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Public Libraries and Human Rights

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Public Libraries and Human Rights

Kathleen de la Pena McCook
Katharine J. Phenix

SUMMARY. Public librarians derive the philosophical and ethical principles that guide our practice from transcendent ideals which are also embodied in the Universal Declaration of Human Rights. This article reviews the foundation of the U.S. public library and key documents that have characterized its development. Recent violations of human rights in U.S. libraries include closure; exclusion of the homeless; refusal to purchase Spanish-language materials; ordinances against gay pride display; and filtering. The importance of the public librarian's commitment to human rights as the ethical basis for library service is defined and discussed. doi:10.1300/J118v25n01_05 [Article copies available for a fee from The Haworth Document Delivery Service: 1-800-HAWORTH. E-mail address: <docdelivery@haworthpress.com> Website: <<http://www.HaworthPress.com>> © 2006 by The Haworth Press, Inc. All rights reserved.]

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INTRODUCTION

If this nation is to be wise as well as strong, if we are to achieve our destiny, then we need more new ideas for more wise men reading more good books in more public libraries. These libraries should be open to all except the censor. We must know all the facts and hear all the alternatives and listen to all the criticisms. Let us welcome controversial books and controversial authors. For the Bill of Rights is the guardian of our security as well as our liberty. (Kennedy, 1960)

The American Library Association is unswerving in its commitment to human rights and intellectual freedom; the two are inseparably linked and inextricably entwined. (American Library Association. Office for Intellectual Freedom [ALA OIF] 2002, p. 194)

Public libraries provide the resources for the still voice within each person to be nurtured and to grow. Public libraries provide a public space for discussion of issues important to the common good. These opportunities occur because public librarians in the United States have developed philosophies of collection development, outreach, and community building that are expansive and inclusive. Yet external attacks on public libraries—efforts to censor books, efforts to tear down displays, efforts to close meeting rooms—continue unabated in the twenty-first century. Public librarians within the American Library Association and Public Library Association join together with other organizations dedicated to freedom of expression such as the American Civil Liberties Union, the American Medical Association, the Center for Democracy and Technology, the American Historical Association, the AAUP, Project Gutenberg and many others to ensure that First Amendment rights are safeguarded. Coalitions among people and organizations that embrace democracy are critical during this period of governmental repression (Center for Constitutional Rights, 2006). In these times, libraries and librarians are facing scrutiny from the USA PATRIOT ACT, curtailment from CIPA (Children's Internet Protection Act) and censorship from DOPA (Deleting Online Predators Act), and we confront extinction from budget cutting and closings. For example, the Environmental Protection Agency headquarters library was not funded and was closed on October 1, 2006 (Environmental News Service, 2006). Faced with these external erosions of our primary mission, we should use the codes and standards we have already adopted and unite our work with that of national and international human rights efforts.

This essay considers the worldview that public librarians have formed vis-à-vis service in the context of human rights. The authors recognize that librarianship has not frequently used the language of human rights to characterize service modes. We assert that the philosophical framework offered by the ideals of human rights is a framework that is incorporated in ALA policies and documents. Many writers have already historically underscored the connection between education, democracy, and public libraries, including ALA's *Core Values Statement*:

A democracy presupposes an informed citizenry. The First Amendment mandates the right of all persons to free expression, and the corollary right to receive the constitutionally protected expression of others. The publicly supported library provides free and equal access to information for all people of the community the library serves.

Inscribed on the right side of the Madison Building of the Library of Congress are the words: "What spectacle can be more edifying or more seasonable, than that of liberty and learning, each leaning on the other for their mutual and surest support" and then, on the left side: "Knowledge will forever govern ignorance: and a people who mean to be their own governours, must arm themselves with the power which knowledge gives" (Library of Congress).

