

# Library Ethics, Rights, and Values: Provocative Commentary on the Utility of Library Rhetoric

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*From professional journals to scholarly publications, from conference hall corridors to staff rooms, from editorials to listservs, the role of the library in society is under constant discussion. This article follows that discussion into a library school classroom.*

Last fall, when I saw the *PNLA Quarterly's* call for papers on the topic of library ethics I took notice. At the time, I was preparing a new Master of Library and Information Studies course called "Intellectual Freedom and Social Responsibility in Canadian Libraries" for the January 2001 teaching term. One of my preparations was a lecture on contemporary library and information studies discourse on library ethics, rights, and values. I wanted to highlight for students some of the most provocative criticisms of the utility of the Canadian Library Association's (CLA) Code of Ethics, the American Library Association's (ALA) Library Bill of Rights, and the ALA's Task Force on Core Values Draft Statement. I intended the exercise to show students that librarianship's self-identified professional jurisdiction, as embodied in its rhetoric, is both tenuous and contested, especially where promoting and upholding intellectual freedom (equal access to free expression on all points of view on social issues for all library users) are concerned.

You will find below some of the critiques of library ethics, rights, and values covered in my lecture. They come from different places and take different points of view. The first critique, published in a professional journal, looks at the CLA's Code of Ethics from a mainstream library point of view. The second critique, published in a scholarly journal, looks at the ALA's Library Bill of Rights from a legal point of view. The third critique, posted on the Web in an interview format, looks at the ALA's Task Force on Core Values Draft Statement from a library social responsibility point of view (libraries as agents of social change on such social issues as racism, sexism, the environment, poverty, international relations). These critiques are followed by a few closing remarks.

The purpose of this article is to examine the utility of library rhetoric. The article is not designed as an introduction to this rhetoric. Accordingly, the article targets those readers who are familiar with the CLA's Code of Ethics, the ALA's Library Bill of Rights, and the ALA's Task Force on Core Values Draft Statement. For those unfamiliar with these documents, instructions for electronic access to them is provided at the beginning of each of the three critiques below.

## **A Mainstream Library Look at the CLA's Code of Ethics**

For full text of this document, see [www.cla.ca/about/ethics.htm](http://www.cla.ca/about/ethics.htm).

The most comprehensive published critique of the CLA's Code of Ethics is by librarian Richard Ellis and is found in the September 1994 issue of CLA's *Felicitator*.<sup>1</sup> Ellis finds that many obstacles impede the utility of the document.

Key commentary by Ellis includes the following:

- CLA's Code of Ethics is addressed to CLA members (a diverse group consisting of more than librarians). "What ethical guidelines of any substance," asks Ellis, "could apply to commercial suppliers of goods and services, library trustees, librarians, individuals interested in libraries, and libraries themselves?"

Incidentally, the ALA's Code Of Ethics is addressed to "librar-

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ians," but Ellis finds that it, too, is problematic. By addressing librarians exclusively, the ALA's Code fails to address institutional responsibility. Moreover, librarians lack the kind of "control over the environment of their practice" that doctors and lawyers have. For full text of the ALA's Code of Ethics see [www.ala.org/alaorg/oif/ethics.html](http://www.ala.org/alaorg/oif/ethics.html).

- Concentration on the practice of individuals neglects the institutional foundations of that practice.
- CLA's Code, as a "post-entry control of practice," is no match for controlling entry into the profession.
- CLA's Code is too imprecise. For example, generic goodness directives like the one to "maintain the highest possible range and standards of library service" lack tangible guidelines and require interpretations. What, for example, is a high range of service?
- CLA's Code directs CLA members to "support and implement the principles and practices embodied in the current" CLA Statement on Intellectual Freedom. But the Code of Ethics is directed at CLA members while the Statement on Intellectual Freedom is aimed at institutions. With respect to intellectual freedom responsibilities, it is not clear who is being addressed. For full text of the CLA's Statement on Intellectual Freedom see [www.cla.ca/about/intfreed.htm](http://www.cla.ca/about/intfreed.htm).

Incidentally, Ellis finds the Statement on Intellectual Freedom to be too broad to be defensible under the law.

*The CLA's Executive Council reaffirmed the original 1976 Code of Ethics in 1995.*

### A Legal Look at the ALA's Library Bill of Rights (LBR)

For full text of this document, see [www.ala.org/work/freedom/lbr.html](http://www.ala.org/work/freedom/lbr.html).

The Summer 1996 issue of *Library Trends* focuses on the theme of the LBR. First Amendment scholar Gordon B. Baldwin's and law professor Shirley A. Wiegand's contributions are notable because they critique the LBR from the legal point of view. Neither author finds the LBR to be a document that would hold up under the law.<sup>2</sup>

Baldwin finds that the LBR promises more than the First Amendment guarantees and does not follow existing First Amendment doctrine. For example:

- The law allows self-censorship, even if the LBR does not. Furthermore, the LBR ignores the market's (publishers and authors) role in determining library collections: librarians, Baldwin says, "cannot obtain what producers decide not to write or not to publish."
- The LBR does not "forbid libraries from limiting ac-

cess to patrons."

