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Irreconcilable allegiances : national security versus intellectual freedom

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IRRECONCILABLE ALLEGIANCES: NATIONAL
SECURITY VERSUS INTELLECTUAL FREEDOM

A Thesis

Presented to

The Faculty of the School of Library and Information Science

San Jose State University

In Partial Fulfillment

of the Requirements for the Degree of

Master of Library and Information Science

by

T. Elizabeth Edwards

May 2004

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ABSTRACT

IRRECONCILABLE ALLEGIANCES: NATIONAL SECURITY VERSUS INTELLECTUAL FREEDOM

by T. Elizabeth Edwards

Intellectual freedom is a core value of American librarianship, but it was still a fairly new concept when libraries were confronted during the Cold War by attempts to control and restrict access to information due to concerns over national security. Contemporary libraries are also facing threats to information access in the aftermath of the September 11, 2001 terrorist attacks and the current War on Terrorism. This paper reviews and compares the reactions of librarians to infringing behavior for both periods by examining the professional literature of the time to find how widespread and how strong support for intellectual freedom has been within the profession.

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Chapter 1

INTRODUCTION

The usual interpretation of [book selection policies]—no censorship of reading materials—keeps open important channels for one of the enemy’s important weapons of warfare, propaganda. For months I have thought of the incompatibility of this library policy with my obligation as an American citizen and with the obligation of the institution I represent which is a part of the government itself. No American librarian I am sure would ever admit that his profession and his citizenship involved him in irreconcilable allegiances (Ralph A. Ulveling as cited in ALA Committee on Intellectual Freedom, 1951, p. 346).

Library workers, like other professions, have multiple sets of values that influence their work and their attitudes towards librarianship. Examples of these values include:

- Personal values – work ethic, religious beliefs, competencies and ambitions
- Professional values –dedication to service and support for intellectual freedom, from the American Library Association’s Code of Ethics [see Appendix A for the wording of the Code of Ethics.]
- Organizational values – the values and mission(s) of the employer
- Cultural/societal values – cultural attitudes, political ideology, patriotism

Some of these values may conflict with others. A librarian with strong religious values may feel uncomfortable providing access to materials that portray atheistic values; likewise, a librarian may find the collection development policy of his or her employer to be too restrictive, even though the policy was created in response to the demographic and

cultural profile of the community served by the library. A major source of disagreement between professional and cultural values comes from potential and actual conflicts between intellectual freedom and patriotism, specifically national security. This paper will focus on the conflict between intellectual freedom and national security with a review of the professional literature regarding both concepts and how each influenced the other since the conclusion of World War II. Following the review of the literature is a comparative evaluation of librarian-oriented information sources (print and electronic) to gauge the reactions of librarians in the past and present to these conflicts between intellectual freedom and national security.

Intellectual Freedom -- Origins

The right to access information – to freely choose what to read and not have that choice limited by the state – is considered an integral part of the freedom of expression, as described in the First Amendment to the U.S. Constitution. The role of librarians in the United States—to not only help patrons find information, but also to protect the right of patrons to seek out and acquire information—is a relatively new and controversial one. Intellectual freedom, even in the minds of its most staunch defenders, is not an absolute. Judith Krug (2002) points out that intellectual freedom is not a static concept within librarianship; there is no single institutional definition that can be articulated to cover all historical periods and all areas of controversy regarding information access. The American Library Association (ALA) has no all-encompassing description of the term. Moreover,

Krug argues that the notion of “intellectual freedom as a major, if not the major, part of the foundation of library service in the United States” is a myth (p. 3).

Prior to the 1920s, many librarians actively and proudly considered themselves gatekeepers who kept “bad books” off the shelves of their libraries, whether the books so categorized were considered immoral, salacious or politically disloyal/subversive (Boyer, 2002, pp. 31-32). It was not until the 1920s that ALA began to entertain (but not act upon) proposals to investigate censorship efforts (Krug, 2002, p. 5). However, only a small minority of librarians was willing to publicly criticize the censorship of the era. At the 1923 ALA Conference, librarian Mary Rothrock rebutted the then-dominant ideology of librarians, saying that they “should not consider it part of their duty to exclude books ‘on the grounds of their possible moral effect on mature readers,’” and that “librarians should concentrate on ‘bringing to all the people the books that belong to them’” (Boyer, p.115).

The concept that the core professional value of librarianship is that of enhancing access to all material, not protecting vulnerable patrons from unworthy books, authors or ideas was furthered through the work of Indian librarian and theoretician S.R. Ranganathan. Ranganathan put forward what are commonly known as the 5 Laws of Library Science:

- 1) Books are for use
- 2) Books are for all
- 3) Every book its reader
- 4) Save the time of the reader

5) The library is a growing organism (Rubin, 2000, pp. 250-253)

Nonetheless, the notion of intellectual freedom as we currently understand it (access to information, without restriction based on subject matter, tone, format or type of audience) is, at best, vaguely implicit in Ranganathan's call for a re-orientation of professional values. By the end of 1930s, however, ALA took the first step in codifying intellectual freedom in its initial version of the Library Bill of Rights, taken from the Des Moines Public Library's "Bill of Rights for the Free Public Library (1938)" and endorsed by ALA's Council in 1939 (Robbins, 1996, p.11-14). [See Appendix A for Library Bill of Rights (1939).]

In 1948, ALA revised the Library Bill of Rights to encourage librarians to take a pro-active stance against censorship (Robbins, 1996, p.35-36). [See Appendix A for Revised Library Bill of Rights (1948).] The 1948 revision specifically calls upon libraries to challenge attempts to censor materials and encourages librarians to work with publishers and others to preserve access to information.

Aid or Comfort to the Enemy – National Security Concerns and Information Management

Libraries are directly and immediately involved in the conflict which divides our world, and for two reasons: first, because they are essential to the functioning of a democratic society; second, because the contemporary conflict touches the integrity of scholarship, the freedom of the mind, and even the survival of culture, and libraries are the great repositories of culture, and the great symbols of the freedom of the mind (Franklin D. Roosevelt as cited in Becker, 2003, p.54).

According to Relyea (2002), the operating principle of national security as we currently understand it is nearly as recent and amorphous as intellectual freedom. While there are references to national security in eighteenth- and nineteenth-century political works, it developed legislative and executive cachet in the late 1910s (during World War I) and gained prominence during and after World War II (p. 214).

Relyea identifies national security as an “information restriction concept” (2002, p. 217) that shields government information from public scrutiny (p. 216). The question of who in government defines what information is within the limits of national security (and thus should be restricted in some fashion) and what should be freely accessible is historically a contentious one. It has yet to be solved to the complete satisfaction of all interested parties (the Executive and Congressional branches, governmental watchdogs and the public at large).

Information management within the context of national security generally has at least four aspects:

- 1) The restriction/control of what information is accessible – such as the classification of documents as “secret” or “top secret”
- 2) The implementation of standards to control how information is accessed – one example is the guidelines for Freedom of Information Act (FOIA) requests (see

the Freedom of Information Act Guide, May 2002 PROCEDURAL REQUIREMENTS [<http://www.usdoj.gov/oip/procereq.htm>])

- 3) Restrictions on who can access information – for example, security clearance requirements
- 4) Restrictions on who can distribute or disseminate information – security clearance requirements, as well as non-disclosure agreements for disseminators

There are formal and informal channels for restricting access to information that is perceived as affecting national security. Governmental intervention is formal; information restriction is usually codified in law, with set guidelines for implementation, review and possible appeal. Governmental intervention on the basis of national security during the Cold War occurred at all three levels of American government:

- Federal agencies in the executive and legislative branches, including the House Un-American Activities Committee, as well as individuals within the federal government (such as Sen. Joseph McCarthy)
- State agencies – executive and legislative branches, as well as systems under state control, such as public university systems (e.g. the University of California system)
- Local/municipal agencies -- city officials, legislative boards and library board of trustees (in most cases)

At the start of the Cold War, information restrictions initially started at the federal level, and cascaded down to state and local levels. States and localities also took

inspiration from each other in drafting and implementing new information restrictions. For instance, Truman's Executive Order 9835 – establishing a loyalty program for federal employees – only applied to those employed within executive agencies. However, the Library of Congress voluntarily submitted its workers to this requirement and states from California to Maryland began passing their own laws requiring loyalty oaths by state employees, including professors, teachers and librarians.

The increasing call for information restriction was not limited to governmental authorities. The actions of government, sometimes regardless of what level, often encouraged efforts towards restrictions (again for the sake of “national security”) by means of political intervention by non-state actors. Such political intervention by non-governmental groups and individuals—such as the American Legion, Sons/Daughters of the American Revolution, and local anti-Communist groups—happened routinely, and pressure was applied directly on information access points (such as direct appeals to library staff to remove or restrict material), or on a governmental body to formally enact the desired restriction. Throughout the twentieth century, libraries were subject to both types of intervention.