In the 19th century the idea of universal education as promoted by Horace Mann framed the development of public institutions. In his Twelfth Annual Report as Secretary of the Massachusetts State Board of Education (1848) Mann stated:

Now surely nothing but universal education can counterwork this tendency to the domination of capital and the servility of labor. If one class possesses all the wealth and the education, while the residue of society is ignorant and poor, it matters not by what name the relation between them may be called: the latter, in fact and in truth, will be the servile dependents and subjects of the former. But, if education be equally diffused, it will draw property after it by the strongest of all attractions; for such a thing never did happen, and never can happen, as that an intelligent and practical body of men should be permanently poor. Property and labor in different classes are essentially antagonistic; but property and labor in the same class are essentially fraternal. (Mann, para. 7)

In the 1850s the founders of public libraries imbued with the thoughtfulness of educational philosophers like Mann emphasized that citizens'

access to reading materials would extend the education process and cultivate the democratic process (McCook, 2004, p. 16). Today the American Library Association calls this lifelong learning and includes it in the core values, mission statement, and policy manuals:

ALA promotes the creation, maintenance, and enhancement of a learning society, encouraging its members to work with educators, government officials, and organizations in coalitions to initiate and support comprehensive efforts to ensure that school, public, academic, and special libraries in every community cooperate to provide lifelong learning services to all. (ALA, *Core Values Statement*, para. 6, 2006)

This commitment to lifelong learning is also reiterated in ALA's "Libraries: An American Value" (Policy 53.8): "We celebrate and preserve our democratic society by making available the widest possible range of viewpoints, opinions and ideas, so that all individuals have the opportunity to become lifelong learners—informed, literate, educated, and culturally enriched" (ALA *Policy Manual* 2005-2006 p. 51 and *Intellectual Freedom Manual* (2002) pp. 228-231).

This aspect of library services is listed again in "12 Ways Libraries are Good for the County" (2000):

Libraries inform citizens. Democracy vests supreme power in the people. Libraries make democracy work by providing access to information so that citizens can make the decisions necessary to govern themselves. The public library is the only institution in American society whose purpose is to guard against the tyrannies of ignorance and conformity, and its existence indicates the extent to which a democratic society values knowledge, truth, justice, books, and culture.

The very idea that people should tax themselves for the support of the public library—an institution that activates human capabilities, diminishes the divisions between people of different classes, and provides for access to information—is an indicator of a society's commitment to fundamental human rights. The concept of the library as an important component in the public sphere has been explored at length by Buschman:

Librarianship has historically extended the democratic public sphere within its walls: the flawed democratic bases on which librarianship was founded have been revised, extended, and made more inclusive; the essential purpose of public enlightenment was reasonably well-supported by tax and tuition dollars for over 120 years; the

Library Bill of Rights has been extended over the years; there have been conscious attempts to reach out to the poor, the disabled, and to better represent the historically underrepresented on our shelves and screens (2003, pp. 48-49).

CONNECTING PUBLIC LIBRARY SERVICE TO HUMAN RIGHTS

From 1852-1966 the scope of public library services in the United States had been set forth in the founding documents of public librarianship: Boston Public Library (1852); *A National Plan for Public Library Service* (Joeckel and Winslow, 1948); and national standards for public library service in 1933, 1943, 1956, 1966 (McCook, 2004, pp. 88-91). Concurrent with the release of the 1966 Standards librarians pondered the results of the 1963 report, *Access to Public Libraries*, which reported on the lack of service to poor people and people of color. After 1966 public librarians came to the conclusion that the United States public library was not doing an adequate job serving all people (McCook, 91) and the Public Library Association (PLA) launched a Goals Feasibility Study resulting in the 1972 report *A Strategy for Public Library Change* (Martin). The focus on community-based planning shifted the profession's discourse to the idea of local planning models (Lynch, 1981). The PLA decided that national standards were no longer feasible and collaborated with Ernest R. De Prosopo on a study to measure the effectiveness of public libraries which was reported in *Performance Measures for Public Libraries* (1974). Ultimately the PLA Planning Process was developed resulting in the 1987 *Planning and Role Setting for Public Libraries* by McClure (1987), which identified eight roles for public libraries: (1) community activities center; (2) community information center; (3) formal education support center; (4) independent learning center; (5) popular materials library; (6) preschoolers door to learning; (7) reference library; and 8) research center. The shift from standards to a planning process has been analyzed by Pungitore (1993) in *Innovation and the Library*.

