

IFRT REPORT

Intellectual Freedom Roundtable of the American Library Association

Fight “Sexpanic,” Defend Sexual Expression!

From the moment he took hold of the microphone at the IFRT program “Libraries, Librarian, and America’s War on Sex,” Marty Klein, captivated the audience at ALA Annual with his energy, passion and humor. In his talk about how the conservative Right is trying to stifle Americans’ rights, Dr. Klein made it clear that sex-speech is the prime target when free speech is at issue, because of the unwillingness of people and organizations to speak out in defense of such a ‘taboo’ subject.

This is an area where people are trying to govern by morality rather than by the constitution. Klein showed how often with just a few changes of terminology, innocent words can become hateful rhetoric, and false pairings, such as “pornography and child pornography” can be used to re-frame discussions.

Those waging the “war on sex” aren’t satisfied with con-

trolling their own lives, but want to control what you, your family and your friends do, read and watch as well.

For each of the battlegrounds in the war on sex --- sex education, reproductive rights, the broadcast industry, pornography, adult entertainment, etc—there is a “sexual disaster industry” - from conservatives in government and religion, to rating seeking talk shows—are creating a “sexpanic” that makes the average American question what rights they and their neighbors should give up to make things “safe.” Klein countered that this is the very thing that creates an increase in crime, as during prohibition. Individuals are often fearful of

standing up for their sexual rights. That is why it is so easy for groups like Focus on the Family to come into a community and get change quickly, and why organizations like ALA need to speak out on these issues, Sex discrimina-



tion is a very real problem and people who fear something or someone different are easy to excite. Klein made it clear that sexual freedom is just the first battleground in the assault on our rights and freedoms. The next stop could be your bookstore.

Hilary Albert, Mahopac Public Library

Notes from the Chair: Being Passionate about IF

I would like to welcome IFRT’s new and returning liaisons, committee members and committee chairs, and the newly elected executive committee. I want to thank everyone for your enthusiasm and commit-

ment in continuing the important work of IFRT. Whether you have recently joined IFRT, or count yourself among the “cast of usual suspects,” I am honored to serve with all of you intellectual freedom de-

fenders and advocates.

Chicago never fails to deliver an engaging and exciting conference. While business matters and meetings occupied some of our time, the richness

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and variety of IF programs was astonishing. Our program was standing room only! Kudos extraordinaire are conferred to Carrie Gardner, Program Chair 2008. Look for articles about this and other programs in this issue of the Report.

The activities and responsibilities of IFRT are far too lengthy to address here. For that I would direct you to our online IFRT Report and website. To our members, I want to thank you for your support of IFRT and encourage you to look for ways, however small, to be involved with intellectual freedom issues in your own libraries or in your local communities.

The following list, though taken from a 2001 IFRT Report and originally published online in 1999 by ALA, details the essence of intellectual freedom advocacy.

1. Make intellectual freedom in all its forms a central part of your library mission.
2. Educate others about the importance of intellectual freedom and how the

changing information and technological environment is making the need for intellectual freedom in libraries even more critical.

3. Advocate support for the library's role in preserving intellectual freedom. Talk to library and school boards, the media and elected officials at all levels of government.
4. Monitor the news and your community for incidents of censorship in your area and report them to the American Library Association's Office for Intellectual Freedom.
5. Lend your support to others who are facing censorship challenges.
6. Respond to requests for support from the Office for Intellectual Freedom on controversial issues in your area.
7. Stay up-to-date in legislation and court cases that could affect intellectual freedom libraries.
8. Network with civil liberties groups and other organizations in your area that are dedicated to intellectual free-

dom principles. Your support for them will mean increased support for libraries.

9. Be a leader. Start a local group dedicated to ensuring that intellectual freedom in libraries is preserved.
10. Get involved professionally! Great! You already have begun this by being a member of IFRT!

If you have a passion for intellectual freedom and would like to become further involved with IFRT, please contact me directly at lauren.christos@fiu.edu. I would be delighted to hear from you. In the meantime, consider submitting an article or book review for the Report, celebrate Banned Books Week with a display or readout, make contact with others interested in IF issues in your library and community, or simply explore new and creative ideas that work for you, and then let us know about them!

Lauren Christos

IFRT Chair

IFRT Invites Winning Student to Freedom To Read Foundation Gala

In celebration of the Freedom to Read Foundation's 40th anniversary, IFRT awarded a seat at the IFRT table at the FTRF's Gala at the Art Institute of Chicago to a current LIS student with an interest in intellectual freedom issues. Below is the essay from Katrina Stokes' winning entry.

A few weeks ago, I read an article describing how the late Judith Krug struggled with both lawmakers and even the public in order to secure Americans' rights to intellectual freedom. What really stood out to me was her coming to the defense of white supremacists' right to speak in public. I can only think how brave she must have been to tackle such an issue.

Of all the issues surrounding intellectual

freedom, what interests me the most is learning to protect the rights of even those individuals whose ideals I find repugnant. I am interested in hearing from others who have experienced these situations and how they handled them.