Libraries, War and Propaganda

During both World Wars, American librarians often cooperated fully with the U.S. government information demands. Wayne Wiegand (1989) points out that ALA lobbied

the government to use libraries as information and propaganda centers. Prior to the U.S. entry into World War I, libraries accepted materials from sympathizers of both the Axis (particularly German) and Allied powers. But once the U.S. became an Allied power, librarians were pressured to remove pro-German books and pamphlets from the shelves; many acquiesced. When the Army issued an index of material not to be sent to military training camps, on the grounds that the disputed books were considered pro-German and subversive to the war effort, ALA followed the directives of the list; moreover, librarians began using the Army Index to deselect books for general library collections (p.100-101). Wiegand indicates that librarians were just as swept up and victimized by pro-war, anti-German 'hysteria' as the rest of the population. Librarian M. Louise Hunt was harassed and forced to resign her position when it became known that she refused to buy war bonds; publisher R.K. Bowker was booed at an ALA event when he voiced a wish for the return of music by German composers to public performance; some library staff with German-sounding surnames anglicized their names with the support of their supervisors, while those who did not complained of harassment and professional ostracism (p.55-59).

Librarians (along with ALA) were equally conscious of displaying their patriotism in World War II. Becker (2003) recounts the willingness of ALA to comply with the wartime demands of government:

In the fall of 1942, Secretary of War Henry Stimson told ALA to order libraries to remove books on "explosives, secret inks, and ciphers" from open shelves and to prohibit their circulation. Furthermore, Stimson wanted librarians to give the FBI the names of anyone requesting information on these topics.

ALA forwarded Stimson's order to 187 libraries it thought most likely to contain such material. Some librarians eagerly complied, but others questioned the order, usually on practical grounds. Librarians not notified complained about being left out Despite operational difficulties, the order remained officially in effect until after the war (p.55).

The government altered its information policy during the war, producing and publishing much less information and the publications produced were more heavily classified and restricted than in pre-war years. According to Becker (2003), library collections of government material suffered; nonetheless, ALA strongly lobbied the government to use libraries as dissemination points for pro-Allied propaganda. Additionally, the Office of Facts and Figures approached librarians and asked them to track patrons' conversations to find out more about Americans' attitudes towards various aspects of the war, including "government information policy, enemy identification, merchandise shortages and rationing" (p.55). Why? In the words of Becker, "librarians, like most of the rest of the country, did what they could to support the war, which many Americans saw as a fight between good and evil, even if that meant sacrificing civil liberties" (p.55).

Chapter 2

LIBRARIES AND THE COLD WAR

Libraries and other public institutions were under pressure due to anti-Communist campaigns and national security protocols from the late 1940s to the mid-1950s. The end of World War II was followed almost immediately by the collapse of American and Soviet co-operation and the beginning of tensions that quickly ratcheted up to the Cold War and a revived Red Scare. Typical anti-Communist efforts directed at libraries and library personnel included:

- Voluntary and mandatory loyalty oaths instituted by federal, state and local governments for public employees; while the administration of the Library of Congress complied with Executive Order 9835 (which applied only to federal executive agency employees) for political reasons, librarians in most states (44 by 1955 – California, Illinois, Maryland, Massachusetts, Pennsylvania and Washington, among them) were forced to sign loyalty oaths on penalty of termination (Robbins, 1994, p. 369).
- Investigations of library employees on the basis of political ideology (or in a few cases, sexual orientation); at the Library of Congress, three people were fired, thirteen resigned, and over 100 employees were under full field investigations and placed on suspension (Robbins, 1994, p. 377).

- The direct challenge of U.S. overseas libraries run by the State Department and the U.S. Information Agency; Sen. Joseph McCarthy, as part of his campaign to remove what he deemed Communist infiltration of the government, attacked U.S. overseas libraries (over one hundred established during World War II and used by local populations) for promoting subversive material that was antithetical to U.S. ideology and interests (Richards, 2001, p. 199).
- Local challenges to books considered pro-Soviet or pro-Communist available in public and school libraries; non-fiction, fiction and even children's books were challenged by "superpatriot" groups such as Daughters of the American Revolution and the American Legion because it was claimed that the books supported Communism. The subjects of these books ranged from political texts and descriptions of the Soviet Union to books about the United Nations and material supporting racial integration. In a few famous cases, library personnel were terminated for adding or refusing to remove pro-Communist material; one such incident was the firing of Ruth Brown from the Bartlesville, Oklahoma, Public Library, which then became the basis for the movie, *Storm Center*.

However, the focus of these works has been the words and actions of prominent library leaders of the time. In Louise Robbins' detailed articles regarding the controversy over loyalty oaths and investigations of library personnel at the national and local level, most of the attention is devoted to the reaction of prominent librarians (such as the Librarian and Assistant Librarian of Congress) and high-ranking members of ALA units.

From the opposite end of the ideological spectrum, Stephen Karetzky (2002) argues that the library profession, as exemplified by library leaders such as high-ranking ALA Councillors and Executives, were naive and disbelieving in regards to the dangers of the Soviet Union and the spread of communism. Nonetheless, both historians rely predominantly on the actions and assessments of library leaders during the 1940s, 1950s and 1960s, and then ascribe them to the whole of the profession. Regardless of the political orientation of the contemporary analysis, the contradictions and internal conflicts over anti-Communist efforts of the time and the precepts of intellectual freedom are illustrated largely between fellow movers and shakers.

Christine Jenkins (2001) argues that school and public librarians specializing in children's librarianship were under significant pressure to remove or deselect books that were deemed pro-Communist. According to Jenkins, these librarians were warned about such anti-communist efforts in the beginnings of the Cold War (1946-47), and responded with a largely silent campaign of passive resistance (accepting but not acting on complaints regarding materials), positive resistance (actively promoting challenged materials) and active resistance (expressly opposing complaints about material). One of the incidents that the author prominently cites involved two public librarians complaining to the Caldecott Medal committee chair that the winning children's book for 1952 (*Finders Keepers* by William Lipkind and Nicholas Mordvinoff) was rife with Communist metaphors and thus undeserving of the award. Jenkins posits that most children's librarians opposed restricting material on the basis of perceived pro-Communist sympathies. However, this was not well

publicized within the profession; the author contends, “ALA youth services librarians had made a deliberate decision not to give official recognition to those who visited the library to ‘root out the Reds’”(p. 120).

In the late 1950s, sociologist Marjorie Fiske conducted a survey of California librarians, querying them on objections against library materials/collections. Patron complaints of materials on political grounds accounted “for only 22 per cent of the specific objections reported,” despite the recent controversies over McCarthy's anti-communist campaign, the removal of United Nations and UNESCO material from the curricula within the Los Angeles Public School District, and the media campaign of Anne Smart, a Marin, California, housewife who created a much-publicized blacklist of “obscene” and “subversive” material to be removed from high school libraries (1959, p. 47). Fiske also found that overall, “two thirds of the books mentioned in interviews as controversial were initially questioned by librarians themselves (and in schools, by faculty members or administrators) (p. 59). Nineteen percent of all objections that led to restrictive actions--material not purchased, distribution restricted, or removal from the collection--were based on political grounds. Librarians relied on restrictive actions, such as labeling (one librarian admitted stamping all controversial political material as gifts, regardless of whether they were donated to the library) and removal (either temporary or permanent). In rare cases, librarians claimed to actually burn books that were the subject of patron complaints (p. 47-48).

As the Cold War progressed, the emphasis on restricting information for the sake of national security shifted from literature and political works to statistical and scientific research. In the early 1970s, the Federal Bureau of Investigation launched a controversial initiative called the Library Awareness Program (LAP). The focus of LAP was to encourage librarians, especially those working in research libraries, to 1) restrict or deny access to unclassified scientific and technical information to foreign scholars suspected of being spies for Soviet-bloc countries and 2) report the information requests of the aforementioned scholars directly to the FBI (Foersta, 1999).

Chapter 3

THE WAR ON TERRORISM

On September 11, 2001, four passenger jets were hijacked from American airports by nineteen men. Two of these planes crashed into each of the Twin Towers of the World Trade Center in New York City. One crashed into the Pentagon in Washington, D.C. The final plane crashed in rural Pennsylvania, after passengers attempted to take control of the plane away from the hijackers on board. Over 3,000 people were killed due to this four-pronged attack. The terrorist attacks that occurred on September 11, 2001, and the resulting War on Terrorism, have encouraged individuals and organizations to pay close attention to various institutions that impact local and national security: airports, police and fire departments, the federal law enforcement infrastructure, utility and industrial plants, the military ... and information resources and access, along with the repositories of such: libraries and information centers.

Removal of Governmental Information From Public Access

Concerns over what the Bush administration has classified as “sensitive but unclassified” (a concept invented by Admiral John Poindexter during the Reagan Administration) governmental information has led to the restriction on access to information previously accessible from federal and state government agencies. There have been multiple effects. U.S. Attorney General John Ashcroft distributed a memorandum

recommending that agencies receiving Freedom of Information Act (FOIA) requests may withhold information if there is “a sound legal basis” (Gordon-Murnane, 2002, p. 55). There is also the well-publicized case of the Government Printing Office (GPO) mandating federal depository libraries to deselect/destroy a U.S. Geological Survey (USGS) CD-ROM regarding national dams and reservoirs that was issued and available well before 9/11. The aspect that has drawn the most attention, and that could have the biggest effect on reference, has been the withdrawal of federal and state government sites from the World Wide Web.

In October 2001, the GPO, acting on a request from the U.S. Geological Survey, sent a notice to all federal depository libraries to withdraw and destroy a CD-ROM published by the USGS, *USGS Open File Report 99-248, Source-Area Characteristics of Large Public Surface-Water Supplies in the Conterminous United States: An Information Resource, Source-Water Assessment*. Approximately six months after the notice, an Oswego, New York, librarian sent an e-mail to other federal documents librarians who handle GPO materials, suggesting that libraries should begin restricting access to microfiches of documents produced by the U.S. Nuclear Regulatory Commission (USNRC). The GPO responded by sending out a notice that no such action was requested by either GPO or the USNRC and that the suggestion was not supported by either agency (Smith, 2002, p.3).

