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At what point does filtering turn into censorship?

Internet censorship via the filtering of library computer terminals became a top intellectual freedom priority in 2012, spurred by some public libraries’ decisions to impose complete, mandatory filtering on library users and by growing evidence that overzealous internet filtering is harming the learning process for both children and young adults.

Lawsuits filed by students and library users drew attention to the flaws of filters, which they said sometimes block constitutionally protected content based on political or religious viewpoints. The allegations included that many filters block access to websites favoring civil rights and support for the lesbian, gay, bisexual, and transgender (LBGT) community, while allowing full access to sites that oppose homosexuality. Other censored areas included search engines, social media, websites about alternative religions, and even websites about vegetarianism, according to the ALA’s Office for Intellectual Freedom (OIF).

Conversations with both vendors and librarians who are required to use filters made it clear that this type of internet censorship is not always intentional, the OIF says. Library staff may not always know how to set up or manage the filtering software or may misinterpret the requirements imposed by laws like the Children’s Internet Protection Act (CIPA).

The fact remains, however, that internet censorship, whether intended or accidental, violates users’ fundamental right to intellectual freedom as set forth in the Library Bill of Rights.

Acutely aware that libraries are often operating under CIPA-imposed mandates and knowing that most librarians and trustees want to provide optimal access to information, the OIF is developing materials that emphasize “First Amendment–friendly filtering,” which recognizes and supports the ideal of open access to constitutionally protected information while complying with legislative mandates to filter library users’ internet access. These include webinars, publications, and workshops for librarians and trustees.

In 2012, the OIF and the ALA Intellectual Freedom Committee published a major revision to its “Libraries and the Internet Toolkit” that provides both legal and practical information on developing internet use policies that preserve users’ access to constitutionally protected information. The OIF also presented workshops on First Amendment–friendly filtering at meetings held by the Missouri and Iowa Library Associations.

Banned Books Week celebrates 30 years of liberating literature

Award-winning broadcast journalists Bill Moyers and Judith Davidson Moyers were named the first ever honorary cochairs for the 30th anniversary of Banned Books Week (September 30–October 6, 2012), the national book community’s annual celebration of the freedom to read. To honor this milestone anniversary, Bill Moyers produced a video essay, “The Bane of Banned Books.”
More than 500 readers joined Moyers in contributing videos to the Banned Books Virtual Read-Out, including Stephen Chbosky, author of the critically acclaimed—and banned—*The Perks of Being a Wallflower*, author Sara Paretsky of V. I. Warshawski fame, and San Antonio Poet Laureate Carmen Tafolla. The videos are posted on YouTube.

In addition to the Banned Books Virtual Read-Out, the OIF coordinated the 50 State Salute to Banned Books Week. The 50 State Salute formed the core of the ALA’s participation in the 2012 Virtual Read-Out and consists of videos from each state demonstrating how they celebrate the freedom to read. A map of participating states can be found on the ALA website. The OIF also created a timeline, “30 Years of Liberating Literature,” which features one prominent banned or challenged book a year since 1982.

Finally, Corey Michael Dalton, a fiction writer and former associate editor of the *Saturday Evening Post*, celebrated Banned Books Week in his own particular way: inside a “prison” made completely out of banned books from previous years. Dalton’s weeklong project took place at the Kurt Vonnegut Memorial Library in Indianapolis, with the goal of protesting the banning of “Slaughterhouse-Five” from Republic (Mo.) High School in 2011. The school subsequently placed the book back in the library, though it remains restricted in what some term a “literary gulag.” Under a revised policy, the school board said it will allow challenged books to be kept in a secure section of all Republic school libraries.

**Banned and challenged books**

Here are a few of the attempted (or successful) book bannings that made news in 2012:

**Fifty shades of controversy.** E. L. James’s Fifty Shades trilogy of erotic fiction took the country by storm in 2012 and sparked significant controversy over whether it deserved a place on library shelves. Barbara Jones, executive director of the Freedom to Read Foundation, appeared on “NBC Nightly News” to address the issue and reaffirm the ALA’s passionate support of the freedom to read. While many libraries bought multiple copies to keep up with strong demand, others questioned whether the quality of the books—which received little critical acclaim and were derided by some as “mommy porn”—made them a good fit with collection development policy standards. Libraries that chose not to stock the racy bestseller included Titusville Public Library in Brevard County, Fla., which faced a major media backlash and ultimately reversed its decision in response to public demand.