My goal is to become a library media specialist. I realize that certain cir-



Katrina Stokes, in red, joins other IFRT members at the FTRF Gala. Stokes is the winner of the IFRT contest.

cumstances will apply when school-children are involved but in the end, even children have the right to intellectual freedom. When I was in the fifth grade, one of my classmates chose Adolf Hitler

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Year in Review: Report from Bob Holley, IFRT Chair 2008-2009

In looking back on my year as IFRT Chair, I accomplished my two major goals—a successful program at the 2009 ALA Annual Conference and getting approval for policies to improve the functioning of virtual committees. I was ecstatic at the success of Dr. Marty Klein's program on "America's War on Sex: The Demonization of Pornography." I have been concerned for many years that ALA's defense of intellectual freedom for sexual content has too often been based upon theoretical first amendment rights and has overlooked the positive role that sexual expression and sexual materials can play in human life. I had hoped for a program that would address this difficult issue head on and defend the positive expression of multiple sexual values within the American tradition. I wish to thank Carrie Gardner, Program Committee Chair, once again for finding the speaker, Marty Klein, to make my goal a reality, for publicizing the program widely, and for taking the heat for doing so. Around 400 people attended the session where they heard Dr. Klein's excellent talk and learned more about IFRT's role within ALA. Cognotes chose to include a summary of Dr. Klein's talk. While Carrie and I worried about hecklers and hostile questions, there were none. In fact, a few tough questions might have improved the program since one blog post commented on the lack of controversy and too much "preaching to the choir."

My second objective was to codify procedures for the functioning of virtual committees

and to make sure that all meetings conformed to the ALA open meeting policy. While virtual committees have opened up access to IFRT members who cannot attend face-to-face committee meetings at both ALA annual meetings, comments from committee members and chairs led me to believe that committee chairs needed to communicate more directly with members and to involve them in IFRT activities. In addition, while IFRT is not a process-driven unit, tasks referred to committees needed to be accomplished, preferably with the involvement of all committee members, even if the committees never physically meet. The new policies charge committee chairs with contacting members at the beginning of the appointment year, right after the ALA Annual Conference, to welcome them and to explain how the committee will conduct its business during the upcoming year. While the open meeting policy will have less impact, it puts us into conformity with ALA rules. I confess that during the year I worried about the lack of comments on the proposed policies on the IFRT discussion lists and was pleased to learn that the reason was substantive agreement with their principles.

The third accomplishment was more an accident. I asked to change the time for the IFRT Awards Luncheon because I had a conflict though ultimately the conflict was moved to another time. Doing so brought up a discussion on the role of this luncheon with a decision to change this event to open it up to the wider IFRT membership

and to use it to encourage attendees to stay for the IFRT program. Lauren Christos, Chair; Paul Beavers, Treasurer; and Jen Hammond, Staff Liaison, will need to work out the details for next year.

My main concern for the future is the declining membership in IFRT. An IFRT member approached me at the Freedom to Read Foundation reception and asked what the benefits of membership were. He was pleased to learn about the online Newsletter but didn't know that he needed to sign up. A quick chat with Jen Hammond solved his problems. While I applauded the decision to go virtual, one continuing task for IFRT is to find ways to involve members. A paper Newsletter mailed to members had been a good way to regularly remind them about IFRT activities but is no longer financially possible. At the Executive Committee meeting, we agreed to send a once-a-year email to all members to tell them how to sign up for the IFRT discussion list where announcements about the Newsletter appear as well as other IFRT news. Changing the reception at the Annual Conference as described above is another positive step. Finally, appointing all volunteers to an IFRT committee is an excellent way to increase loyalty. The new policies on committee participation should help these members feel connected. But this is only a start. The Membership Committee will certainly come up with other suggestions during the upcoming year.

Robert P. Holley, Wayne State University

The 2010 IFRT Awards: Nominations Due Dec 1, 2009

The **John Phillip Immroth Memorial Award** honors intellectual freedom fighters in and outside the library profession who have demonstrated remarkable personal courage in resisting censorship. The award consists of \$500 and a citation. Individuals, a group of individuals or an organization are eligible for the award.

The **Eli M. Oboler Memorial Award**, which consists of \$500 and a certificate, is presented for the best published work in the area of intellectual freedom.

The **ProQuest/SIRS State and Regional Intellectual Freedom Achievement Award** is given to the most innovative and effective intellectual freedom project covering a state or region. Programs may be one-time, one-year or ongoing/multi-year efforts. The award consists of a citation and \$1,000 donated by ProQuest.

IFRT Councilor's Report: ALA Annual 2009

Intellectual freedom was a prominent theme in Chicago, with the official mourning of Judith Krug's passing providing much of that backdrop. Certainly she would have been so proud of Council's strong endorsement to Congress to allow section 215 of the USA Patriot Act to expire. The following report highlights the actions of Council, including my vote and Council's decision. It was my pleasure to serve.