Since September 11th, federal agencies that have removed information from their websites include the following: (Gordon-Murname, 2002)

- U.S. Geological Survey
- Federal Energy Regulatory Commission
- Office of Pipeline Safety (under the Department of Transportation)
- National Archives and Records Administration
- Environmental Protection Agency
- Federal Aviation Administration
- Los Alamos National Laboratory
- Glenn Research Center (under National Aeronautics and Space Administration)
- Nuclear Regulatory Commission

The type of information that has been subject to removal includes detailed maps and layouts of government facilities; physical resources that may be considered as viable terrorists' targets: water systems, chemical plants and nuclear plants; and government planning/review of critical systems under catastrophic scenarios. Groups such as the Federation of American Scientists, OMBWatch and Investigative Reporters and Editors, Inc. (IRE) have attempted to track federal websites have removed or restricted information (Smith, 2002, p.4).

Privacy and Confidentiality

Not long after September 11, 2001, issues of patron confidentiality and the role of library staff in protecting the same became prominent. The hijackers were identified and traced to the South Florida area, and it was quickly discovered that they had relied on the Internet to arrange and coordinate their plans. FBI officials subpoenaed the Broward County Library system for the circulation records and logs/caches of the Internet terminals of two branches in Hollywood, FL, after learning that the alleged ringleader of the terrorist plot, Mohamed Atta, was identified as a user of the library by staff and patrons. Kathleen Hensman, a reference librarian in the Delray Beach, FL library, recognized one of the identified attackers as a patron who used the terminals at that branch to access the Internet. After consulting with John Callahan, the library director, Hensman then contacted the police, who gave the information to the FBI; two computers were confiscated under a court order obtained by the FBI.

Florida and many other states have laws that shield circulation and other library records containing personally identifiable information from disclosure to public and private entities; however, most laws were passed before the 1990s, before libraries began offering Internet access to patrons and creating logs of identified users. Callahan and other officials of the Delray Beach library decided that Hensman's voluntary approach to the police with patron information did not violate Florida's statute. However, many librarians voiced objections, arguing that a line was crossed ethically, if not legally, and that sign-up sheets

and logs for Internet usage fall within the same ethical boundaries as circulation records. Judith Krug, director of ALA's Office of Intellectual Freedom, was publicly quoted as saying that the Delray Beach decision to volunteer information to law enforcement did violate the privacy and confidentiality statutes of many states; this and other public comments emphasizing patron confidentiality, led to criticism of ALA on *The O'Reilly Factor*, a politically-focused talk show on the Fox cable network (McGinness, 2001, B1).

Anti-Terrorism Legislation and Concerns Over Privacy

On October 26, 2001, Congress passed The Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 ("USA PATRIOT Act"). Among the many provisions of the Act are the extension of pen register, trap and trace orders that allow for the wiretapping and capture of nationwide and electronic "non-content" (such as the headers of an e-mail message), which could lead to the interception of communication sent from library Internet terminals without the knowledge or consent of the library personnel (Smith, 2002, 3). Of even greater concern to librarians is Section 215 of the Act, which expands the definition of "business records" to legally include library patron records and makes court orders for accessing such materials easier to obtain or unnecessary. According to Robert Truman of Lewis & Clark Law School (2002):

[The] USA PATRIOT Act lowers the standards required for a court order by eliminating the "agent of a foreign power" limitation. Now the search

need only relate to investigations against international terrorism or clandestine intelligence activities. This effectively drops the threshold for an order to a very low legal standard, apparently requiring only that the agent believe the records sought are related to such investigations (p. 19).

In addition, the Act mandates that any institution that has been served with a court order by federal agents under these conditions cannot disclose the details of who is being investigated and cannot reveal to the public or to the patron under investigation what was turned over.

While some analysts interpret the USA PATRIOT Act as superseding state laws regarding confidentiality and privacy of patrons' library records, it does not do the following:

- It does not mandate the release of records to federal agents without a court order (likely from a Foreign Intelligence Surveillance Act Court) or a national security letter/administrative subpoena.
- It does not force suspension of library policy and decision-making; if a federal agent approaches a library worker with a court order, whether professional, support or volunteer, it is appropriate for the worker to go up the chain of command to include the library director and/or operating managers in the situation.

- The Act does not require libraries to create or maintain additional records, only that whatever existing records be surrendered upon court order; thus, if a library regularly deletes logs of Internet users, it is not required suspend such activity.

Librarians who oppose the provisions of the USA PATRIOT Act have been very vocal in their criticism, whether discussing the Act and its consequences within professional communication channels (library-oriented literature, professional conference panels, etc.) or in “public”. Jessamyn West (2002), who runs the website [librarian.net](http://www.librarian.net) (<http://www.librarian.net>), created tongue-in-cheek signage for libraries to use to alert patrons that law enforcement has visited the site, but the staff cannot tell what they asked for or why. These “Five Technically Legal Signs for Your Library” have the following messages:

- Organizations Who Have Not Stopped By This Week: 1. Red Cross 2. Boy Scouts 3. United Way 4. FBI 5. Rotary Club (with “FBI” crossed off in red)
- We’re Sorry! Due to national security concerns, we are unable to tell you if your Internet surfing habits, passwords and email content are being monitored by federal agents; please act appropriately.
- we [sic] have been visited by the FBI; they requested your reading lists; now do you feel much more secure?
- The FBI has not been here! [watch very closely for the removal of this sign]

- Q: How can you tell when the FBI has been in your library? A: You can't. the [sic] Patriot Act makes it illegal for us to tell you if our computers are monitored; be aware!

Librarians' reactions to the USA PATRIOT Act

In October 2002, Estabrook, Lakner, Luo and Michel (2003) conducted a nationwide survey on practices and attitudes following the September 11th attacks and the USA PATRIOT Act, sending the survey to 1,505 public library directors and receiving 906 (60.2%) responses in turn. In the nationwide survey, nearly ten percent of libraries changed their access policies for Internet use by patrons, while over half instructed their staff and/or trustees in library security, patron privacy, and library procedures and obligations regarding the USA PATRIOT Act. Less than 6% believed that their staffers had changed their attitude or behavior towards patrons following 9/11, while 8.7% were more likely to take note of what types of materials were being accessed by patrons. Only 7.1% of library directors reported that patrons had concerns about their privacy under the Act. And in the year after 9/11, only 10.7% of respondents reported that law enforcement requested patron information (Estabrook et al., 2003).

On January 29, 2003, the ALA Council adopted a resolution criticizing the USA PATRIOT Act [see Appendix A for the text of the resolution]; many state library associations have followed ALA's lead and passed resolutions against the Act and other

measures that library workers feel subvert library users' privacy. Following the passage of the resolution, ALA President Maurice J. Freedman disparaged "incursions on civil liberties, such as the USA Patriot Act ..." (2003, p.5). Some public libraries (such as those in Santa Cruz and Palo Alto) have begun posting signage that intimates that users' records may be revealed to law enforcement without their permission or knowledge, due to the USA PATRIOT Act. Library staff concerned about the Act are also shredding Internet sign-up sheets, written reference requests and any other documents that identify patrons. Numerous local, regional and national newspapers have run news stories and editorials regarding the USA PATRIOT Act, the reactions of librarians who oppose the Act, and the actions taken in individual libraries. As of this writing, over 200 municipalities and states have passed resolutions against the Act.

ALA, the American Civil Liberties Union (ACLU) and other groups began lobbying for the declassification of statistics reporting how often the FBI requested library information under the provisions of Section 215 of the USA PATRIOT Act. At the same time, Congressional representatives and senators started drafting and introducing legislation to curtail or repeal sections of the Act, especially those that involve access of tangible business records from libraries and bookstores. In February 2003, the Freedom to Read Foundation joined the lawsuit by the ACLU, the American Booksellers Foundation for Free Expression and others to require the declassification of data regarding use of the Act.

The vocal opposition by ALA, civil liberties groups and politicians to the USA PATRIOT Act and other measures granting the FBI easier access to personal records received a response from Attorney General John Ashcroft in the latter half of 2003. The Department of Justice launched a new website, Life and Liberty (<http://www.lifeandliberty.gov>) devoted to reassuring the public that the Department is concerned about civil liberties and is taking care to use its new tools and powers without abuse. Ashcroft went on a cross-country speaking tour, defending the USA PATRIOT Act. On September 15, 2003, Ashcroft spoke to a meeting of the National Restaurant Association in Washington, D.C., and said this about librarians:

If you were to listen to some in Washington, you might believe the hysteria behind this claim:

"Your local library has been surrounded by the FBI." Agents are working round-the-clock. Like the X-Files, they are dressed in raincoats, dark suits, and sporting sunglasses. They stop patrons and librarians and interrogate everyone like Joe Friday. In a dull monotone they ask every person exiting the library, "Why were you at the library? What were you reading? Did you see anything suspicious?"

