

What Is Intellectual Freedom?

Intellectual freedom is the right of every individual to both seek and receive information from all points of view without restriction.

Why Is Intellectual Freedom Important?

Intellectual freedom is the basis for our democratic system. We expect our people to be self-governors. But to do so responsibly, our citizenry must be well-informed. Libraries provide the ideas and information, in a variety of formats, to allow people to inform themselves.

-from ALA at <http://www.ala.org/ala/oif/basics/intellectual.htm#ifpoint1>

Your Library and Intellectual Freedom



Presented by
The CAL Intellectual Freedom Committee

Your Library and Intellectual Freedom

- Current laws and legislation
 - Internet filtering
 - USA PATRIOT Act
 - Challenges
 - Intellectual Freedom in libraries
 - Policies and strategies in libraries
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CIPA



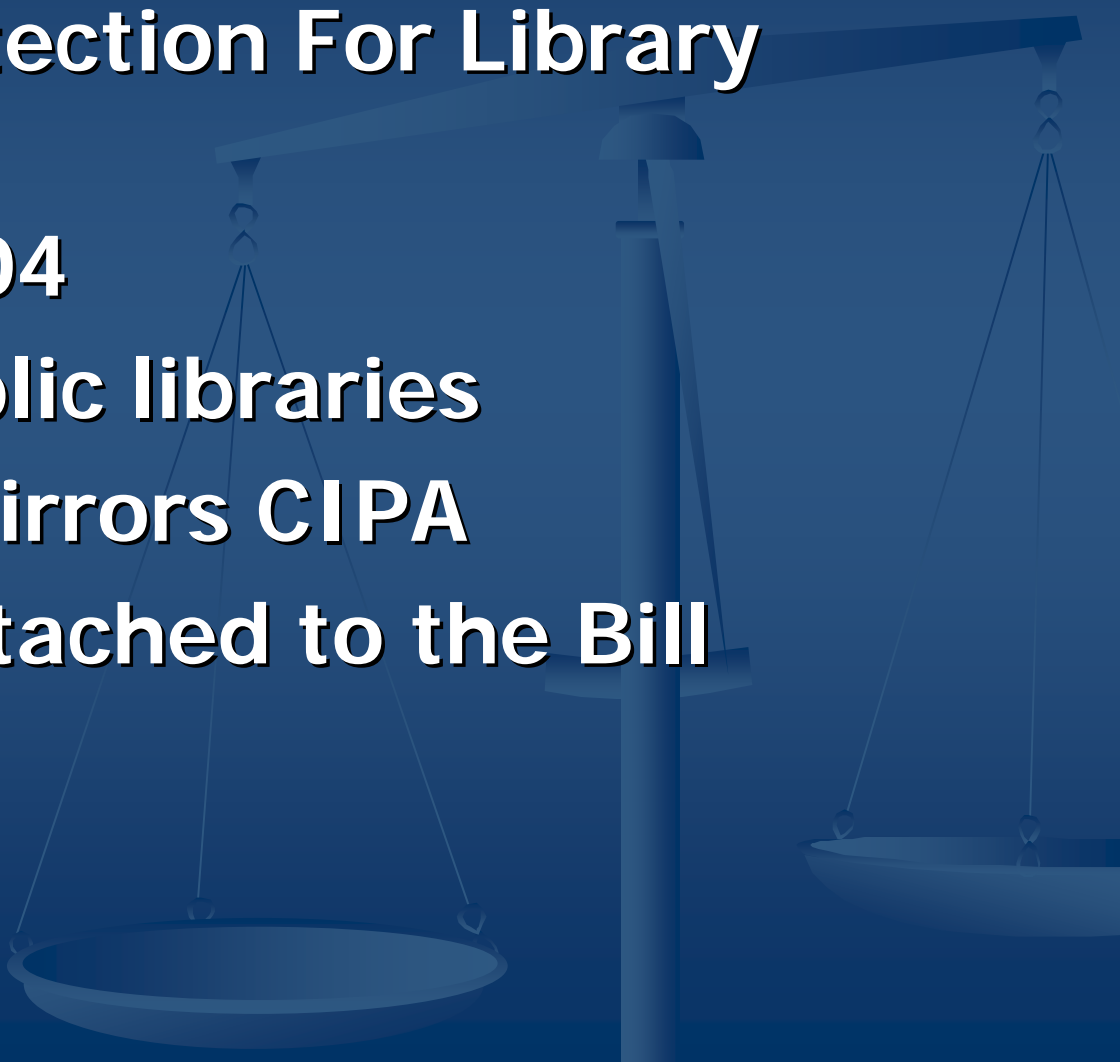
- July 1, 2004 – Libraries must have Internet policies and filters in place
- Affects:
 - Public & school libraries
 - Receiving Federal funds used for Internet access (LSTA or E-rate)
- Requires:
 - Internet safety policies
 - Internet filters