ALA COUNCIL

Policy Monitoring Committee (PMC)

In addition to several housekeeping changes, the PMC recommended several other action items:

Censure of Racist Institutions – Supporting the removal of policy 9.6 Racist Institutions: Opposition to Support of, because the policy has not been used, is narrowly defined and is covered in Sturgis (p. 223). **Voted in favor; approved.**

Virtual Members – Supporting the removal of policy 6.16 Virtual Members, because following action at Midwinter 2009 this policy is now redundant. **Voted in favor; approved.**

Current Reference File – Supporting guidelines for and renaming of the Current Reference File to Policy Reference File. **Voted in favor; approved.**

Policy Manual Maintenance, Indexing, and Table of Contents – Supporting guidelines for eliminating indexing of an online Policy Manual and maintenance by ALA staff instead of PMC members. **Voted in favor; approved.**

Membership Committee

Organizational Dues Rate Proposal – “That ALA Council approves the proposal to adjust the organizational dues rate over a two-year phased in process to begin on September 1, 2009.” **Voted in favor; approved.**

Committee on Professional Ethics

On Ethics Education –

“That the Council of the American Library Association acknowledges that ethics education for its members is a critical need and a training priority of the Association.” **Voted in favor; approved.**

“That the ALA Council accepts the recommendation of the ALA Council Committee on Professional Ethics (COPE) that the Ethical Fitness® Seminar developed by the Institute for Global Ethics best meets the criteria of providing research-based, instructionally sound, sustainable, affordable, and practical ethics education.” **Voted against; defeated.**

Constitution and Bylaws Committee

Two housekeeping action items were brought to Council as recommended by the Task Force on Electronic Membership Participation. **Voted in favor; adopted.**

Committee on Legislation

Google Book Search Settlement - “To request the ALA President, with advice of the ALA Executive Board, to convene an ALA wide representative group to continue to assess the proposed Google Book Search Settlement and its ongoing impact on ALA members and member institutions and to make recommendations for action by the Association and its members.” **Voted in favor; approved.**

Government Printing Office Appropriations – “That the American Library Association (ALA) urges Congress to reaffirm GPO's mission to providing no-fee public access to government information by fully funding the United States Government Printing Office appropriations at the level requested by the United States Public Printer for FY 2010.” **Voted in favor; adopted.**

Supporting Federal Research Public Access Act – “That the American Library Association (ALA) urges Congress to ensure public access to research conducted by federal agency employees or through funds administered by federal agencies through passage of the Federal Research Public Access bill S. 13732; and urges Con-

gress to amend the bill to calculate the combined research expenditures from both intramural and extramural research activities to reach the \$100 million threshold as articulated in the current draft of the legislation.” **Voted in favor; adopted.**

Supporting GPO's Digitization of Historical Federal Publications – “That the American Library Association (ALA) urges Congress to support and fund the Government Printing Office (GPO) in digitization efforts of historical federal publication; and that the digitization efforts will adhere to statutory requirements of Title 44 U.S. Code and GPO guidance and the ALA's Principles of Digital Content in consultation with depository libraries and other library partners; and that the GPO become a trusted repository for preservation and access to electronic files and that partner depository libraries also serve in that capacity.” **Voted in favor; adopted.**

Supporting Preserving the American Historical Records Act – “That the American Library Association (ALA) urges Congress to protect and preserve the essential records of government through the passage of the Preserving the American Historical Records bill H.R. 2256.” **Voted in favor; adopted.**

Reauthorization of Section 215 of the USA Patriot Act – To treat this resolution as an advisory resolution to the ALA Washington Office if Section 215 of the USA Patriot Act is to be reauthorized. The provisions included tightening of FISA Court findings, show cause for FISA Court approved gag orders, right to consult an attorney, right to challenge any gag order, ensure due process when challenging a gag order and intensify oversight of section 215 provisions related to privacy. **Voted in favor; approved.**

Intellectual Freedom Committee

Reauthorization of Section 215 of the USA Patriot Act – “That the American Library Association (ALA) urges Congress to allow

Continued on next page.

IFRT Councilor's Report: ALA Annual 2009, Continued

section 215 of the USA Patriot Act to sunset." **Voted in favor; adopted.**

To adopt the revisions to two Interpretations of the Library Bill of Rights:

Access to Digital Information, Services, and Networks (ALA CD #19.5)

Labeling and Rating Systems (ALA CD #19.7)

IFRT supported; voted in favor; approved.

To adopt two new Interpretations of the Library Bill of Rights:

Importance of Education to Intellectual Freedom (ALA CD #19.6)

Minors and Internet Interactivity (ALA CD #19.8)

IFRT endorsed; voted in favor; adopted.