The 1987 *Planning and Role Setting* manual, while idealistic in its description of roles, failed to provide a philosophical or intellectual rationale for their selection. The reason for this omission was in part because the field had rejected a 1979 project titled, *The Public Library Mission Statement and its Imperatives for Service* (PLA, Goals, Guidelines and Standards Committee). The *Public Library Mission Statement* was ambitious and idealistic. It identified actions public libraries could

take to move the nation toward total egalitarianism (McCook 2004, p. 93). In a special report published in the 1987 *Bowker Annual* Kenneth E. Dowlin wrote "... the ability of librarians to strive for, defend, and increase access to information will not only have an impact on the profession but on the communities librarians serve. A committed, trained, and caring profession is required to safeguard existing access to information and to ensure access in the years ahead." In hindsight the profession's rejection of the *Public Library Mission Statement* can also be viewed as a withdrawal from a transcendent and over-arching approach and replacement with an acceptance of practical local actions with an emphasis on measurement.

The 1980s were the Reagan years—a time when those in power promoted a conservative agenda that caused government to take an ideological turn to the right in the oversight of public institutions. For an analysis that demonstrates how even well-intended career administrators have traded a commitment to equal opportunity for bureaucratic expertise consisting of neutral instrumentalities (control, measurement, efficiency) see Michael W. Apple's *Educating the "Right" Way* (2006, pp. 104-108). In public libraries this was manifested in the output measures movement. Additionally, the United States moved away from cultural development with a global viewpoint by withdrawing from UNESCO and the nation drifted away from the world cultural stage. In spite of a profession-wide commitment to education and documents to confirm and spur movement in this direction (such as the Faure report, 1972), public library philosophy seems to have moved toward the Baltimore County model during the 1990s (Baltimore, 1992).

In 1998 after internal study the PLA issued a revised manual for the Planning Process titled *Planning for Results: A Public Library Transformation Process* (Himmel and Wilson) and another revision in 2001, *The New Planning for Results: A Streamlined Process* (Nelson). This model suggested thirteen library "responses" to community needs: (1) basic literacy; (2) business and career information; (3) commons; (4) community referral; (5) consumer information; (6) cultural awareness; (7) current topics and titles; (8) formal learning support; (9) general information; (10) government information; (11) information literacy; (12) lifelong learning; and (13) local history and genealogy.

Like the eight roles determined in 1987, the thirteen responses identified in 1998 and 2001 are presented without substantive connection to values or principles. While we would all acknowledge that the thirteen responses are meritorious and appropriate, the transformation process is presented with little connection to enduring values.

Writing of the tension between the Towson Theory of measurable results to show governing and budgeting authorities and the broader vision of the founders of the Boston Public Library John N. Berry III (2006) has observed:

What I regret and worry about is that public libraries have rarely delivered on that honorable mission set out in 1852. Public libraries have never really provided enough of the information on current issues to inform citizens fully, nor have they, alas, ever aggressively pushed that information to those citizens, or told them they need to attend to it. Public libraries have never “induced” people to learn in-depth about the questions on our public agenda, in the word the Boston trustees used. In contrast to its great success at “building a better Borders,” the public library, in its greatest failure, has neglected to inform democracy, to convince citizens to use its resources to become more knowledgeable in order to decide public issues. It is the problem that keeps me awake at night.

Thinkers like Joan Durrance in her 1984 classic, *Armed for Action*, recognized the need for public libraries to support citizen action groups with a high level of information support. Durrance also noted that the Public Library Mission Statement encouraged focus on users rather than institutions (p. 174).

So, in the absence of standards, how have public librarians determined the mission, roles and responses, goals and objectives that guide the services provided? While there is little documentation as to underlying philosophies in these various guidelines and manuals, we know that the profession has drawn from a variety of traditions of justice as ancient as the Code of Hammurabi (1780 BC) right on up to the *Universal Declaration of Human Rights* (1948) and subsequent treaties (Ishay 2004).¹

We believe the *Universal Declaration of Human Rights* (UDHR) to be “rooted in an attractive moral vision of human beings as equal and autonomous agents living in states that treat each citizen with equal concern and respect” as characterized by Donnelly (2003, p. 38). Thus the *Universal Declaration of Human Rights* can provide public librarians with a widely understood international document that iterates and consolidates values that should guide the development of services.