CIPA



- Law says...filters need to block:
 - obscenity
 - child pornography
 - Material harmful to minors
- Supreme Court says...for adults:
 - Filters should be disabled upon request
 - Without delay or explanation

Colorado's Internet Filtering Bill

- **"Internet Protection For Library Users"**
 - **Passed in 2004**
 - **Applies to public libraries**
 - **Generally it mirrors CIPA**
 - **No funding attached to the Bill**
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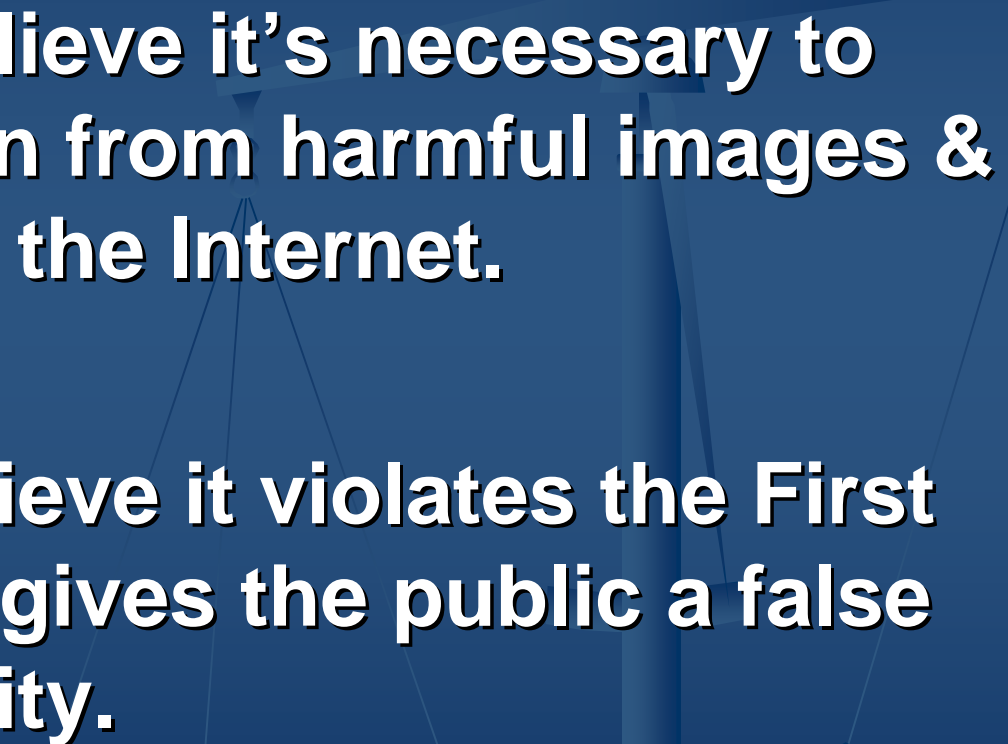
Internet Filtering

Issues for libraries:

- Cost
- Maintenance
- Turning-off filters
- Over-blocking & under-blocking of information
- First Amendment Rights



Internet Filtering

- **Proponents believe it's necessary to protect children from harmful images & information on the Internet.**
 - **Opponents believe it violates the First Amendment & gives the public a false sense of security.**
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USA PATRIOT ACT

Uniting and
Strengthening
America by
Providing
Appropriate
Tools
Required to
Intercept and
Obstruct
Terrorism

- **Passed by Congress on October 26, 2001**
- **132 pages long**
- **Section 215 – applies to libraries**
- **Passed partially in response to the terrorist attacks on 9/11**

USA PATRIOT ACT

Section 215

- **FISA (Foreign Intelligence Surveillance Act) issued warrants**
- **Grants the FBI broad surveillance powers**
- **Includes a “gag” order**
- **Allows agents to infiltrate legal public meetings/gatherings**
- **All business records are subject to search or seizure**


USA PATRIOT ACT



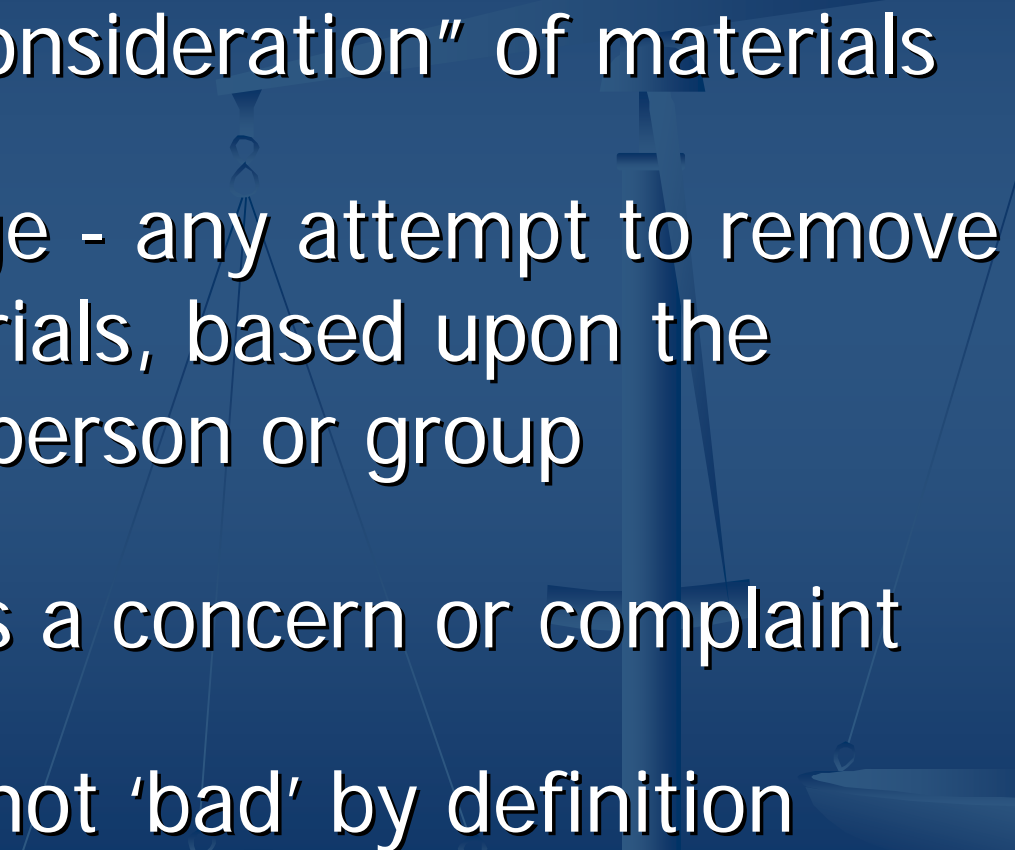
Concerns:

- FISA issued warrants requires only "suspicion" not "probable cause"
- Lacks the 'checks & balances' of judicial review
- Overrides state & local privacy laws
- "Gag" order on library staff
- Expanded wiretapping authority to include public computers

USA PATRIOT ACT

- **Proponents believe it's necessary to protect public safety.**
 - **Opponents believe it promotes public safety at the expense of our civil liberties as citizens.**
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Challenges

- Also called “reconsideration” of materials
 - Formal Challenge - any attempt to remove or restrict materials, based upon the objections of a person or group
 - Not the same as a concern or complaint
 - Challenges are not ‘bad’ by definition
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Challenges

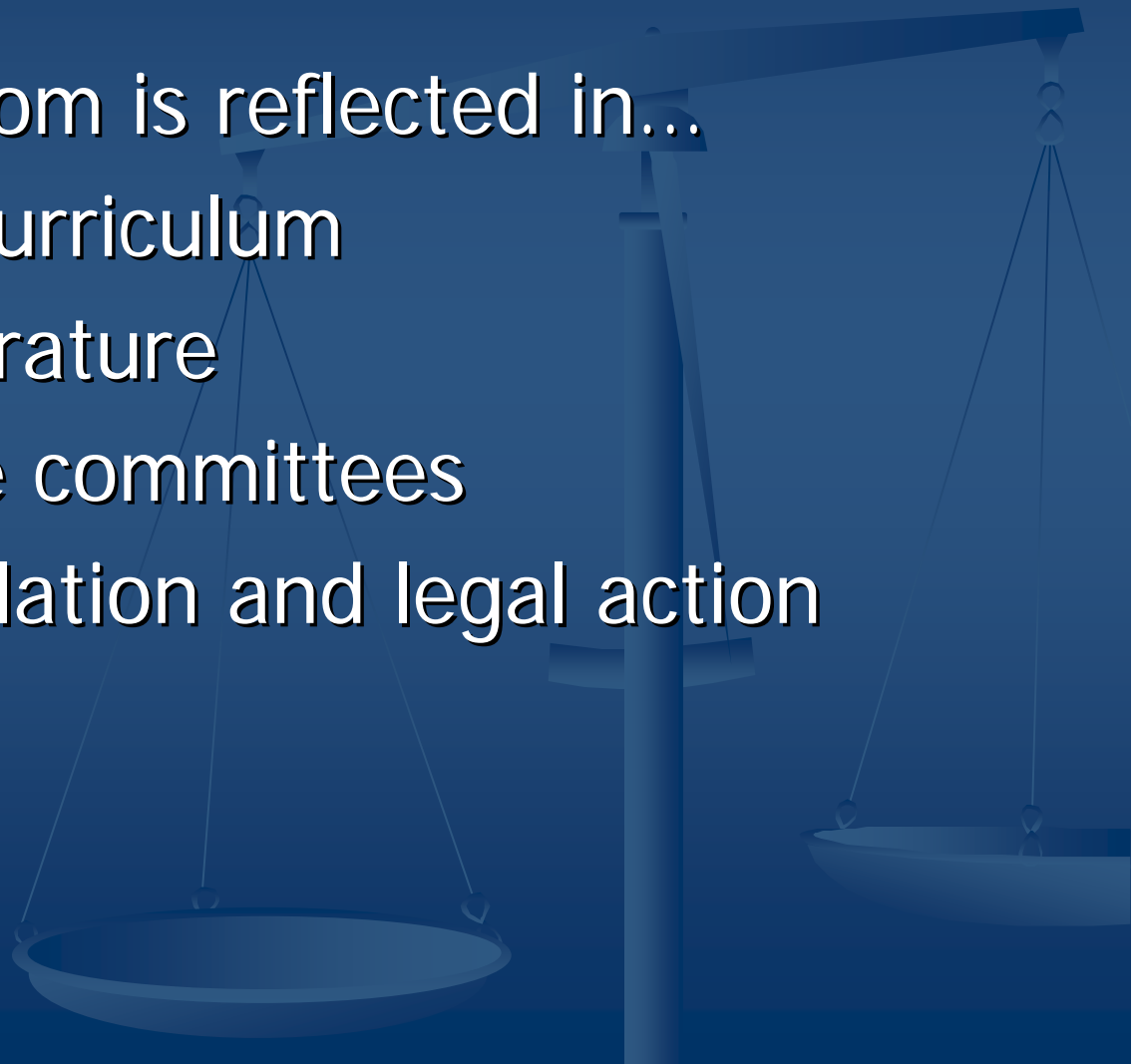
Issues for libraries:

- Materials selected based on collection development policies
 - Variety of materials & viewpoints
 - Selection, not censorship
 - Meeting the needs of all patrons
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Intellectual Freedom: A Guiding Principle of Libraries

Intellectual Freedom is reflected in...

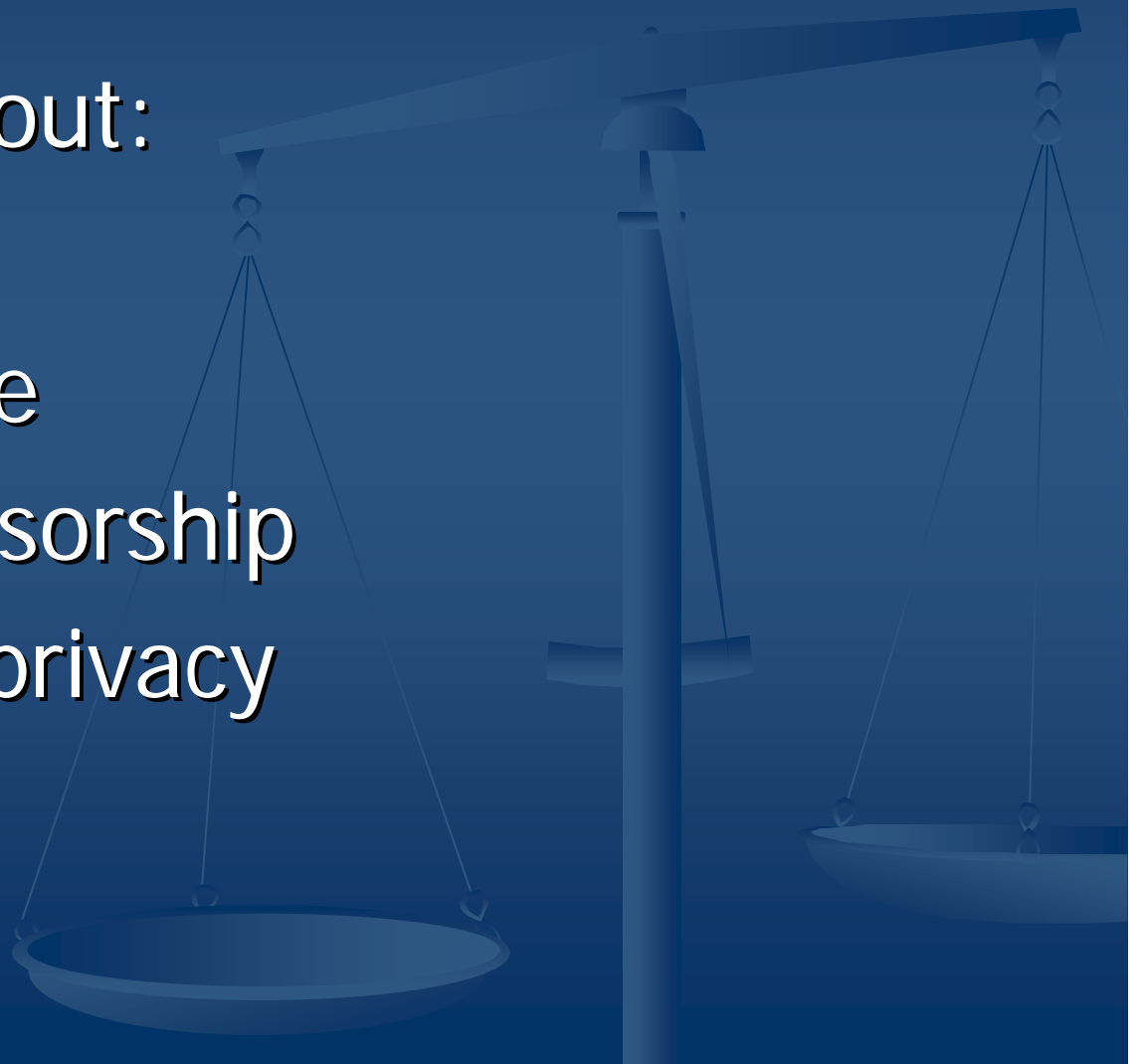
- Library school curriculum
- Professional literature
- National & state committees
- Support of legislation and legal action