Committee on Organization

Continuing Library Education and Networking Exchange Round Table – "That the name of the Continuing Library Education and Networking Exchange Round Table be changed to the Learning Round Table (Learn)." **Voted in favor; adopted.**

Expanding the Round Table Coordinating Assembly – "That the composition of the Round Table Coordinating Assembly (RTCA) be expanded to include the immediate past president, the current treasurer/fiscal officer/budget chair of each RT, and individuals currently serving on ALA committees as a result of the collective appointment by the RT's." **Voted in favor; adopted.**

Other Resolutions & Actions

On Civil Marriage Equality Regardless of Sexual Orientation – "That the American Library Association affirms that civil marriage and other civil rights protections are essential to making all families safer and more secure; opposes civil marriage discrimination in the federal or in state constitutions; and supports the right of every person to marry, including lesbian, gay, bisexual and transgender couples, wher-

ever they reside." **IFRT endorsed; voted in favor; adopted.**

On Libraries and the Continuing Wars in Iraq and Afghanistan – "That the American Library Association reiterates its call for the ending of the occupation of Iraq and the withdrawal of all U.S. troops; and calls for the withdrawal from Afghanistan of all U.S. military forces, and the return of full sovereignty to the people of Afghanistan; and urges the United States government to shift its budgetary priorities from both wars to an improvement in support for vital domestic programs, including United States libraries; and calls upon the United States government to provide material assistance through the United Nations for the reconstruction of both Iraq and Afghanistan, including its museums, libraries, schools, and other cultural resources." **Voted against; defeated.**

Promoting Sunday, October 4, 2009, as Intergeneration Day Means Libraries – "That the American Library Association (ALA), through the adoption of this resolution urges its member libraries to support the goals of Intergeneration Day Means Libraries by considering to offer multi-generational activities during the week of October 4, 2009; and urges its divisions and round tables to support and promote Intergeneration Day Means Libraries by adding a link, if possible, from their website to the Intergeneration Foundation website at <http://www.intergenerationday.org>." **Voted in favor; adopted.**

Accessibility for Library Websites – "That the American Library Association (ALA) urges all libraries to comply with Section 508 regulations, Web Content Accessibility Guidelines 2.0, or other criteria that become widely accepted as standards of accessibility evolve, so that people with disabilities can effectively use library websites to access information with ease; and urges the federal government and state and local governments to provide adequate funding to allow libraries to comply

with accepted standards and laws on accessibility for people with disabilities." **IFRT endorsed; voted in favor; adopted.**

Purchasing of Accessible Electronic Resources – "That the American Library Association (ALA) strongly recommends that all libraries purchasing, procuring, using maintaining and contracting for electronic resources and services require vendors to guarantee that products and services comply with Section 508 regulations, Web Content Accessibility Guidelines 2.0, or other applicable accessibility standards and guidelines; and that all libraries purchasing, and contracting for electronic resources and services ensure, through their own testing protocols or by requiring vendor guarantees, that electronic products and services have been fully tested and found to be in compliance with applicable accessibility regulations, guidelines, and criteria; and that funding authorities, including private institutions, the federal government and state and local governments, provide adequate funding to allow all libraries purchasing, procuring, and contracting for electronic resources and services the ability to comply with accepted standards and laws of accessibility for people with disabilities." **IFRT endorsed; voted in favor; adopted.**

Endorsing Legislative Proposal for Universal Health Care – "That the American Library Association (ALA) reaffirms its support for affordable universal health care, including the option of a single-payer health care program." **Voted in favor; adopted.**

Expand Electronic Participation – "That ALA Council directs the Executive Director to implement the most cost effective solution to provide transparency and access to Council activities for the benefit of ALA members; and to continue to monitor methods of improving Council transparency; and begin providing member electronic access to Council meetings for Midwinter

Continued on next page.

IFRT Councilor's Report: ALA Annual 2009, Continued

2010." **Voted in favor; adopted.**

An Action Plan to Remedy Current Library Budget Crisis – "That the American Library Association (ALA) immediately address the severe national erosion of budgetary support to all libraries with deliberate, concerted and unyielding effort by developing and instituting a critical crisis management approach to remedy library budgetary losses through the creation of an action plan to alert legislators, stake holders, and constituents to action through all media and interpersonal channels available."

Voted in favor; adopted.

ALA-APA COUNCIL

To adopt the FY2010 budgetary ceiling for the ALA-APA of \$182,326. **Voted in favor; approved.**

Committee on the Salaries and Status of Library Workers

On Support for Overtime Pay Protection – "That the American Library Association – Allied Professional Association urges the President of the United States and DOL to

revise wage and hour regulations so they do not exclude workers from overtime pay protections, and also to support revisions to the adopted regulations to the extent that they expand the categories of protected workers; urges the U.S. Congress to continue to protect the integrity of the FLSA, and thus wages, hours and livings standards for U.S. workers." **Voted against; adopted.**

Sylvia Jayne Turchyn, Indiana University

"My Those Novels Certainly Are ... Graphic!"

My Those Novels Certainly Are ... Graphic was a program sponsored by the ALA IFC and the Association of American Publishers and the Comic Book Legal Defense Fund at ALA Annual, on Monday, July 13, 2009.

Charles Brownstein of CBLDF served as moderator of a panel that included Neil Gaiman author of the Sandman series and this year's Newbery Award winner *The Graveyard Book*, Craig Thompson author of *Blankets*, and Terry Moore author of *Strangers in Paradise*. The conversation flowed easily and thus comments that follow may be condensed from several speakers.