According to these breathless reports and baseless hysteria, some have convinced the American Library Association that under the bipartisan Patriot Act, the FBI is not fighting terrorism. Instead, agents are checking how far you have gotten on the latest Tom Clancy novel." (Ashcroft, 2003)

Justice Department spokesman Mark Corallo later explained that Ashcroft's remarks were not "an attack on librarians, but on groups like the American Civil Liberties Union and politicians who he said had persuaded librarians to mistrust the government. The American Library Association 'has been somewhat duped by those who are ideologically opposed to the Patriot Act,' Mr. Corallo said. Mr. Ashcroft's remarks, he

said, ‘should be seen as a jab at those who would mislead librarians and the general public into believing the absurd, that the F.B.I. is running around monitoring libraries instead of going after terrorists’” (Lichtblau, 2003, A23).

After vociferous protest from the library community, and in newspapers and news magazines, Ashcroft contacted ALA President Carla Hayden on September 18, 2003 and announced that he would declassify the USA PATRIOT data as soon as possible. The Justice Department reported on September 18, 2003 that no requests for information under the provisions of the Act had been made of any libraries. This might appear to contradict the survey results of Estabrook et al concerning library visits by law enforcement officials. Federal agents have definitely visited libraries since 9/11 and may well have asked for patron records. The question is whether they did so under the guise of a standard criminal investigation or an intelligence investigation. A criminal investigation would require a standard warrant/subpoena based on probable cause and approved by a federal judge. As Truman (2002) points out, an intelligence investigation would use either a warrant granted by the Foreign Intelligence Surveillance Court or a National Security Letter (NSL), both of which do not require the investigating agency to establish probable cause in its investigation. As of yet, no library personnel has come forward and said, “Yes, my library was visited by the FBI and they came with a FISA warrant/NSL.” Basically, the Chinese wall between criminal and intelligence investigations (and the information gathered by both types of inquiries) has been lowered, but there is no evidence that the intelligence side has taken advantage of this yet.

Chapter 4

RESEARCH QUESTIONS AND METHODOLOGY

Research questions

The post-9/11/USA PATRIOT Act era and the early Cold War period share a major theme: intense scrutiny by government of libraries as vulnerable access points to information that has been, or can be, exploited by enemies of the state — Communist spies in one era, terrorists in the other. The significance of this proposed evaluation of the professional literature of librarianship is not only the examination of the attitudes and practices of library workers under such scrutiny and the evolution of those attitudes and practices, but also the expectations of library users and how library personnel manage those expectations.

As noted, there has been a substantial reaction of librarians to threats of intellectual freedom during heightened concern for national security in the early Cold War and post-9/11 eras — and that reaction has largely been in favor of maintaining intellectual freedom as practiced in libraries. However, there have been at least a couple of minor discrepancies that have not been addressed by most of the literature:

- 1) The literature has largely focused on, and has been produced by, major figures within the American Library Association, as well as other library leaders; there

has been little attention paid to the perspective of “working”/rank-and-file librarians.

- 2) The quantitative research conducted by Fiske in the 1950s and Estabrook et al in 2001 and 2002 indicates that there is a minority of librarians who have yielded to the concerns of national security over those of intellectual freedom. Their survey results are based on self-reporting; it is probable that incidents of information restriction quantified in the surveys were underreported.

The publications evaluated in this survey have been particularly chosen for their mainstream prominence, their diversity of focus and/or political opinion, and in the case of the state library association journals and the newspapers, their geographic diversity.

A broad survey of media, whether for general populations or specific professionals, would be best served by large-scale qualitative and quantitative methods of content analysis, trend analysis and data mining. The resources of this study are too limited to attempt to generate a scientifically significant result. However, this research is designed to gain an impartial, scholarly (albeit anecdotal) understanding of the subjects being examined and hopefully provoke further study into information management and policy and political socialization within professions, in particular librarianship.

The goals of this analysis are to answer the following questions:

During the Cold War period –

- How did the profession, especially its leaders, react to the concerns and strictures resulting from national security campaigns in the 1950s; additionally, how did the rank and file of the profession react to the concerns over national security campaigns in the 1950s? Were those reactions expressed as concerns over intellectual freedom or national security?
- How much debate was generated by these concerns in the 1950s? How/where/when was this debate communicated, if there was one? Was the discussion largely top-down, grassroots or multi-faceted?

The post-USA PATRIOT Act period –

- How is the library profession, especially its leaders, reacting to the concerns and strictures resulting from the USA PATRIOT Act since 2001; additionally, how are the rank and file of the profession reacting to the concerns and strictures resulting from the Patriot Act since 2001? Are these reactions expressed as concerns over intellectual freedom or national security?
- How much debate was generated by these concerns since 2001? How/where/when is this debate being communicated, if there is one? Is the discussion largely top-down, grassroots or multi-faceted?

Comparison/analysis of both eras/scenarios –

- Are there similar trends between the two eras?
- Does knowledge of the earlier era influence or inform current debates/actions?

- Have changes in the profession or changes in communication influenced the quantity or the bias of the debate?

Methodology

The method of inquiry used to explore these questions is the evaluation of library/librarian-oriented literature of two time periods: the late 1940s through the late 1950s for librarians' political attitude, focusing especially on the first ten years of the Cold War thru the height of the Second Red Scare and McCarthyism (approx. 1948-1957); and the first two years after the terrorist attacks on September 11, 2001 (October 2001 through December 2003). There will be some overlap with the sources used for the existing second-hand literature about how libraries and librarians operated during these time periods of heightened national security. However, this evaluation would be centered upon a review of selected portions of the literature of the times in order to see what the prevailing attitudes are/were, whether concerns of the professional associations are/were in sync with the rank and file, and whether the public knew or cared about the attitudes of librarians in regard to information policy and information access during these periods.

The review will include three sets of literature, differentiated by time of publication, medium and audience/genre, in this order:

1. Professional journals and periodicals within the library science field published from the late 1940s through the late 1950s;

2. Professional print journals and periodicals within the library science field published from October 2001 through December 2003;
3. Library/librarian-oriented web resources (webzines, weblogs, professional and personal websites) within the post-9/11 period.

The search for relevant material will include preliminary searches through indexes such as Library Literature and the Reader's Guide to Periodicals. The review of sources will go beyond these indexes in search of ephemera that would not be indexed, such as unsigned editorials, abbreviated news items and letters to the editors. Relevant material, as defined within this examination, are articles, news items, commentary and other content that address or report on security-related activities or events that impact libraries within the eras under consideration.

The list of library-related sources to be reviewed include:

Cold War era publications --

ALA Bulletin

The Alabama Librarian

Bulletin of New Hampshire Public Libraries

California Librarian

College & Research Libraries

Florida Libraries

Illinois Libraries

Library Journal

Library Quarterly

The Michigan Librarian

PNLA Quarterly

Special Libraries

Wilson Library Bulletin

List of library-oriented electronic resources from post-9/11 era:

American Libraries

California Libraries
College and Research Libraries
College and Research Libraries News
Information Outlook
Library Journal
Library Quarterly
Library Trends
Libraries and Culture
Journal of the American Society of Information Science and Technology
PNLA Quarterly
RQ/Reference & User Services Quarterly

List of library-oriented electronic resources from post-9/11 era:

ALA.org
ALKI: The Washington Library Association Journal
Collecting My Thoughts weblog
ConservativeLib (list-serv)
Info-commons weblog
Florida Libraries
Librarian.net
LISNews.com
Library Law.com
SLA.org

The scope of this evaluation is to assess information restrictions that directly relate to national security concerns of the Cold War and post-9/11 eras: Communism/left-wing political subversion (on domestic and international fronts) and terrorism, respectively. The items of content under consideration fall specifically within the bounds of censorship and/or other restrictions emanating from those concerns. Therefore, content from the literature regarding broader issues of censorship, general activities by groups or individuals focusing on intellectual freedom, otherwise non-specific to censorship directly based on national security concerns were excluded from review. For instance, in 1948-1949, there was a great deal of publicity over the Board of Superintendents of the New York City

School system enacting a ban on *The Nation* (a liberal-oriented news magazine) in all school libraries in the district. This led to somewhat of a cascade effect, where other jurisdictions removed *The Nation* from school and college libraries. However, the justification for the New York City removal was based on concerns over what Superintendent of Schools Dr. William Jansen (1948) termed as:

“... the opinion that it is contrary to the American public-school tradition to bring *religious* controversies into the classroom of the public schools.

Every responsible school superintendent and every responsible board of education will state that criticism of religious beliefs should not be carried on by our teachers or pupils, because the American public school is and always must be a unifying factor in American life ...” (p.571). {emphasis mine}

In this case, the controversy settled directly upon religious, not national security concerns, and items discussing this particular event do not fall within the scope of this study. Conversely, there were subsequent controversies over *The Nation* where the concerns were based on a perception of pro-Communist/pro-Soviet bias of the magazine’s content; items generated from these incidents fall within range and are thereby included in the analysis.

Frequency, content type and affect will be tallied and compared within and across the sets of material from both eras. Additionally, keywords will be assigned to each item to

describe its subject/content as it relates to this survey – items can have multiple subject keywords; some are very broad (“censorship” and “intellectual freedom”) and others are specific (“overseas”, which refers to overseas libraries, or “USA PATRIOT Act”).

Activities/events under examination from the Cold War/Red Scare era are:

- the removal of material from domestic libraries on the basis of political (especially anti-Communist) concerns, as well as bans on the importation of foreign literature with a pro-Communist/pro-Soviet stance;
- requests for labeling or special shelving treatment of material considered to be subversive or propagandistic, especially literature perceived to have a pro-Communist/pro-Soviet bias;
- the application of loyalty oath programs and background checks for library personnel because of political/anti-Communist concerns; and
- the termination or resignation of library personnel on the basis of political concerns or due to non-compliance with loyalty programs and/or background checks.