**Cleaned-up cowboy canned.** In Pennsylvania, the Annville-Cleona School District board voted to remove an award-winning children’s book from elementary school library shelves due to concerns about partial nudity in its illustrations. “The Dirty Cowboy,” written by Amy Timberlake and illustrated by Adam Rex, tells the humorous story of a cartoon cowboy taking his annual bath. When the cowboy’s dog doesn’t recognize his fresh-smelling owner and refuses to hand over his clothes, the cowboy is left naked—but with his private parts strategically covered by objects like a cloud of dust. Despite protests from national groups and an online petition that gained more than 300 signatures, the district held firm in its decision to ban the book.
**High-schooler wins censorship battle.** In California, a school committee voted to remove the Stephen King novella “Different Seasons” from Rocklin High School library shelves. The lone dissenter on that committee was 17-year-old student Amanda Wong, who continued to fight the ban and spoke against the decision at a later school board meeting. After hearing Wong’s concerns that the removal “opens a door to censoring other materials,” the district superintendent overturned the committee’s decision and returned the book to the Rocklin High School library’s collection.

A perennial highlight of Banned Books Week is the Top Ten List of Frequently Challenged Books, compiled annually by the ALA Office for Intellectual Freedom (OIF). The most-challenged items—as compiled by the OIF from 464 recorded challenges in 2012—ranged from the mischievous Captain Underpants series, which made the list in 2002, 2004, and 2005, to newcomers *Thirteen Reasons Why* and *Looking for Alaska*.

Here is the OIF’s Top Ten List of Frequently Challenged Books in 2012:

- Captain Underpants (series), by Dav Pilkey (offensive language, unsuited for age group)
- “The Absolutely True Diary of a Part-Time Indian,” by Sherman Alexie (offensive language, racism, sexually explicit, unsuited for age group)
- “Thirteen Reasons Why,” by Jay Asher (drugs/alcohol/smoking, sexually explicit, suicide, unsuited for age group)
- “Fifty Shades of Grey,” by E. L. James (offensive language, sexually explicit)
- “And Tango Makes Three,” by Justin Richardson and Peter Parnell (homosexuality, unsuited for age group)
- “The Kite Runner,” by Khaled Hosseini (homosexuality, offensive language, religious viewpoint, sexually explicit)
- “Looking for Alaska,” by John Green (offensive language, sexually explicit, unsuited for age group)
- Scary Stories (series), by Alvin Schwartz (unsuited for age group, violence)
- “The Glass Castle,” by Jeannette Walls (offensive language, sexually explicit)
- “Beloved,” by Toni Morrison (sexually explicit, religious viewpoint, violence)

**Mixed results on access to GLBT content**

As Americans prepared for and participated in November 2012 elections, issues related to gay, lesbian, bisexual, and transgender (GLBT) rights were the subject of much media and public discourse, including extensive debates over gay marriage. In this heated political context, GLBT content in libraries came under fire across the country.

In May, a school-district committee in Davis County, Utah, voted to restrict access to Patricia Polacco’s “In Our Mothers’ House.” Acting in response to fears that the book might violate a state law against “advocating homosexuality,” the district moved first to restrict the book to older elementary-school students and later to only those students with written parental permission. In response, the American Civil Liberties Union filed a lawsuit in November 2012 alleging violation of students’ First Amendment rights. As of January 14, 2013, district officials had reinstated “In Our Mothers’ House” to school-library shelves, noting that the cited Utah law
applied only to curriculum materials and not to recreational reading. The book was purchased to foster understanding and inclusion in a school where one student lived with two mothers.

In June, “The Family Book,” by Todd Parr, was removed from a curriculum on diversity, tolerance, and bullying in Erie, Ill. Objections centered on its content, specifically a page stating that “some families have two moms or two dads.”

