The Library and Intellectual Freedom

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The Library and Intellectual Freedom:
An Annotated Bibliography

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Abstract

Libraries serve as an important focus for the promotion of intellectual freedom due to the role they play in both providing equal access to information and resisting intrusions on the privacy of users by unwarranted demands for library and book purchasing records. Both the American Library Association and individual librarians have spoken out against government intrusion that has taken place via implementation of the USA PATRIOT Act. Promoting technical literacy also serves the cause of intellectual freedom in that it provides users with the necessary resources to search for information via the use of the Internet. The idea of the information commons provides a key to the future of shared information resources.
The Library and its Role in Preserving Intellectual Freedom.

The library plays a central role in preserving intellectual freedom in its role of providing equal access to information for all users. From this principle, much action has arisen as governmental sources try both to gain access to private records of users’ library borrowing and book purchasing habits, as well as impose restrictions as to what kinds of materials can be distributed, to which groups of users, and for what purpose (American Civil Liberties Union, 2008). There are ethical and philosophical bases for the principles promoted by the American Library Association (ALA) and others (Woolwine, 2007).

One of the most influential acts by the federal government in recent years has been the passage of the USA PATRIOT Act, which as promoted by its authors was intended to protect against terrorism by giving the federal government the power to seize records in the search for potential terrorist activity. It allowed the government to demand access to library and book purchase records without stating the reason for the request, or allowing any challenges. Furthermore it does not allow those institutions subject to the requests to discuss their case with anyone (Nocek, 2007).

In this context, it is worthwhile to note that libraries and other institutions have been instrumental not only in promoting the concept of equal access to information for all users, but also, in promoting policies that aim to protect the privacy of users in searching for the information they need and desire without fear of the intimidating effect of unwarranted demands for user records (The American Library Association, 2006).

Intellectual freedom is also served by the principle of equal access in providing users by promoting the idea of technical literacy (Boule, 2007). This concept also extends to the idea of the information commons, wherein users will have equal access to information through shared information resources (Kranich, 2004), especially through the use of the Internet.
Annotated Bibliography


The ACLU of Oregon is joining several plaintiffs in challenging a vaguely worded law passed by the State of Oregon regarding the dissemination of materials containing information on sexual subjects to minors. The plaintiffs argue that the law is vague enough that individuals or groups can be prosecuted for providing educational information on sexuality to minors, though the minors in question have a right to read the materials that are provided to them. There are other contradictions in the law, including that public librarians are protected whereas librarians at private institutions are not. It also does not take into account the intent for which the material is being disseminated.


The author reports that many users do not have the technological literacy necessary to find needed information online. Further complicating this is the fact many schools have filters in place which prevent not only access to information, but collaboration between students and teachers. The filters are put in place as part of stipulations for schools to receive public funding.

Boule then goes on to describe a program called Achieve 3000 in which students are taught technological information literacy, and how this leads to an increase in literacy overall. The author argues that students need to have the freedom to search out information without filters, and that assisting users in this regard is one of the roles of the librarian.


This article is about an independent bookstore in Colorado that challenged a police search warrant for book-purchase records by a person suspected of manufacturing illegal drugs. The Colorado State Supreme Court argued that the government’s possession of book-purchase records would have a chilling effect on free speech, as it would make people reluctant to freely purchase books if they felt that the government knew what they were reading.

This public policy report discusses the concept of the information commons, and in particular how it relates to the era of electronic information access in which we live. It explores the history of government as an agent of the public acting on the public’s behalf to insure free and equal access to information. It also chronicles the history of the idea of the commons as a commonly held resource, such as the agricultural commons that existed in medieval times.