Post -September 11th activities/events include:

- removal of government material from libraries;
- removal of government material other public access systems, such as the Internet; and

- the passage, application, interpretations of or reactions to the USA PATRIOT Act, specifically as to its actual and potential effects on libraries.

Materials that meet the criteria will be evaluated for three qualities: frequency, type and ideological position (or “affect”).

Frequency: within the era/timeframe, medium and genre under consideration, how often incidents or discussions related to the aforementioned activities mentioned/examined in the literature?

Type: items in this evaluation were coded based on the following classifications:

- + Editorials (signed and unsigned)
- + Columns
- + Articles (feature and non-feature)
- + News items (signed and unsigned)
- + Letters to the editor
- + Reviews of materials (books, movies, etc.)
- + Advertisements

Affect: The items are also categorized by the ideological position of the content of the item, within the spectrum of advancing intellectual freedom to advancing national security concerns. The items can be: neutral, pro-intellectual freedom, pro-national security, or

mixed. In addition, the categories of pro-intellectual freedom and pro-national security are further assessed by weak vs. strong positions, based on two qualitative criteria:

- Specificity of the content – whether the content refers in detail to specific conflicts between intellectual freedom and national security (such as discussion of pro-Soviet/pro-Communist literature and its place in the library) or actual incidents of such conflicts.
- Intensity of the position expressed – whether the position taken by proponent is stated in a strong, consistent manner. A strong or intense pro-intellectual freedom position at the start of the Cold War involved uniform opposition to 1) loyalty oaths requirements and investigations; 2) removal or banning of politically “subversive” material from libraries; 3) labeling controversial material as potentially subversive or propagandistic; and/or 4) the termination or forced resignation of library workers who did not co-operate with the aforementioned activities or are otherwise considered unfit for government service due to past or (then-)current political affiliations. Less intense or consistent opposition, while still affirming general principles of intellectual freedom, is categorized as weak support for intellectual freedom. Likewise, strong, consistent support for such activities is characterized as being strongly pro-national security, while vague support and/or limited opposition is categorized as weak support.

Descriptions and examples of the categories of affect for each content item are:

- Neutral – items in the literature that are reports of events or incidents, without any advocacy of national security or intellectual freedom by the writer/speaker (most news items fall under this description). Example: “The school board of Washington, D.C., has come to a 'jurisdictional row' over the Soviet Information Bulletin, according to the Washington Post of Dec. 12th. Hobart M. Corning, the superintendent of schools, had banned several Russian propaganda magazines from high-school libraries without consulting the board” (Krentzman, 1950, p. 84).
- Weak pro-intellectual freedom – items in the literature that refer only generally to political censorship but advocate for a pro-intellectual freedom stance by librarians, usually in a non-specific fashion. Example:

The next step, consequently, is obvious. It is, not to revert to the word “use” nor to engage in a Quixotic tilt against windmills which cannot be stopped, but to retain the Loyalty Investigation Resolution in its present form and to probe, to repudiate and to attack the sources and conditions of abuse, many of which are very easy to recognize. In such a probe and such an attack the A.L.A. would be allying itself with the forces of intelligence and sanity which are just as necessary as those of courage and conviction to win the battle of intellectual freedom (Clapp, 1950, p. 680).

- Strong pro-Intellectual Freedom: items in the literature that directly address incidents of governmental or political intervention and advocate for a pro-intellectual freedom stance by librarians. Example:

Loyalty to the United States Constitution and Bill of Rights should be expected of all librarians, but the naïve and fallacious belief that this loyalty can be insured by requiring librarians to sign oaths or submit to investigations of their private opinions should not go unchallenged. Librarians, like other individuals, must not be discouraged from reaching honest convictions, even though these

convictions may seem unorthodox and objectionable to some (Berninghausen, 1950, p. 17).

- Weak pro-National Security: items in the literature that advocate for a pro-national security stance by librarians but with caveats towards intellectual freedom issues.
- Strong pro-National Security: items in the literature that directly address incidents of governmental or political intervention and/or advocate for pro-national security stances by librarians. Example:

An oath of loyalty is but one small weapon with which we may fight these enemies. The American Library Association would be doing the profession harm to continue its stand with regard to this matter. As educators we must take our places in the ranks of men fighting such an enemy. If we refuse to recognize this we must be resigned to a position in the ranks of fifth columnists (Holloway, 1950, p. 681).

- Mixed: items in the literature that contains both pro-intellectual freedom and pro-national security arguments, regardless of intensity of affect. Example:

But the alert librarian and teacher can offset that effect. The librarian or teacher can tell the student, "This is propaganda, it distorts the facts, it does not tell the truth." The librarian or teacher can go farther than that, by saying, "Now here is another book which will give you a factual account." We don't want censorship. We don't need it. We don't have to burn any books or forbid reading them. We have nothing to fear from our youth if we place the truth in their hands. ... We must not try to close their eyes or their minds to anything--not even Communism. But we must make doubly sure that the truth is labeled "TRUTH" and the propaganda is labeled "PROPAGANDA" (Barnett, 1948, p. 431).

Chapter 5

RESULTS

For the Cold War and post-9/11 periods, a total of 19 periodical titles and 9 online sites were evaluated. A total of 483 print items and 436 online items met the standard of relevant (outlined above in “Methodology”). The breakdown of journal titles and frequency of relevant articles is as follows:

Figure 5.1 – List of Print Resources Examined, by Title

	Journal Title (issues per year)	Type of publication	Total
Cold War	<i>Alabama Librarian</i> (4)	AL Library Assn.	4
	<i>Bulletin of ALA/ALA Bulletin</i> (10)	ALA	91
	<i>Bulletin of the NH Public Libraries</i> (4)	NHLA	2
	<i>California Librarian</i> (4)	CLA	22
	<i>College & Research Libraries</i> (6)	ACRL	3
	<i>Florida Libraries</i> (4)	FLA	8
	<i>Illinois Libraries</i> (4)	ILA	17
	<i>Library Journal</i> (22)	commercial	95
	<i>Library Quarterly</i> (4)	unaffiliated scholarly	0
	<i>Michigan Librarian</i> (4)	MLA	13
	<i>PNLA Quarterly</i> (4)	PNLA	5
	<i>Special Libraries</i> (12)	SLA	0
	<i>Wilson Library Bulletin</i> (12)	commercial	26
			286
War on Terrorism	<i>American Libraries</i> (11)	ALA	94
	<i>Library Journal</i> (?)	commercial	67
	<i>California Libraries</i> (12)	CLA	7
	<i>College & Research Libraries</i> (6)	ACRL	1
	<i>College & Research Libraries News</i> (12)	ACRL	17
	<i>Government Information Quarterly</i> (4)	unaffiliated scholarly	7
	<i>Information Outlook</i> (12)	SLA	7
	<i>Journal of the American Society for Information Science and Technology</i> (4)	ASIST (scholarly)	0

<i>Libraries & Culture</i> (4)	unaffiliated scholarly	0
<i>Library Quarterly</i> (4)	unaffiliated scholarly	0
<i>Library Trends</i> (4)	unaffiliated scholarly	0
<i>PNLA Quarterly</i> (4)	PNLA	2
<i>Reference & User Services Quarterly</i> (4)	RUSA	3
		<hr/> 201

Figure 5.2 – List of post-9/11 Electronic Resources Examined, by Title

Resource title:	Type of resource	Total
<i>ALA: American Library Association</i>	website	25
<i>ALKI: The Washington Library Association Journal</i>	online publication	4
<i>Collecting My Thoughts</i>	weblog	1
<i>ConservativeLib</i>	mailing list	5
<i>Florida Libraries</i>	online publication	0
<i>Info-commons</i>	weblog	61
<i>Librarian.net</i>	weblog	124
<i>LISNews.com</i>	online forum	194
<i>SLA: Special Libraries Association</i>	website	22
		<hr/> 436

In both eras, publications with a more general and national focus followed the respective controversies more frequently than the other publications used in this. The official publication of ALA (*Bulletin of the A.L.A./ALA Bulletin/American Libraries*) is accounts for 32.2% of the Cold War-era articles found in this survey, and 48.9% of the post-9/11 articles. The next highest concentration of articles in the Cold War period were in commercial publications *Library Journal* and *Wilson Library Bulletin* with 33.6% and 9.2%, respectively. The concentration of articles between *ALA Bulletin* and *Library Journal* is natural, given that both publications have a national scope and a more frequent publication cycle (monthly and twice monthly, respectively) than most of the other print publications examined in this survey. However, why *Wilson Library Bulletin*, which was

very similar in scope to *Library Journal*, had substantially fewer relevant articles is unknown at this time. As is apparent in Figure 5.1, the state association publication with the most articles from 1948-1957 was *California Library Bulletin/California Librarian*. This is very likely due to the fact that various cities as well as the State of California quickly adopted restrictive measures (requirements to sign a loyalty oaths for certain municipal and state employees, including teachers, professors and librarians), and efforts to remove “subversive” material (such as UNESCO publications) from schools and libraries; the California Library Association also responded very quickly to these attempts and detailed their battles in the association bulletin.

Likewise on the World Wide Web, sites with a national audience (such as ALA’s and SLA’s websites or the LISNews forum) had substantially more relevant items than resources devoted to a regional audience (the two state association newsletters). LISNews functions as a major online bulletin board/forum for library issues: multiple “stories” are submitted and posted on a daily basis, and participants can comment on each story, either under unique user IDs or anonymously.