Reviewing the articles of the UDHR (1948) we find values that librarians use. The 30 Articles in the UDHR fall into six or more families of rights, as described in the *Stanford Encyclopedia of Philosophy*.

These families include security rights (provide a safe environment), due process rights (no excessive punishment), liberty rights (freedom of expression, assembly, association), political rights (governance), equality rights (non-discrimination), and social, or welfare rights (education, information). Group rights have been added in subsequent treaties protecting ethnic groups and state sovereignty.

The articles of the *Universal Declaration of Human Rights* provide a way to think about public library service. We suggest that these articles inform a philosophy of library practice. There are many contemporary examples of the families of rights that public librarians enforce, provide, and protect.

THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND THE AMERICAN LIBRARY ASSOCIATION

As we carry on with our duties as public service librarians, we should keep in mind our history of human rights advocacy, and note the work we do today as a continuation of the commitment to the contributions of our programs, collections and services towards keeping an open society, a public space where democracy lives. (Phenix and McCook, 2005)

The American Library Association is on record as a supporter of human rights. The *Library Bill of Rights* (LBR) was adopted in its current form by Council on June 18th, 1948. It is ALA Policy 53.1 of the *ALA Policy Manual*.

In 1961 the *Library Bill of Rights* was amended to include civil rights to ensure library rights are not denied because of race, religion, national origin, or political views. In 1980 and again in 1996, ALA reaffirmed these rights to persons of all ages. The final section on access in the LBR states: "A person's right to use a library should not be denied or abridged because of origin, age, background, or views."

In 1971 ALA OIF announced its intention to identify and collect Interpretations of the Library Bill of Rights. The Interpretations, in many cases, refer to ALA Policy 53: Intellectual Freedom. Political, social and technological history is reflected in the progression of these statements. For example, the 1951 statement against labeling arose during the McCarthy era to discourage labeling materials as subversive. It was revised in 1990 to address concerns regarding audiovisual rating guides (53.1.7). Contemporary pressures to limit intellectual freedom and human rights

are reflected in statements about infringement of access through electronic filtering (53.1.16), invasion of privacy, which requires a distinction from confidentiality, and recognition of economic barriers (53.1.14).

Foremost among these is the *Universal Right to Freedom of Expression*, endorsed by Council on January 16, 1991 and quoted at the beginning of this essay:

The American Library Association endorses this principle, which is also set forth in the Universal Declaration of Human Rights, adopted by the United Nations General Assembly. The Preamble of this document states that “. . . recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world . . . and . . . the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.

Public librarians have many supporting materials in their repertory as they endeavor to promote the principles of human rights in practice. The Resolution on IFLA, Human Rights, and Freedom of Expression, passed by ALA Council on July 2nd, 1997, highlights UDHR Article 19 and ALA's endorsement of it which states, quite simply: “Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.” (UDHR)

The ALA Policy Manual provides us with ALA Mission Statement (Policy 1.1), Code of Ethics, which was adopted in 1939, revised several times, in ALA Policy 40.2 and currently under review; Freedom to Read (Policy 53.3) and Freedom to View (53.2), Libraries, An American Value (53.8), and the Core Values Statement. ALA also addresses minority concerns in Policy 60.1-60.6. These address the human and information rights of cultural minorities, persons with disabilities, and prejudices and stereotypes. Furthermore, the Service to Poor People (Policy 61) states most strongly “the urgent need to respond to the increasing number of poor children, adults, and families in America. These people are affected by a combination of limitations, including illiteracy, illness, social isolation, homelessness, hunger, and discrimination, which hamper the effectiveness of traditional library services.”