A notable success for access to GLBT content came in the fall, after Sarah Brannen’s picture book, “Uncle Bobby’s Wedding,” was challenged at a public library in Brentwood, Mo. The library’s decision to retain the book was appealed to the library board by several individuals, drawing significant public attention and generating overwhelming support for the library and the book in question.

“Book smugglers” respond to banning of Hispanic studies program

In January 2012, the Tucson Unified School District, in compliance with Arizona state law, eliminated its Mexican American Studies (MAS) Program, resulting in the removal of books on the MAS Program Reading List. Textbooks and reading-list titles written by nationally and internationally renowned authors and scholars that reflect this country’s rich Mexican heritage can no longer be taught or assigned by teachers in the suspended MAS Program.

In response, the ALA Council adopted a resolution at its 2012 Midwinter Meeting, condemning the suppression of open inquiry and restriction of access to educational materials in Arizona. A broad coalition of ALA member groups worked together on this statement and subsequently developed programs at the 2012 ALA Annual Conference and the 2012 Joint Conference of Librarians of Color, featuring the Librotraficante (“book smuggler”) movement that emerged to counter the effects of the ban.

Led by Tony Diaz, the Houston-based author and radio host of “Nuestra Palabra,” Librotraficante organized a bus caravan of educators and activists who raised awareness of the situation and collected more than 1,000 books for underground libraries in Tucson, San Antonio, Houston, and Albuquerque. The community-minded reference/lending facilities were forged with the primary purpose of keeping at least four copies of each book that was removed from Arizona classrooms.

Diaz also broadcast his message on YouTube, and with spots on “The Daily Show” and “Democracy Now!,” the conscientious theatrics of Librotraficante became a bona fide media success.

“Big Data” means more information—and more threats to privacy
2012, the year of “Big Data,” saw frequent news reports about the collection, use, and misuse of individuals’ private and personal information. Civil liberties organizations, including the ALA, came together as the Digital Due Process coalition, working to reform the USA PATRIOT Act and other laws that address government surveillance and wiretapping. Individuals, legislators, and opinion leaders all advanced proposals to place sensible restrictions on data mining, identity theft, and unconstitutional government surveillance.

In this context, the OIF’s ongoing privacy initiative sought to provide both librarians and the general public with the information and tools needed to understand and address the threats posed to privacy rights and civil liberties by corporate and government surveillance.

Choose Privacy Week, the keystone of the OIF privacy initiative, adopted the theme “Freedom from Surveillance” for its 2012 campaign. Its goal was to help libraries create community awareness about the pervasive use of monitoring and tracking tools by government agencies and corporations alike to collect, store, and use individuals’ personal data and identifying information for the purpose of surveillance and law enforcement. The theme was inspired by news reports about ongoing national law enforcement surveillance and security initiatives that curtail individual privacy rights, particularly in the immigrant community.

The highlight of the week was the premiere of a new online documentary, “Vanishing Liberties: The Rise of State Surveillance in the Digital Age,” which featured experts discussing the government’s growing use and abuse of surveillance tools to track and spy on immigrant communities, and plans by some agencies to adopt these same tools to monitor and track the activities of all Americans. Webinars and blog posts expanded upon specific topics related to privacy rights and government surveillance, and the OIF visited three library systems to learn how libraries can best do outreach and education on privacy issues for immigrants new to the United States. These included a branch library in the Lexington (Ky.) Public Library System; a branch in the Queens (N.Y.) Library System; and a suburban Chicago library, the Orland Park Public Library.

Librarians, journalists, and high-schoolers become news “fact-checkers”

The OIF completed its first year of the News Know-how program, funded by the Open Society Foundations. Its mission was to create coalitions of librarians, journalists, and high school students to become news “fact-checkers,” who went on to play an important role in the 2012 presidential campaign. The Iowa Library Services in the State Library of Iowa supported 10 rural libraries with their programming. Some students fact-checked both presidential campaigns and reported their findings to Rotary Clubs, schools, and community meetings, and Iowa librarians created two webinars on news literacy for other librarians to incorporate into their information literacy programming. The journalist trainers and curriculum are from the News Literacy Project in Bethesda, Md. The student projects can be found on the project website.