Cold War resources

Figure 5.3 – Number of relevant articles published during the first 10 years of the Cold War (total – 286)

Year	# of Items	% of Total
1948	29	10%
1949	11	4%
1950	37	13%

1951	33	12%
1952	25	9%
1953	72	24%
1954	31	11%
1955	25	9%
1956	16	6%
1957	7	2%

The peak year for early Cold War concerns within librarianship was 1953. There are several strong reasons for this, including:

- The rise in prominence of Senator Joseph McCarthy's campaign against Communist infiltration of government agencies and civil society;
- The scandal over the removal (and in a few cases, literal burning) of reading matter by authors with supposed Communist leanings from USIS overseas libraries, conducted by two staff aides of Sen. McCarthy early in 1953;
- The reaction of President Dwight Eisenhower later that spring to reject the actions taken in the overseas libraries, and his letter commending librarians for their stance on intellectual freedom and information access, which was sent to ALA; and
- The adoption and endorsement of the Freedom to Read statement, produced at a joint conference of ALA and the American Book Publishers Council, which received widespread publicity and praise from other associations and the mainstream press.

However, after 1953, there was a precipitous drop-off of articles dealing with restrictions based on national security concerns among all periodical titles analyzed.

The issues addressed in the relevant articles ranged from complaints about Communistic material, the removal and/or special treatment (particularly labeling) of the same from domestic and overseas libraries, loyalty oaths and investigations, firings and forced resignations due to the above. Many articles focused on multiple issues/phenomena within a broader framework political censorship and Cold War concerns, while others focused on a single incident or issue. Approximately 17% (50) of the relevant items from 1948 through 1957 were written by prominent ALA council members, committee chairs or staff persons.

Figure 5.4 – Issue Distribution with Cold War-era material

Categories:	# of Articles	% of Total
censorship	50	15%
firings/resignations	22	7%
Freedom to Read	16	5%
labeling	21	6%
loyalty oaths/investigations	47	14%
overseas libraries	12	4%
selection/removal	105	32%
subversive material	55	17%

The issue that received the most coverage in the range of discussion regarding national security and intellectual freedom was the selection and removal of books , magazines and other material on the basis of political/national security concerns; 32% of the items in this survey dealt with this topic. Seventeen percent concerned specific condemnations of material as being subversive/pro-Communist, 15% were about overall censorship concerns and 14% were focused on loyalty oaths and investigations. The firings/forced resignations of librarians were covered in 7% of the material of the time

period. The majority of the items coded as related to firings (19 items – 86%) refer to the termination of librarian Ruth Brown or the film inspired by the incident, “Storm Center.” The Freedom to Read Statement accounted for 5% of the Cold War section of the sample.

Figure 5.5: Content item types for Cold War-Era items

Categories	# of Items	% of Total
News items (signed and unsigned)	74	26%
Editorials	23	8%
Articles	133	47%
Letters to the editor	24	8%
Reprints	27	9%
Miscellaneous	5	2%

Approximately a quarter of all of the items were basically snippets of news, while almost half were articles of varying length and scope. Less than 10% of the content fell under the category of letters to the editor. Miscellaneous items include an editorial cartoon, the use of relevant fill quotes at the end of articles or columns, and at least one advertisement that humorously alluded to banning books with subversive content.

Figure 5.6 – Affect Distribution Among Cold War-Era Materials

Affect categories:	# of Items	% of Total
Strong IF orientation	136	49%
Weak IF orientation	48	17%
Neutral	80	29%
Mixed	9	3%
Weak NS orientation	3	3%
Strong NS orientation	2	1%

Two-thirds of all the content relating to information restriction based on national security concerns and counter-measures to the same were in support of intellectual freedom issues. Nearly half were evaluated as having a strong orientation towards intellectual freedom. Only 5% of the content was judged to have mixed perspectives or be oriented towards national security.

Figure 5.7 – Affect Distribution of Selected Topics Addressed During Cold War Period

Affect:

	<i>selection/removal</i>		<i>subversive material</i>	
Strong IF	49	47%	29	49%
Weak IF	17	17%	5	9%
Neutral	32	31%	15	26%
Mixed	4	4%	3	5%
Weak NS	1	1%	5	9%
Strong NS	0	0%	1	2%

	<i>censorship</i>		<i>loyalty oaths/investigations</i>	
Strong IF	20	40%	20	43%
Weak IF	18	36%	2	4%
Neutral	11	22%	23	49%
Mixed	1	2%	1	2%
Weak NS	0	0%	0	0%
Strong NS	0	0%	1	2%

The periodicals with one or more items expressing a pro-national security viewpoint are *ALA Bulletin* (the most with 2 items), *Illinois Libraries*, *Library Journal*, *PNLA Quarterly* and *Wilson Library Bulletin*.

Figure 5.8 – Affect Distribution of Selected Content Types of Cold War Material

	Letters		News items	
Strong intellectual freedom	7	29%	11	17%
Weak intellectual freedom	5	21%	7	11%
Neutral	9	38%	47	72%
Mixed	0	0%	0	0%
Weak national security	2	8%	0	0%
Strong national security	1	4%	0	0%

	Articles		Editorials	
Strong intellectual freedom	85	62%	17	74%
Weak intellectual freedom	25	19%	5	22%
Neutral	16	12%	0	0%
Mixed	7	5%	1	4%
Weak national security	1	1%	0	0%
Strong national security	1	1%	0	0%

Post 9/11 resources

Figure 5.9 – Number of relevant print items published from October 2001 through December 2003 (Total – 201)

Year	Post 9/11 Items	
2001	30	15%
2002	75	37%
2003	96	48%

Figure 5.10 – Number of relevant online items produced from October 2001 through December 2003 (Total – 436)

Year	Post 9/11 Items (online)	
2001	26	6%
2002	132	30%
2003	278	64%

Figure 5.11 – Number of relevant combined items produced from October 2001 through December 2003 (Total – 637)

Year	Print items	Online items	Total	Percentage
2001	30	26	56	9%
2002	75	132	207	32%
2003	96	278	374	59%
			637	100%

There has been a steady increase in the number of relevant items since September 2001. The last three months of 2001 saw only 56 items in the sources evaluated – in part because many quarterly journals had already published (or about to publish) their Fall 2001 issues when the terrorist attack occurred; and analysis of the aftermath of the terrorist attacks did not occur for the first three months. The following year, 207 items were found as awareness began to grow regarding information policy, free expression and privacy issues connected with anti-terrorist measures within government and civil society. In 2003, as library workers (within and outside ALA) became increasingly vocal about the USA PATRIOT Act, the number of relevant items increased to 374, a 26% increase over 2002.

Figure 5.12 – Issue Distribution with Post-9/11-era Material (Print and online)

Categories:	Print items	Online items		
records confidentiality	17	24	41	6%
Internet surveillance	6	12	18	3%
privacy	7	1	8	1%
reporting suspects	16	10	26	4%
USA PATRIOT Act	123	338	461	73%
government information	37	37	74	12%
free speech	3	6	9	1%

Nearly three-quarters of the coverage of post-9/11 conflicts between intellectual freedom and national security focused on the USA PATRIOT Act (7% of items addressing the Act specifically dealt with counter legislation, such as the SAFE Act, the Freedom to Read Protection Act and others). Twelve percent concentrated on changing policies regarding government information accessibility, whether on the Internet or in federal depository libraries.

Figure 5.13 – Content Item Types for Post-9/11 Materials (Print)

Item types:		
News items (signed and unsigned)	36	18%
Editorials	22	11%
Articles	88	44%
Letters to the editor	13	7%
Columns	37	18%
Miscellaneous	5	4%

Eighteen percent of the post-9/11 sample consisted of news items, and 44% were articles of varying length and scope. Letters to the editor accounted for 7%; another 18% were editorials. Miscellaneous items include reprints of editorial cartoons.

Figure 5.14 – Content Item Types for Post-9/11 Materials (Online)

weblog entry	185	43%
e-journal column	4	1%
community post/comments	193	45%
e-newsletter	10	2%
list-serv posting	5	1%
PDF document	6	1%
press release	2	0.4%

web news item	3	1%
association web page	28	6%

The online forum (LISNews.com) and the 3 weblogs in the survey covered 88% of the relevant items found in this survey. Material from electronic journals (*ALKI* and *Florida Libraries*) represented only 1%; the remaining 11% of content was taken from association websites. Some of the pages from the websites had many links to outside materials on websites not covered in the survey.

Figure 5.15 – Affect Distribution Within Post-9/11 Material

Affect:	Print items:	Online items:	# of items	Percentage
Strong intellectual freedom	55	73	128	20%
Weak intellectual freedom	30	145	175	28%
Neutral	98	204	302	47%
Mixed	8	9	17	3%
Weak national security	7	2	9	1%
Strong national security	3	3	6	1%

Figure 5.16 – Strong Intellectual Freedom Affect Within Post-9/11 Print Material,

by Title

<i>American Libraries</i>	30	54%
<i>California Libraries</i>	2	4%
<i>College & Research Libraries</i>	1	2%
<i>College & Research Libraries News</i>	5	9%
<i>Library Journal</i>	14	25%
<i>PNLA Quarterly</i>	1	2%
<i>Reference & User Services Quarterly</i>	2	4%

Figure 5.17 – Strong Intellectual Freedom Affect Within Post-9/11 Online Material,
by Title

<i>ALA: American Library Association</i>	11	15%
<i>ALJ: The Washington Library Association Journal</i>	3	4%
<i>Info-commons</i>	21	28%
<i>Librarian.net</i>	18	25%
<i>LISNews.com</i>	15	21%
<i>SLA: Special Libraries Association</i>	5	7%

Note: All other sources accounted for less than 2% of the overall total

Nearly half of the post-9/11 items evaluated were neutral; 48% had an orientation favoring intellectual freedom. Five percent of the content was judged to have mixed perspectives and 5% was oriented towards national security. The two print publications with the largest number of items that were strongly oriented towards intellectual freedom (54% and 25%) were *American Libraries* and *Library Journal*. Two of the weblogs, *Info-commons* and *Librarian.net*, accounted for over half of the items with a strong intellectual freedom orientation – 28% and 25%, respectively.