Intellectual Freedom: A Guiding Principle of Libraries

Libraries are about:

- Free access
- For everyone
- Without censorship
- Respecting privacy



Intellectual Freedom Issues in Libraries - Privacy

“It is the librarian's obligation to treat as confidential any private information obtained through contact with library patrons.”

- *ALA's CODE OF ETHICS FOR LIBRARIANS*



Intellectual Freedom Issues in Libraries - Collections

- Materials should NOT be excluded
 - Based on origin, background, or point of view
 - Because of partisan or doctrinal disapproval
- Libraries should challenge censorship

-ALA's Library Bill of Rights



Intellectual Freedom Issues in Libraries - Access

- Support free expression and free access to ideas
- Equitable access to exhibit spaces and meeting rooms
- Library access available regardless of origin, age, background, or views

-ALA's Library Bill of Rights



Intellectual Freedom Issues in Libraries


How do libraries find a balance?

- Mission
- Policies
- Procedures
- Strategies



CAL-IFC Checklist

HAVE...

- Written mission statement
 - Written policies including material selection, programs, exhibits, and other services
 - Include written procedures for...
 - Challenges to materials or services
 - Subpoenas and search warrants
- 


CAL-IFC Checklist

DO...

- Regular training of staff, volunteers, and trustees on...
 - library's policies and the principles of intellectual freedom
 - public service techniques, including how to handle complaints & concerns
 - Program for individuals and community groups about...
 - library materials and services
 - community benefits of intellectual freedom
- 


CAL-IFC Checklist

KNOW...

- Intellectual freedom advocates including local, state, and national organizations
 - Influential individuals in your community who can support your library
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CAL-IFC Checklist

KEEP IN TOUCH...

- Read the newspapers, magazines, & professional journals, attend conferences, and watch the news
 - Be familiar with local, state, and federal legislation
 - Know CAL & ALA policy regarding intellectual freedom
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CAL-IFC Checklist

SHARE...

- Educate your community about IF issues
 - Promote free access to ideas and information for all people
 - Get your governing body involved --- it is the ideal advocate for the library
 - Initiate & maintain good relationships with civic, religious, educational, and political bodies in your community
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Intellectual Freedom & Libraries: Tools & Resources

CAL -IFC Resources

- News and Current Events
- USA PATRIOT Act Information
- Intellectual Freedom Handbook
- Facilitator's Manual for Intellectual Freedom Training
- Julie Boucher Memorial Award and Lecture

Available at : <http://www.cal-webs.org/if.html>

Intellectual Freedom & Libraries: Tools & Resources

■ ALA Online Resources

- Library Bill of Rights
- Code of Ethics
- Freedom to Read Statement
- Libraries: An American Value
- Intellectual Freedom Toolkits
- Challenge support
- Banned Book Week information

■ ALA book: *Intellectual Freedom Manual*

Available at: <http://www.ala.org/ala/oif/intellectual.htm>

Free speech is intended to protect the controversial and even outrageous word; and not just comforting platitudes too mundane to need protection.

- General Colin Powell

Thank you!