Gaiman asserted that the 2003 ALA conference was a watershed moment when graphic novels became acceptable in library collections.

Suspicion of the comic format dates back to Dr Fredric Wertham's anti-comic crusade that culminated in his 1954 publication of *Seduction of the Innocent* and the Kefauver hearings in the Senate where EC's Bill Gaines' cocaine-induced melt-

down nearly destroyed the industry. This stifled the development of comics for more than a generation and the taint has never entirely gone away. (Not mentioned in the

concerned about the recent case of Christopher Handley who was charged under the 2003 Protect Act, which bans cartoons, drawings, and other art that appears to

show minors engaging in sexually explicit conduct, unless it has "serious literary, artistic, political, or scientific value." In May on his lawyer's advice, Handley pleaded guilty to "possession of obscene visual representations of the sexual abuse of children" among the manga (Japanese comics) he collected. This is the first time anyone has been convicted under that law for possessing cartoons, when there was no evidence that



he had contact with any child pornography involving real children. See <http://www.wired.com/threatlevel/2009/05/manga-porn/> for more information.

The panel and the audience were very

Continued on next page.

Graphic Novels, Continued.

In response to an audience question, the panelists urged librarians to recognize the different audiences from child to adult. Also, a comic character may have multiple authors and illustrators which can complicate shelving. Panelists also observed that, like print, the comic format requires the reader to imagine the rest of the story - what happens between the illustrated panels. But, like film, comics are more vivid and images produce stronger reactions than print. Some things, dreams for example, don't work well in film but do in comics. There were a number of young fans in the audience and

one rose to praise comics for aiding her in reading despite her learning disability.

The panelists praised other authors and titles including Alison Bechdel's *Fun Home*

Gaiman asserted that the 2003 conference was a watershed moment for graphic novels in library collections.

and *Dykes To Watch Out For*, Marjane Satrapi's *Persepolis*, Alan Moore's *Watchmen*,

Frank Miller's *Batman: the Dark Knight Returns*, and Art Spiegelman's *Maus*. Scott McCloud's blog on comics <http://scottmcccloud.com/> was also recommended.

The full house audience appeared to be delighted with the program and we can hope that some of the younger attendees will think about becoming librarians, if not comic book authors and illustrators.

Carolyn Caywood, Virginia Beach Public Library

Fiction on Privacy: Titles Recommended to Illuminate the Issues

Sometimes, the best way to start a discussion is with a good book. A provocative, insightful novel is a great jumping-off point for a community to seriously examine an issue. The following titles are great choices for book clubs, reading groups, or community-wide One Book programs where there is an interest in privacy. Or just in good reads!

1984 by George Orwell

Has been called "the year that came late."

Big Mouth & Ugly Girl by Joyce Carol Oates.

They are victims of post-Columbine paranoia.

Brave New World by Aldous Huxley

Consumerism is another path to thought control.

Earth by David Brin

Everyone's a watcher to keep the watchers honest.

Fahrenheit 451 by Ray Bradbury

The censorship classic connects freedom and privacy.

Feed by M. T. Anderson

Teens with IM on the brain.

Glasshouse by Charles Stross

Trapped in a cyber panopticon.

Little Brother by Cory Doctorow.

Teens turn technology against despotic Homeland Security.

The Minority Report by Philip K. Dick.

On the run for a crime that's only predicted.

Permanence by Karl Schroeder.

Everything is RFID tagged to charge royalties for use.

Rainbows End by Vernor Vinge.

Where is privacy when even your shirt is on the Internet?

The Trial by Franz Kafka

Joseph K. doesn't know what he's charged with.

Whole Wide World by Paul McAuley

Police are in a surveillance technology arms race with criminals.

Compiled and annotated by Carolyn Caywood, Virginia Beach Public Library

ALA Council Passes USA PATRIOT Act Resolution

On Wednesday, July 15, ALA Council took a strong principled stand on privacy and passed a resolution urging Congress to let section 215 of the USA PATRIOT Act sunset into oblivion. The full text with all of the "whereases" is reproduced at the end of this article.

Work on the resolution began at the spring meeting of the Intellectual Freedom Committee (IFC) with a vote to contact the Committee on Legislation (COL) and explore the development of a joint resolution. A preliminary draft was prepared by an IFC working group and then forwarded to COL chair and Washington Office staff right before Annual Conference.

In Chicago COL and IFC met jointly on Sunday and designated members to work on a joint resolution. On Tuesday afternoon each committee met separately to continue their work. Unfortunately, due to miscommunications and misunderstandings COL adjourned thinking an agreement had been reached. By the time IFC received a copy of the COL version, it was too late to continue joint committee negotiations. Though the IFC had agreed to drop National Security Letters from this resolution (Section 505 is not up for reauthorization while Section 215 is), it was

extremely uncomfortable with the COL resolves. Faced with the choice of accepting COL's version or pushing ahead with its own, IFC chose to push on.