Figure 5.18 – Affect Distribution for Print Items Addressing the USA PATRIOT

Act and the Removal of Government Information

Categories:	USA PATRIOT Act		Government info	
Strong pro-IF	39	32%	7	19%
Weak pro-IF	14	11%	5	14%
Neutral	61	49%	24	64%
Mixed	5	4%	1	3%
Weak pro-NS	2	2%	0	0%
Strong pro-NS	2	2%	0	0%

Figure 5.19 – Affect Distribution for Electronic Items Addressing the USA

Patriot Act and the Removal of Government Information

Categories:	USA PATRIOT Act		Government info	
Strong pro-IF	53	22%	8	35%
Weak pro-IF	93	40%	7	30%
Neutral	88	38%	8	35%
Mixed	1	0%	0	0%
Weak pro-NS	1	0%	0	0%
Strong pro-NS	1	0%	0	0%

The print resources with pro-national security orientations were *American Libraries* (with five items), *California Libraries*, *Government Information Quarterly*, *Information Outlook* and *Library Journal*.

Figure 5.20 – Affect Distribution of Post-9/11 Print Items, by Selected Content

Type

	Letters		News items	
Strong intellectual freedom	4	31%	4	11%
Weak intellectual freedom	5	38%	3	8%
Neutral	1	8%	29	81%
Mixed	0	0%	0	0%
Weak national security	1	8%	0	0%
Strong national security	2	15%	0	0%

	Articles		Editorials	
Strong intellectual freedom	14	16%	15	68%
Weak intellectual free	11	13%	4	18%
Neutral	57	64%	2	9%
Mixed	4	5%	0	0%
Weak national security	2	2%	1	5%
Strong national security	0	0%	0	0%

Comparison of resources from the Cold War and Post-9/11 Eras

In the two years following the terrorist attacks on September 11, 2001, concerns over national security and intellectual freedom have resulted in more than twice as much print and electronic commentary within the library community than did the first 10 years of the Cold War. Excluding electronic communication, post-9/11 commentary for the first 27 months has equaled 70% of the content evaluated from the Cold War period. There continues to be significant interest and debate among librarians regarding the USA PATRIOT Act thus far in 2004 (less than 2 years away from the sunset provision in the Act, and a presidential election year).

The Cold War period is marked with more definite orientations toward intellectual freedom and national security. The orientation towards national security is a minority stance in both eras, but the items expressing this viewpoint are 4% of the sample of Cold War-era material versus 2% of the post-9/11 items. There are equal ratios of mixed responses in both eras. Support for intellectual freedom is much stronger than support for national security in items from both eras, but pro-intellectual freedom items from the post-9/11 era comprise slightly less than half of the sample (48%) while two-thirds the Cold-War materials showed support for intellectual freedom to some degree. The ratio of neutral items in the post-9/11, however, can be explained by the complex legal issues arising from anti-terrorism legislation that called for analysis before a standpoint was taken by associations and others in the library community.

However, while some topics in the overall debate regarding intellectual freedom and national security appear to have peaked (such as whether libraries or library workers should display patriotic symbols), other issues – particularly the questions surrounding the USA PATRIOT Act – are likely to provoke more news and more opinionated discussion in 2004 and 2005. If there are no further controversies over the Act, there might be a distinct decline in material similar that what occurred in the professional literature after 1953, when President Eisenhower spoke and wrote in support of intellectual freedom in libraries and ALA adopted the Freedom to Read Statement.

Almost every resource included neutral items, but many of the electronic resources were polarized, particularly in the weblogs – with the exception of LISNews, none of the websites had any mixed or oppositional responses. For instance, the info-commons blog (which has the most content with strong support for intellectual freedom) has no items with a pro-national security orientation. This is partly the nature of weblogs in general: one author's voice is represented throughout the site. LISNews draws many authors and commentators and has the potential to encourage direct debate. In 2002 and 2003, there were very few websites devoted to politically conservative librarians, but as of early 2004, more conservative librarian weblogs have been established and are already criticizing the stand taken by ALA in regards to the USA PATRIOT Act and other issues regarding privacy and national security.

Chapter 6

CONCLUSION

“The most important job an Attorney General can do in a time of emergency is to protect civil liberties . . . Civil liberties are the essence of democracy we are pledged to protect” (Francis Biddle as cited in Schlesinger, 1995, p. 160).

John N. Berry III (2004), Editor-in-Chief of *Library Journal* and a staunch critic of the USA PATRIOT Act, argues that information access is a basic tenet of the American librarianship and political philosophy. The notion that information is crucial to democratic governance is implicit in the Declaration of Independence, and explicit in the First Amendment of the Bill of Rights and in the founding mission of the Boston Public Library (established in 1848), the first free municipal library in the United States. Approximately 100 years after the founding of the Boston Public Library, the role of librarians as proactive defenders of the right of information access against intervention by state and private actors was codified in the Library Bill of Rights. The point of this review, and the survey of literature, is to examine to what extent librarians have embraced this role in the past and present.

The findings of this survey are clear in two aspects:

1) There was wide support for intellectual freedom during the early years of the Cold War, including the McCarthy period.

The majority of librarians, from the top leadership of ALA to rank and file librarians across the country all showed some support for intellectual freedom, although the degree of support was mixed. The urgency of intellectual freedom issues varied among geographical areas. For instance, librarians in Alabama and New Hampshire did not address many of the conflicts arising between national security and intellectual freedom, while librarians in California and Florida actively discussed such issues in the state library association literature. However, these geographical differences cannot be aggregated to regional levels. Alabama and Florida are in close proximity, but there were twice as many articles/items in *Florida Libraries* as were printed in *Alabama Librarian*.

Likewise, the level of concern and discussion varied among the types of librarians. During the start of the Cold War and the McCarthy era, the literature of special librarians (a class which included not only corporate librarians, but federal and state librarians as well) did not address the national security/intellectual freedom conflicts at all. The literature devoted to college and university librarians did focus some, but not much, attention on these conflicts. This is somewhat surprising. While college and university collections were largely exempt from the furor over so-called subversive materials, employees of public universities, including faculty and library staff, were subject to state-enacted requirements of loyalty oaths and background checks as conditions of employment. When

such legislation impacted California state employees, the issue of loyalty oaths was addressed in *California Librarian*, but there was no material in *College & Research Libraries* from a local or national perspective.

2) In comparison to librarians of the Cold War era, contemporary librarians have been exposed to more information about conflicts between national security and intellectual freedom, but have shown less support for either concept since the 9/11 attacks.

As mentioned in Chapter 5, there are over twice as many relevant items generated in the post-9/11 era than during the Cold War period in less than 1/3 the time. Like print publications in the 1940s and 1950s, resources with a national and general scope tended to provide more coverage of intellectual freedom and national security issues. But unlike the previous era, the post 9/11 material was found in literature devoted academic and special librarianship. Overall, the support for intellectual freedom is less compared to the Cold War era, and weaker. However, the survey also found less support currently for national security concerns than was present in the earlier era.

There are several possible reasons for the difference in the support for either intellectual freedom or national security among library workers:

- As stated above, the issues surrounding national security and intellectual freedom in libraries today (particularly anti-terrorism legislation) are more

complex than the issues that faced librarians in the late 1940s to mid-1950s. A significant amount of coverage, particularly in the first 9-12 months after the terrorist attacks, focused on describing and analyzing the changes in government policies and procedures. As discussion of these changes, and the reactions of librarians and others to them, continues, orientation may polarize further between support for intellectual freedom and support for national security.

- Many of the controversial incidents of the early Cold War that occurred with respect to libraries were on the local or state level, or involved private individuals and groups that advocated for information restriction (with the exception of the overseas libraries controversy). But in the post-9/11 environment, the major proponent for restricting access to information and curtailing privacy and confidentiality rights is the federal government. The federal government's natural role as the provider for the national defense gives it more credibility in regards to national security than a less sovereign government, or a private entity would; this could cause dissonance for those who weight concerns over physical safety and security versus civil liberties and free access to information.
- The Soviet Union and communist ideology were the major threats of the Cold War period, but the United States never fought directly against the Soviet

Union, and no communists attacked the U.S. on its own shores. These threats were considered strong and pervasive at the time, but they were *potential* threats. The attacks of 9/11 actualized the hitherto underestimated or unperceived threat to the U.S. in a very catastrophic manner: nearly 3,000 people died, billions of dollars of losses and damages entailed and continental travel, especially by air, ceased for at least 3 days. Witnessing such events may lead some library workers to hold back unconditional support for intellectual freedom.

