

POLICY ON GOVERNMENTAL INTIMIDATION

The American Library Association opposes any use of governmental prerogatives which leads to the intimidation of the individual or the citizenry from the exercise of free expression. ALA encourages resistance to such abuse of governmental power, and supports those against whom such governmental power has been employed.

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AMERICAN LIBRARY ASSOCIATION

Item: INTELLECTUAL FREEDOM Item Number: 103.9
Approved by: ALA Council Page: 1 of 1
Issue Date: June, 1971 Supersedes: _____

Governmental intimidation

WHEREAS, ALA is concerned with the preservation of intellectual freedom, and

WHEREAS, The freedom to think, to communicate, and discuss alternatives are essential elements of intellectual freedom, and

WHEREAS, These freedoms have been threatened by actions of the federal government through the use of informers, electronic surveillance, grand juries, and indictments under the Conspiracy Act of 1968 as demonstrated in the case of the Harrisburg 6, now

THEREFORE BE IT RESOLVED,

- (1) That ALA Membership Meeting at Dallas recognizes the danger to intellectual freedom presented by the use of spying in libraries by government agencies;
- (2) That ALA go on record against the use of the grand jury procedure to intimidate anti-Vietnam War activists and people seeking justice for minority communities;
- (3) That ALA deplore and go on record against the use of the Conspiracy Act of 1968 as a weapon against the citizens of this country who are being indicted for such overt acts as meeting, telephoning, discussing alternative methods of bringing about change, and writing letters;
- (4) That the ALA Membership at Dallas assert the confidentiality of the professional relationships of librarians to the people they serve, that these relationships be respected in the same manner as medical doctors to their patients, lawyers to their clients, priests to the people they serve;
- (5) That ALA assert that no librarian would lend himself to a role as informant, whether of voluntarily revealing circulation records or identifying patrons and their reading habits.

AMERICAN LIBRARY ASSOCIATION

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Governmental intimidation

WHEREAS, The principle of intellectual freedom protects the rights of free expression of ideas, even those which are in opposition to the policies and actions of Government, itself; and

WHEREAS, The support of that principle is guaranteed by the First Amendment, thus insuring Constitutional protection of individual or collective dissent; and

WHEREAS, Government, at whatever level, national, state, or local, must remain ever vigilant to the protection of that principle; and

WHEREAS, Government, although properly empowered to promulgate, administer, or adjudicate law has no right to use illicitly its legally constituted powers to coerce, intimidate, or harrass the individual or the citizenry from enunciating dissent; and

WHEREAS, The illegitimate uses of legitimate governmental powers have become increasingly a matter of public record, among them being the misuse of the Grand Jury and other investigative procedures, the threat to deny licenses to telecommunications media, the indictment of citizens on charges not relevant to their presumed offenses, and the repressive classification, and hence denial, of documentary material to the very public taxed for its accumulation; and

WHEREAS, These illicit uses not only constitute an abrogation of the right to exercise the principle of freedom of expression but also, and perhaps more dangerously, prefigure a society no longer hospitable to dissent;

NOW THEREFORE BE IT RESOLVED, That the American Library Association, cognizant that in the scales of justice the strength of individual liberty may outweigh the force of power, expresses its unswerving opposition to any use of governmental prerogative which leads to the intimidation of the individual or the citizenry from the exercise of the constitutionally protected right of free expression, and

BE IT FURTHER RESOLVED, That the American Library Association, encourage its members to resist such improper uses of governmental power, and

FURTHER, That the American Library Association supports those against whom such governmental power has been employed.

* Except for Numbers 4 and 5 in 103.9.