To understand how this could happen visualize a map of downtown Chicago (the "Loop") with the IFC meeting in the lower level of the Hyatt on Wacker Dr. (near the river) and COL meeting way down at McCormick Place (south of Soldier Field). Throw in missed text messages and lousy e-connections and you get dueling resolutions.

The COL and IFC versions contained identical whereas clauses but differed on the resolves. The COL resolution contained several (approximately 8) very specific "resolves" that would improve Section 215. Unfortunately from the IFC's perspective, they also assumed that reauthorization of Section 215 was a done deal and put ALA on record as indirectly and unintentionally accepting several onerous provisions, e.g. that it is OK to demand library patron records and gag librarians for up to six months at a time.

On Wednesday morning around 7:30 Jim Rettig, ALA President, Camila Alire, ALA President Elect, Eli Mina, the Parliamentarian, Charles Kratz of the ALA Executive

Board, Bernie Margolis, chair pro temp of COL and myself as IFC chair caucused. The result was a decision to present both resolutions simultaneously by suspending the rules and going into a time of informal discussion. During this period no motions to amend would be accepted and folks could just express their opinions. It worked.

After about a half hour of discussion it became clear that Councilors wanted ALA to take a principled stand and not concede our bargaining points up front in a public resolution. Bernie withdrew the COL resolution. The IFC version was approved unanimously. And then Bernie moved the COL resolution as an internal document to be used as guidance by Washington Office staff in their lobbying efforts.

Many, many thanks to all of the intellectual freedom stalwarts on Council for their vigorous advocacy of a principled stand. And, a special thanks to our own Sylvia Turchyn, IFRT Councilor, for speaking up so effectively. With this session Sylvia completed her term on Council. You go girl! Out with a bang, not a whimper!

J. Doug Archer, Notre Dame

The resolution is reproduced on page nine.

ACRL-IFC Speaker Lists Threats to IF in Academia

At the "Academic and Intellectual Freedom Climate on Campus..." program at ALA, Jim Neal of Columbia University presented the audience with a list of 24 threats to these freedoms. With his permission, the list is reproduced below. Many of these threats are familiar to most of us, especially those related to the USA Patriot Act and to copyright law. Others, such as #7, #11, #14, #20, and #23, may not be as obvious. The possibility that Institutional Review Boards can "limit, alter, or undermine faculty research" (#20) was met with doubt by the audience, but Neal maintained that there can be biases among IRB members,

just as biases exist in editorial review boards.

These are the 24 threats:

1. Modification of the Family Educational Rights and Privacy Act

Expansion of nonconsensual release of student records to government officials

2. Modification of the Foreign Intelligence Surveillance Act.

Expansion of definition of business records to embrace library, bookstore and internet service provider transactions.

3. Colleges and universities asked to per-

mit government agents, without court order, to intercept the wire or electronic communications of persons regarded as "computer trespassers."

4. Expansion of surveillance, wiretaps, search warrants, pen/trap orders and subpoenas for access to information about individuals with reduced judicial checks and balances.

5. Expanded definition of "domestic terrorism" and potential impact on legitimate protest activity and threatened opening of surveillance of campus political and reli-

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RESOLUTION ON THE REAUTHORIZATION OF SECTION 215 OF THE USA PATRIOT ACT

WHEREAS,

freedom of thought is the most basic of all freedoms and is inextricably linked to the free and open exchange of knowledge and information; and these freedoms

can be preserved only in a society in which privacy rights are rigorously protected; and

WHEREAS,

the American Library Association (ALA) is committed to preserving the free and open exchange of knowledge and information and the privacy rights of all library users, library employees, and the general public; and

WHEREAS,

ALA opposes any use of governmental power to suppress the free and open exchange of knowledge and information; and

WHEREAS,

the USA PATRIOT ACT includes provisions such as Section 215 that threaten the free and open exchange of knowledge and information; and

WHEREAS,

three sections of the USA PATRIOT Act, including Section 215, are scheduled to sunset on December 31, 2009; and

WHEREAS,

Section 215 of the USA PATRIOT Act allows the government to request and obtain library records secretly for large numbers of

individuals without any reason to believe they are involved in illegal activity; and

WHEREAS,

orders issued under Section 215 automatically impose a nondisclosure or gag order on the recipients, thereby prohibiting the reporting of abuse of government authority and abrogating the recipients' First Amendment rights; and

WHEREAS,

the Foreign Intelligence Surveillance Act (FISA) Court has issued more than 220 Section 215 orders between 2005 and 2007, some of which may have been issued to libraries; and

WHEREAS,

the Department of Justice Office of the Inspector General reported that the "FISA Court twice refused Section 215 orders based on concerns that the investigation was premised on protected First Amendment activity"; now, therefore be it

RESOLVED:

- 1) that the American Library Association urges Congress to allow section 215 of the USA PATRIOT ACT to sunset.
- 2) that the American Library Association communicate this resolution to the U.S. Congress, the President of the United States and others as appropriate.

Threats to IF in Academia, Continued.

gious organizations.

6. Ability of U.S. courts to use intelligence obtained by foreign governments in ways that would otherwise be illegal and would limit international travel and communication of faculty and students.