The start of the Cold War and the start of the War on Terrorism have very different effects for libraries. In the 1950s, the federal government did not try to obtain patron records from libraries in order to find out who was reading “The Communist Manifesto.” Most libraries contended with challenges from local communities – agencies, private groups and individuals. Today, libraries have not been inundated with demands from local users to remove material from the library that might be considered attractive or sympathetic to Al-Qaeda terrorists – in fact, many libraries reported increasing their collection of material on the Middle East and Islam, without complaint or challenge by patrons. It would be a mistake to attempt to draw too many parallels between the two eras. Nonetheless, there is a very important parallel between the Cold War and the War on Terrorism that deserves scrutiny: the pressure on libraries to restrict information, services and freedoms (particularly that of privacy) from potential enemies of the state.

Yesterday an elderly woman approached the reference desk to ask for help finding a novel she wanted to read. . . . While I was thus engaged, my patron was busy reading the placard our library has placed at the reference desk whose purpose is to inform patrons about the Patriot Act. It took her a while to absorb the meaning before she spoke.

The lady asked me, “What does this mean? This is like the Red Scare. You surely aren't going to participate in this, are you? I have lived a long time, and never thought I would see this happen again”(McGrorty, 2003).

In response to this pressure, librarians have embraced their role of defending intellectual freedom, even when confronted with appeals to national interest. There is a minority, as expressed in the literature, of librarians who find the interests of national security predominant over intellectual freedom. This study does not present hard data or statistically significant proof of support within the profession of the pro-intellectual freedom stance taken by many library leaders. However, it does suggest that the concept of intellectual freedom, and its implications for library practice, is well recognized and has a significant number of defenders throughout the profession. The work of Fiske, Estabrook et al, and others are important reality checks. The library profession is not monolithic in its viewpoints regarding many issues and many aspects of intellectual freedom are controversial even among those who are renown for their defense of that concept. Realistic dialogue among the defenders, critics and even those ambivalent about intellectual freedom promotes the very concept and prevents the profession from reveling in a false sense of security that undermines its evolving core values.

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APPENDIX A: ALA Resolutions on Intellectual Freedom

Code of Ethics of the American Library Association (1995)

As members of the American Library Association, we recognize the importance of codifying and making known to the profession and to the general public the ethical principles that guide the work of librarians, other professionals providing information services, library trustees and library staffs.

Ethical dilemmas occur when values are in conflict. The American Library Association Code of Ethics states the values to which we are committed, and embodies the ethical responsibilities of the profession in this changing information environment.

We significantly influence or control the selection, organization, preservation, and dissemination of information. 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.

The principles of this Code are expressed in broad statements to guide ethical decision making. These statements provide a framework; they cannot and do not dictate conduct to cover particular situations.

- I. **We provide the highest level of service to all library users through appropriate and usefully organized resources; equitable service policies; equitable access; and accurate, unbiased, and courteous responses to all requests.**
- II. **We uphold the principles of intellectual freedom and resist all efforts to censor library resources.**
- III. **We protect each library user's right to privacy and confidentiality with respect to information sought or received and resources consulted, borrowed, acquired or transmitted.**
- IV. **We recognize and respect intellectual property rights.**
- V. **We treat co-workers and other colleagues with respect, fairness and good faith, and advocate conditions of employment that safeguard the rights and welfare of all employees of our institutions.**
- VI. **We do not advance private interests at the expense of library users, colleagues, or our employing institutions.**
- VII. **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.**
- VIII. **We strive for excellence in the profession by maintaining and enhancing our**

own knowledge and skills, by encouraging the professional development of co-workers, and by fostering the aspirations of potential members of the profession.

Adopted by the ALA Council

June 28, 1995

The Library's Bill of Rights (1939)

Today implications in many parts of the world point to growing intolerance, suppression of free speech, and censorship affecting the rights of minorities and individuals. Mindful of this, the Council of the American Library Association publicly affirms its belief in the following basic policies which should govern the services of free public libraries:

1. Books and other reading matter selected for purchase from the public funds should be chosen because of value and interest to people of the community, and in no case should the selection be influenced by the race or nationality or the political or religious views of the writers.
2. As far as available material permits, all sides of questions on which differences of opinions exist should be represented fairly and adequately in the books and other reading matter purchased for public use.

The library as an institution to educate for democratic living should especially welcome the use of its meeting rooms for socially useful and cultural activities and the discussion of current public questions. Library meeting rooms should be available on equal terms to all groups in the community regardless of their beliefs or affiliations.

The Library Bill of Rights (Revised -1948)

The Council of the American Library Association reaffirms its belief in the following basic policies which should govern the services of all libraries:

1. As a responsibility of library service, books and other reading matter selected should be chosen for values of interest, information, and enlightenment of all the people in the community. In no case should any book be excluded because of the race or nationality, or the political or religious views of the writer.
2. There should be the fullest practicable provision of material presenting all points of

view concerning the problems and issues of our times, international, national, and local; and books or other reading material of sound factual authority should not be proscribed or removed from library shelves because of partisan or doctrinal disapproval.

3. Censorship of books, urged or practiced by volunteer arbiters of morals or political opinion or by organizations that would establish a coercive concept of Americanism, must be challenged by libraries in maintenance of their responsibility to provide public information and enlightenment through the printed word.
4. Libraries should enlist the cooperation of allied groups in the fields of science, of education, and of book publishing in resisting all abridgement of free access to ideas and full freedom of expression that are the tradition and heritage of Americans.

As an institution of education for democratic living, the library should welcome the use of its meeting rooms for socially useful and cultural activities and discussion of current public questions. Such meeting places should be available on equal terms to all groups in the community regardless of the beliefs and affiliations of their members.

The Freedom to Read Statement (1953)

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 avoid the subversion of politics and the corruption of morals. We, as citizens 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 citizen, by exercising critical judgment, will accept the good and reject the bad. The censors, public and private, assume that they should determine what is good and what is bad for their fellow citizens.

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 need the help of censors to assist them in this task. 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.

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 or unpopular with 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 with any expression the prejudgment of a label characterizing it 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 the citizen. 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.*

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.

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 citizens 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.

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; revised January 28, 1972, January 16, 1991, July 12, 2000, by the ALA Council and the AAP Freedom to Read Committee.

A Joint Statement by:
**American Library Association and
Association of American Publishers**

Resolution on the USA PATRIOT Act and Related Measures that Infringe on the

Rights of Library Users

WHEREAS, the American Library Association affirms the responsibility of the leaders of the United States to protect and preserve the freedoms that are the foundation of our democracy; and

WHEREAS, libraries are a critical force for promoting the free flow and unimpeded distribution of knowledge and information for individuals, institutions, and communities; and

WHEREAS, the American Library Association holds that suppression of ideas undermines a democratic society; and

WHEREAS, privacy is essential to the exercise of free speech, free thought, and free association; and, in a library, the subject of users' interests should not be examined or scrutinized by others; and

WHEREAS, certain provisions of the USA PATRIOT Act, the revised Attorney General Guidelines to the Federal Bureau of Investigation, and other related measures expand the authority of the federal government to investigate citizens and non-citizens, to engage in surveillance, and to threaten civil rights and liberties guaranteed under the United States Constitution and Bill of Rights; and

WHEREAS, the USA PATRIOT Act and other recently enacted laws, regulations, and guidelines increase the likelihood that the activities of library users, including their use of computers to browse the Web or access e-mail, may be under government surveillance without their knowledge or consent; now, therefore, be it

RESOLVED, that the American Library Association opposes any use of governmental power to suppress the free and open exchange of knowledge and information or to intimidate individuals exercising free inquiry; and, be it further

RESOLVED, that the American Library Association encourages all librarians, library administrators, library governing bodies, and library

advocates to educate their users, staff, and communities about the process for compliance with the USA PATRIOT Act and other related measures and about the dangers to individual privacy and the confidentiality of library records resulting from those measures; and, be it further

RESOLVED, that the American Library Association urges librarians everywhere to defend and support user privacy and free and open access to knowledge and information; and, be it further

RESOLVED, that the American Library Association will work with other organizations, as appropriate, to protect the rights of inquiry and free expression; and, be it further

RESOLVED, that the American Library Association will take actions as appropriate to obtain and publicize information about the surveillance of libraries and library users by law enforcement agencies and to assess the impact on library users and their communities; and, be it further

RESOLVED, that the American Library Association urges all libraries to adopt and implement patron privacy and record retention policies that affirm that "the collection of personally identifiable information should only be a matter of routine or policy when necessary for the fulfillment of the mission of the library" (ALA Privacy: An Interpretation of the Library Bill of Rights); and, be it further

RESOLVED, that the American Library Association considers that sections of the USA PATRIOT ACT are a present danger to the constitutional rights and privacy rights of library users and urges the United States Congress to:

- 1) provide active oversight of the implementation of the USA PATRIOT Act and other related measures, and the revised Attorney General Guidelines to the Federal Bureau of Investigation;
- 2) hold hearings to determine the extent of the surveillance on library users and their communities; and
- 3) amend or change the sections of these laws and the guidelines that threaten or abridge the rights of inquiry and free expression; and, be it further

RESOLVED, that this resolution be forwarded to the President of the United States, to the Attorney General of the United States, to Members of both Houses of Congress, to the library community, and to others as appropriate.

Adopted by the Council of the
American Library Association
Philadelphia, PA
January 29, 2003

APPENDIX B: Bibliography of Print Cold War Citations

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APPENDIX C: Bibliography of Print Post-9/11 Citations

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