

Style: Manuscripts should follow the American Psychological Association (APA) guide for in-text citations and reference lists. The current edition of the APA manual is the 6th. Online information about using the APA Manual is available at <http://www.apastyle.org/> with additional examples at: <http://owl.english.purdue.edu/owl/resource/560/02/>.

Text Format: Articles should be double-spaced with one-inch margins on all sides. Font should be twelve-point Times New Roman. Pages should be unnumbered. Word (.doc) are preferred.

Content: Manuscripts may concern a current practice, policy or general aspect of the operation of a library system in Indiana. Manuscripts should be original and not published elsewhere (unless otherwise permitted by the Editor or Guest Editor). Authors are responsible for the accuracy of all materials including quotations, references, etc.

Length: Articles of any length may be submitted to the editor for publication.

Charts and Graphs: If including charts or graphs the author may opt to use the inline, word processor chart/graph tool and include the charts/graphs in the main manuscript. Alternatively the author may opt to upload the charts/graphs (typically when charts/graphs is an image file) separately as a supplementary file during the submission process.

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Rights: You will be asked to digitally accept a rights agreement during the submission process. The main points of the agreement are as follows: 1. The author retains all copyright, 2. The author grants the publisher the right to freely distribute the work in various formats. The full agreement is available at: <http://journals.iupui.edu/index.php/IndianaLibraries/about/submissions#copyrightNotice>

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During the submission process the author will be required to provide the following information:

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2. Name and e-mail of author(s)
3. Author(s) institutional affiliation
4. Abstract
5. Keywords describing article

Optional information requested includes:

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Process: Manuscripts will be acknowledged by the Editor within fourteen working days of receipt. Decisions concerning publication will be made within thirty days of receipt. The Editor reserves the right to revise all accepted manuscripts for clarity and style. Authors will have seven days to respond to Editor recommended revisions. Article edits not responded to within seven days will be published as revised by the Editor.