7. Students and scholars from designated world areas will be subject to extraordinary surveillance and harassment, affecting ability to recruit and retain international students and researchers at U.S. colleges.

8. Introduction of video surveillance cameras and biometrics technologies to monitor and observe individual activities.

9. Harmful to Minors laws and ability of students to access information electronically and use academic library resources without parental consent or filters.

10. Expanding use of web pages, blogs, email, text messages, social forums raise new concerns about intellectual freedom and actions by governments and universities.

11. Globalization of education and research teams extends work of U.S. students and faculty into arenas with very different legal, cultural, and moral standards.

12. Political biases of teacher can undermine open debate in the classroom and threaten students with risk of embarrassment or punitive action.

13. Rapid increase in adjunct and contract faculty who may not enjoy same academic

freedoms and protections as full-time, tenured faculty.

14. Creation of mass digitized databases of published content with risks of removal of content and monitoring of individual use.

15. Removal of books from library collections, content or links from publisher databases and organizational web sites because of objections raised. Or failure to develop collections or select materials in balanced way.

16. Copyright balance being eroded and access to information being reduced by:

a. Technological Protection Measures/Anti-Circumvention

b. Limitations on Fair Use

c. Increased Personal and Institutional Liabilities

d. Terms of Protection Expanded

e. Private Law of Contract Dominant

f. Public Domain Constrained

17. Government information being withdrawn from agency web sites and removed from depository collections, thus reducing flow of information to public.

18. Refusal of publishers or editorial boards to accept manuscripts on controversial topics and the future viability of the peer review process.

19. Corporate or military funding of faculty research can alter priorities, influence results, limit distribution and raise concerns about integrity of scholarship.

20. Institutional review boards focused on human subject, treatment of animals, and other compliance monitoring can limit, alter, or undermine faculty research.

21. Government contract offices are asserting control over research results and demanding right to review before publication.

22. Federal funding agencies are raising concerns about "sensitive" research results being disclosed, creating a new form of "classified" information.

23. Open access policies and institutional copyright policies may limit publishing and distribution rights of faculty.

24. Slippery Slopes:

Legally Permissible versus Morally Responsible;

Individual Rights versus Institutional interests

Culture Wars/Speech Codes/Political Correctness

Computer Appropriate Use Policies

Community Standards/Family Values

National Security/Patriotism

Presented July 28, 2009 at the ACRL Intellectual Freedom Committee program, "Academic and Intellectual Freedom Climate on Campus: Are Our Freedoms Secure in the Next Generation?"

FTRF Contest Winner, Continued.

as the topic of his writing assignment. This student was also known to make racist comments. It was evident that the classroom teacher was displeased with the student's choice of topic. The other students (me included) reacted with disgust and disapproval. I realize that I may be faced with a similar situation at some point. My question is where does the student's right

to intellectual freedom end and what the community standards deem acceptable begin?

I hope that what I can learn from attending the Freedom to Read Gala will direct me to the sources that can aid me when facing these situations. As Thomas Paine said, "He that would make his own liberty se-

cure must guard even his enemy from oppression; for if he violates this duty he establishes a precedent that will reach to himself."

Katrina Stokes, University of Southern Mississippi.

Banned Book Club Earns Immroth Award for Student and Librarian

Karen MacPherson, the children and youth services coordinator at Takoma Park Maryland Library, and Alanna Natanson, a middle-school student in Takoma Park, Md., have been named recipients of the IFRT's John Phillip Immroth Memorial Award.

The award, which consists of \$500 and a citation, honors intellectual freedom fighters in and outside the library profession who have demonstrated remarkable personal courage in resisting censorship.

The Immroth Award Committee recognizes the two for organizing the Takoma Park Library's Banned Books Club, a youth group of middle-school students who gather to read frequently challenged or banned books, like Robert Cormier's *The*

Chocolate War and Harper Lee's *"To Kill a Mockingbird."* Natanson started the club because, she said, "there are a lot of people in [her] grade that are very mature for their age." The club gives them a chance to read books with more mature themes than what they read in their classes. MacPherson, the librarian who leads the discussion, said that the list of books were all "books that kids would want to read." The Intellectual Freedom Round Table honors Natanson for her interest in banned and challenged books and MacPherson for her commitment to organizing, coordinating and promoting the club. IFRT hopes that her "Banned Books Club" will start a trend in other middle schools and high schools nationwide.



Karen Macpherson, left, and Alanna Natanson, right, accept the John Phillip Immroth Memorial Award.