RECENT EXAMPLES OF THREATS TO HUMAN RIGHTS IN US PUBLIC LIBRARIES

The Universal Right to Freedom of Expression continues “There is no good censorship. Any effort to restrict free expression and the free flow of information aids the oppressor. Fighting oppression with censorship is self-defeating” (ALA. OIF. Interpretations). In spite of all we have discussed above, human rights have a fragile home in libraries and they are increasingly under attack. Consider that “all human beings are born free and equal in dignity and rights” (UDHR Article 1), and that “everyone is entitled to all the rights and freedoms set forth” (UDHR Article 2), that they have “without any discrimination equal protection of the law” (UDHR Article 7) and “freedom of thought, conscience and religion” (UDHR Article 18) and of course, finally the right to “receive and impart information and ideas through any media . . .” (UDHR Article 19), and then observe library service to the poor, homeless, immigrant and gay populations. Take note of the increase in challenges to information access, through the closing of EPA libraries and unending challenges to books. Human rights violations in libraries happen all the time throughout the nation.

Library Service to Gay, Lesbian, BiSexual and Transgendered People

In May 2005 the House of Representatives approved a resolution asking Oklahoma libraries to “confine homosexually themed books and other age-inappropriate material to areas exclusively for adult access and distribution.” The lawmakers further threatened to deny state funding to libraries that don’t comply (Oder, 2006). In 2003 a citizens’ group in Montgomery County (outside Houston, TX) listed 119 books—most with gay content—it would like to see moved from their current location into an adult section (Oder, 2004).

More recently, the Hillsborough County Public Library (Oder, 2005) removed a display for Gay Pride Month due to the “current political climate” (Alexander 2005, Varian, 2005). In spite of community comment and protest the ban remains in effect and gay and lesbian people have been denied the right to celebrate Gay Pride Month using county resources.

Poor and Homeless People

Human dignity, human rights and libraries intersect on other levels when citizens are denied library service because of their economic

status. Recently, lack of equitable library services to homeless individuals and families has surfaced in Valparaiso, Indiana (Library bans homeless kids from checking out books) where the board of the Porter County Public Library temporarily limited lending privileges to homeless people, and in Worcester, Massachusetts, where a class action lawsuit was filed in July and won in September by three homeless patrons (Hammel, Reis). The Hunger, Homelessness and Poverty Task Force of the Social Responsibilities Round Table (SRRT) of the American Library Association has reported on odor policies and civility campaigns that lead to the criminalization of poor people (Are public libraries criminalizing poor people?).

Gehner has tied treatment of poor and homeless people to literacy and the lack of attention to the needs of the poor by librarians: “Despite the well-established, life-long advantages that literacy and reading offer to individuals and society as a whole, we fail as a profession and as a nation, to deliver adequate resources to those who would benefit from them the most” (p. 117).

In contradiction to ALA Policy 61, Library Services to the Poor and the Library Bill of Rights which promotes, among other things, “the removal of all barriers to library and information services, particularly fees and overdue charges” (ALA Policy Manual) the profession fails to live up to its ideals and those of human rights advocates in these circumstances. Overdue fines are another barrier public libraries may wish to reconsider in the light of economic hardships.

Spanish-Speaking People and Immigration

In Denver, the Denver Public Library was challenged by contemporary Know-Nothings who do not support Spanish language library branches and/or Spanish language materials, focusing their protests on the genre of “fotonovelas.” On August 8, 2005, the Coalition for A Closer Look (including the Colorado Minuteman Project, Sovereignty Colorado, and Colorado Alliance for Immigration Reform) held a protest at the Denver Public Library. A letter was hand-delivered to the library demanding head librarian Rick Ashton’s resignation (Colorado Alliance for Immigration Reform).

A year later, Gwinnett County Public Library, outside Atlanta, Georgia, faced losing their director and cutting their Spanish language materials budget because of resident complaints. “We can’t supply pleasure reading material for all language groups, so we’re not going to go down

that road,” said Lloyd Breck, chairman of the Gwinnett County Public Library Board (Grisham en espanol?).

Access to Information and Filtering

Contemporary civil rights challenges at the federal level which affect libraries are CIPA (Children’s Internet Protection Act) which requires libraries to install filters on their internet computers) and DOPA (Deleting Online Predators Act H.R. 5319, 2006), which was aimed at “social networking” tools such as MySpace.com and Facebook.com. These legislative initiatives that seek to limit access to information (and to free association) through internet channels ripple beyond the intended protections to deny access to many educational resources (Carvin).

These actions reflect the authoritarian populism described by Apple (2006, p. 46). Librarians, committed to an open information environment must struggle to work creatively with conservative community members to balance those members’ desire for control of information with the rest of the community’s desire for open access.