The idea of the information commons is reflected in resources, such as a newspaper, school or library that serve to meet the information needs of the community. In the modern era of electronic information, the information commons consists of such ideas as a licensing commons for software (e.g. Linux) content (e.g. Wikipedia), or open access (e.g. scholarly journals and digital repositories which can be used in academia). The challenge is to keep the commons truly common and open, and Kranich reports on the challenges posed by too much government regulation, or even deregulation that favors for-profit media such as publishers and software manufacturers. The report ends with policy recommendations for keeping the information commons open, in part by treating it similar to the original idea of the agricultural commons as a resource that benefits the community.

This report is essential in allowing members of the information profession to be able to conceptualize the future of information, especially as it relates to the idea of equal access to information for all users.


Janet Nocek is Secretary of Library Connection Inc. and Library Director of Portland Library in Portland, Connecticut. She was issued a National Security Letter under the USA PATRIOT Act, which demanded library and Internet records without any evidence that any laws were broken. The NSL also imposed a gag order preventing her or others affected by this from speaking about the case to anyone including her superiors, elected officials and members of Congress. Nocek argues that this is an abrogation of her right to free speech, which is most necessary especially when it is being restricted.

Nocek challenges Attorney General Alberto Gonzales’s assertion that there were no instances of abuse of the national security letters (NSL) provision of the USA PATRIOT Act, especially as Mr. Gonzales was in possession of evidence of such abuses. The author states that she was placed under a gag order and was unable to challenge the NSL provision while the USA PATRIOT Act was under review during its renewal, though she was eventually freed of the gag order restrictions with the help of lawyers from the American Civil Liberties Union (ACLU).


This is an online supplement to the print edition of the Intellectual Freedom Manual. It contains access to American Library Association (ALA) policies related to privacy issues, the library code of ethics, issues related to free speech by librarians in the workplace, support of academic freedom, the USA PATRIOT Act and related governmental requests for library records, as well as free speech as it relates to rules put forth by the Federal Communications Commission (FCC).

This is an invaluable source on many levels, as it provides a resource for librarians who have questions as to the official stance of the ALA on freedom of speech and privacy issues. This resource is particularly useful as it provides support to the librarian who may be challenged on such issues in the line of their work.


This is the original document adopted by the American Library Association (ALA) in 1948, which expressed the ALA’s commitment to equal access to library materials to all users and groups regardless of “origin, age, background or views”. It also affirms the ALA’s commit to provide library materials regardless of the origins or views of the materials. The ALA affirms that it will oppose censorship on the grounds that censorship is an abridgement of speech.

This a review of the book “The Politics of Promoting Freedom of Information and Expression in International Librarianship: The IFLA/FAIFE Project” that was written by Alex Byrne, who was president of IFLA from 2005 to 2007, and which is about the Free Access to Information and Freedom of Expression initiative of the International Federation of Library Associations (IFLA/FAIFE) In the book, Byrne equates intellectual freedom with human rights. The book gives the history of IFLA over its first fifty years as of 2007 when the book was written. This includes the ideas of freedom of information across political and cultural boundaries as well as the idea of the library as an agent for the transmission of national culture. Other issues covered in the book are the idea of the right to information, protesting suppression of free speech in art or by the imprisoning of people for the speech, and the role of the Internet in the post-9/11 world.

Based on the review, this book would be a valuable addition to the study of intellectual freedom around the world, and not only in the United States. It is heartening to see that librarians around the world have decided to make intellectual freedom a key principle in the profession of library science.


This article looks at the role of libraries as civil institutions that allow society to have a voice in resisting restrictions on intellectual freedom imposed by the government. The author discusses the responses that the American Library Association (ALA) has made to such government legislation as the USA PATRIOT Act, and the philosophical bases for those responses. The article discusses the idea of the ALA as a clearinghouse by which society can develop these responses. The key philosophical tension, according to the author is that of the utilitarian philosophy of the greatest good for the greatest number as opposed to rights-based discourse, as these philosophies related to free access of information and opposed to privacy rights.

This is a highly useful tool as it encourages the librarian and future librarian to think in terms of ethical choices when it comes to issues of free access to information and the right to privacy in access information. This will help librarians to make reasoned choices when these issues arise in the course of their work.