"Celebrate the Freedom to Read" Oregon wins the SIRS/ ProQuest State and Regional Achievement Award

"Celebrate the Freedom to Read" Oregon, a coalition made up of the ACLU of Oregon, the Intellectual Freedom Committee (IFC) of the Oregon Library Association (OLA) and the IFC of the Oregon Association of School Libraries (OASL), is the recipient of the IFRT's SIRS-ProQuest State and Regional Achievement Award. The award, funded by ProQuest, consists of a citation and \$1,000 and recognizes successful and effective intellectual freedom committees or coalitions that have made a contribution to the freedom to read in libraries or to the intellectual



Representatives from "Celebrate the Freedom to Read" Oregon, coalition accept the SIRS/ ProQuest State and Regional Achievement Award

freedom environment in which libraries function. The Oregon coalition is being honored for its campaign, which increased state-wide participation in Banned Books Week by 22 percent over two years. In 2008, 31 of the 36 counties of Oregon participated in Banned Books Week activities, which were hosted by academic, public and school libraries, the Oregon State Library and 10 bookstores. Banned Books Week, an annual event designed to raise awareness about the dangers of censorship in libraries and schools, has been the linchpin in these three groups' effort to bring intellectual freedom into all state libraries. The campaign started when an ACLU board member donated 3,000 buttons, emblazoned with "I Read Banned Books," to be distributed to all participating libraries. As awareness grew, libraries saw an increased demand for local information regarding challenges to library materials. Staff and volunteers from the ACLU of Oregon and the Oregon Library Association's IFC sifted through newspapers and publications to create a master list of all materials challenged or banned in Oregon since 1979.

The list is available here: http://www.aclu-or.org/site/PageServer?pagename=Get_events_bannedbook.

Memorial Resolution Honoring Dr. Judith Fingeret Krug

- Whereas,** Dr. Judith Fingeret Krug, fierce defender of intellectual freedom, died on April 11, 2009, in Evanston, Illinois; and
- Whereas,** Dr. Krug exhibited extraordinary vigor, creativity, and persistence as the first Director of the American Library Association's Office for Intellectual Freedom (1967–2009), the Executive Director of the Freedom to Read Foundation (1969–2009), and Secretary of the LeRoy C. Merritt Humanitarian Fund (1970–2009); and
- Whereas,** During that time, Dr. Krug tenaciously and fearlessly defended the freedom of all Americans of all ages, origins and points of view to read, view, listen to and otherwise access whatever they would choose; and
- Whereas,** In that pursuit, Dr. Krug developed the standard tools for others to use in the advocacy of intellectual freedom, including the *Intellectual Freedom Manual* and the *Newsletter on Intellectual Freedom*; and
- Whereas,** Dr. Krug continually sought new means of advancing the cause of intellectual freedom, including founding one of the most successful public relations events of the last half century, the annual Banned Books Week celebration; and
- Whereas,** Dr. Krug tirelessly sought to educate librarians and library supporters and instill a passion for the principles of intellectual freedom through innumerable workshops, seminars, graduate courses and most recently, "Lawyers for Libraries" and "Law for Librarians" events around the nation; and
- Whereas,** Dr. Krug traveled ceaselessly to take advantage of every opportunity to advance the cause of intellectual freedom, including testifying before Congress and in the courts, debating advocates of censorship from the right, left and center, being interviewed at a moment's notice on the latest censorship controversy and speaking in almost every imaginable venue before audiences large and small, including librarians, school media specialists and library supporters at national, state and local conferences and at individual libraries; and
- Whereas,** Dr. Krug served as a friend to the newest members of the profession, mentoring generations of librarians, who have since become leaders, by providing wise counsel and creative opportunities for growth, encouraging their involvement in local, state and national committee service and publication; and
- Whereas,** Dr. Krug served as an invaluable resource person, counselor and friend to countless librarians and library supporters faced with challenges in their local communities; and
- Whereas,** Dr. Krug was an energetic coalition builder, seeking allies in every field of endeavor in which First Amendment rights were of interest, making the American Library Association a nationally and internationally recognized leader in the defense of liberty, resulting in changes in American law in state houses across the nation and in the Supreme Court of the United States, most notably the 1997 Supreme Court opinion declaring that the First Amendment applies without limitation to the information on the Internet; and
- Whereas,** Dr. Krug was recognized with numerous awards celebrating her unflagging defense of First Amendment liberties, including the Irita Van Doren Award, the Harry Kalven Freedom of Expression Award, the Joseph P. Lippincott Award, the William J. Brennan, Jr. Award, and a Doctor of Humane Letters from the University of Illinois at Urbana-Champaign; and
- Whereas,** Dr. Krug has been awarded the American Library Association's highest honor, Honorary Membership, for service to the profession; now, therefore, be it
- Resolved,** That the American Library Association (ALA):
1. Expresses its most profound appreciation for the life and work of Dr. Judith Fingeret Krug in service to the American Library Association and its members, to the libraries of the United States of America, their staff and their communities, and to the cause of intellectual freedom and the defense of the people's right to read, view, hear or access whatever they would choose; and
 2. Expresses its sincerest sympathies and deepest thanks to the family of Dr. Krug and especially to her husband, Herbert, for their unstinting support of her work in our common cause; and
 3. Sends copies of this resolution to her family and be shared with the membership of the Association by publication in *American Libraries*. 9-4159.

Adopted by the Council of the American Library Association
Wednesday, July 15, 2009
In Chicago, Illinois



Keith Michael Fiels
ALA Executive Director and ALA Council Secretary