CONCLUSION

The challenges facing public libraries are emblematic of the struggle in the United States to maintain civil, social, and even environmental freedoms guaranteed by laws in an era when conservative forces have gathered to suppress dissent about governmental actions. In “Librarians at the Gates” Joseph Huff-Hannon describes the courageous stand librarians are taking by defending access to controversial books, staving off budget cuts, providing a commons, and protecting the freedom of inquiry (2006).

It is up to the individual librarian to what degree she or he will defend the principles of human rights. In some cases a library’s administrators may permit human rights violations but front-line librarians can make brave stands in defense. Durrani and Smallwood assert that the myth of the “neutral” librarian needs to be exploded and that it is the librarian’s social responsibility to ensure that people get correct information (2006, pp. 6-7). Thus, for example, when a librarian recognizes that the U.S. government has provided disinformation on topics such as the environment, reasons for going to war, or scientific reports, it is

imperative that this be corrected. Frank Rich's book on government disinformation (2006) provides numerous examples of disinformation since 2000. It is clearly within the public librarian's scope of responsibility to identify disinformation and to provide the alternate and correct facts.

Finally, public librarians, in the quest to practice library service as a profession committed to human rights, should consider what human beings require to become content, enlightened and fulfilled. The codes and promises we make to ourselves and our patrons are the same bulwarks enlightened nations use to protect their citizens. Librarians in the United States should embrace the United Nations Educational, Scientific and Cultural Organization (UNESCO) Public Library Manifesto:

Freedom, prosperity and the development of society and individuals are fundamental human values. They will only be attained through the ability of well-informed citizens to exercise their democratic rights and to play an active role in society. Constructive participation and the development of democracy depend on satisfactory education as well as on free and unlimited access to knowledge, thought, culture and information.

The public library, the local gateway to knowledge, provides a basic condition for lifelong learning, independent decision-making and cultural development of the individual and social groups.

This Manifesto proclaims UNESCO's belief in the public library as a living force for education, culture and information, and as an essential agent for the fostering of peace and spiritual welfare through the minds of men and women.

UNESCO therefore encourages national and local governments to support and actively engage in the development of public libraries. (UNESCO)

Public libraries and human rights are inextricably bound. We can use the sublime language of international experts to lift us up and support our efforts to standardize and improve libraries and library service. By internalizing the idealism of human rights and looking to the global manifesto of the realization of a librarian's commitment to these ideals public librarians enter the 21st century with a clear agenda, with the goal to amplify that still voice.

NOTE

1. Some of the writings and documents that form the modern conception of human rights include: the Vedas, the Bible, the Qur'an, Analects of Confucius, Magna Carta (1215), Milton's *Areopagitica* (1643), Locke's *Letter Concerning Tolerance and Second Treatise of Civil Government* (1690), Jean-Jacques Rousseau's *Social Contract* (1761), Thomas Paine's *The Rights of Man* (1791-92), the Declaration of Independence (1776), Abigail Adams, "Remember the Ladies" (1776), U.S. Bill of Rights (1791), French Declaration of the Rights of Man and of the Citizen (1789), Mary Wollstonecraft's *A Vindication of the Rights of Women* (1792), Kant's *Perpetual Peace* (1797), Britain Outlaws Slave Trade (1807), Robert Owen's *New View of Society* (1817), Susan B. Anthony and Elizabeth Cady Stanton, "Declaration of Sentiments at Seneca Falls," (1848), *Civil Disobedience* by Henry David Thoreau (1849), John Stuart Mill, *On Liberty* (1859), Amsterdam Resolution Against Colonialism (1904), Mahatma Gandhi's *Passive Resistance* (1909), Declaration of the Rights of Toiling and Exploited Peoples (1918), International Labor Organization Charter, (1919), International Convention for the Suppression of the Traffic in Women and Children (1921), Declaration of the Rights of Children (1924), League of Nations Convention to Suppress the Slave Trade and Slavery (1926), Franklin Delano Roosevelt, "Four Freedoms" (1941), UNESCO Public Library Manifesto (1994).

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