- Where free speech is concerned, the law distinguishes between government and private action. The First Amendment, for example, limits government while private groups and individuals "can and do" forbid speech. The LBR does not distinguish between government and private action.
- The LBR overgeneralizes. To consider "all people" as target patrons, Baldwin asserts, "constitutes a large, if not impossible, audience." "The community may contain the mentally ill, criminals, and perverts, but no one seriously suggests that libraries must accommodate the special interests of such people."
- The LBR has loopholes. For example, the directive that "materials should not be removed or proscribed because of partisan or doctrinal disapproval," invites the following comment: "Distinguishing *partisan* or *doctrinal* disapproval (bad) from decisions based on taste, relevance, and general policy (good) can rest on subjective factors."
- The LBR forbids discrimination because of youth, but Constitutional law does not.
- The LBR "does not displace the lawful administrative authority of a public body charged with making library policy. Thus, it offers no protection to a library employee who defies the authority of a lawful decision maker."

Wiegand also finds that the ALA's LBR is full of "examples of rhetoric unsupported by the legal principles that usually undergird *rights*." Furthermore, she says that library users probably never read the LBR and that if they did, they could not enforce it.

Wiegand recommends that ALA replace the LBR with two documents. The first document should be a clear statement of those First Amendment principles which receive legal support. The second document should represent the profession's aspirational and inspirational creed. The latter document would serve as a revised and improved Code of Ethics (with a new name like Statement of Philosophy) that could be incorporated into the employment contracts of library professionals.

Incidentally, Wiegand faults the ALA's Code of Ethics for lacking specificity as well as needing additional commentary and suggested ethical responses to real situations. Along the same line as Ellis above, she cautions that unless the ALA becomes a licensing body (and has the weight of the lawyer's Professional Rules of Conduct), the Code "will not play a significant role in the enforcement of its policies."

*The ALA's LBR was last affirmed in 1996.*

### A Library Social Responsibility Look at the ALA's Core Values Draft Statement

For full text of this document, see [www.ala.org/congress/corevalues/index.html](http://www.ala.org/congress/corevalues/index.html).

Perhaps the most pointed criticism of ALA's Task Force on Core Values Draft Statement comes from the field's social responsibility corner, most notably from the Social Responsibility Round Table of ALA members and ALA Councilor Mark Rosenzweig.<sup>3</sup> Rosenzweig finds the Draft to be a passive document that re-values values, rather than re-states them.

Key commentary by Rosenzweig includes the following:

- The Draft makes no mention of books.
- Because the Draft has loopholes where privatization and corporate "colonizing" of libraries are concerned, it silently invites the influence of the commercial environment and market forces.
- In the Draft, the term *intellectual freedom* "was avoided" Rosenzweig states, "in my rather suspicious

mainstream library, legal, and library social responsibility points of view shows that librarianship's self-identified professional jurisdiction, as embodied in its rhetoric, is arguably tenuous and contested. The mainstream library perspective presented by Ellis suggests that CLA's Code of Ethics is flawed by its blanket statement quality. The legal perspective presented by Baldwin and Wiegand suggests that the ALA's Library Bill of Rights lacks legal authority and is not enforceable. The library social responsibility perspective presented by Rosenzweig suggests that the ALA's Task Force on Core Values Draft Statement undermines ALA's originally expressed commitments, especially where intellectual freedom is concerned. These critiques indicate how difficult it is to reconcile rhetoric with reality. Perhaps most importantly, they put into question librarianship's ultimate ability to promote and uphold the tenet of intellectual freedom.

In their 1999 *Journal of Information Ethics* article titled "Intellectual Freedom Within the Library Workplace," Rosenzweig and co-author John Buschman discuss the problem of "an underlying lack of professional autonomy within the culture of American librarianship."<sup>4</sup> Given that the ALA and its Canadian counterpart lack the power to protect the jobs of library em-

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view, to publicly distance the profession from controversies over IF [intellectual freedom] issues which are increasingly viewed as injurious to the public image of the library and librarian."

- The Task Force's aim to create a brief public relations statement with punch resulted in a document that reflects form over content, lacks comprehensiveness, does not improve upon existing documentation, and lacks utility.
- The Draft detracts from existing documents, such as the LBR, by misrepresenting and under-valuing the commitments originally expressed by the ALA, especially where intellectual freedom is concerned.

*The ALA's Task Force on Core Values Draft Statement was neither affirmed nor defeated by ALA Council at the annual conference in 2000. Rather, the matter was forwarded to another task force for further exploration.*

### Closing Remarks

The exercise of exploring contemporary library and information studies discourse on library ethics, rights and, values from

employees who *stick their necks out* in the defense of intellectual freedom, Rosenzweig and Buschman have a point!

### Citations

<sup>1</sup> John Buschman and Mark Rosenzweig, "Intellectual Freedom Within the Library Workplace: An Exploratory Study in the U.S.," *Journal of Information Ethics* (Fall 1999): 36-45.

<sup>2</sup> Gordon. B. Baldwin, "The Library Bill of Rights—A Critique," *Library Trends* 45(1) (Summer 1996): 7-27. Shirley Wiegand, "Reality Bites: The Collision of Rhetoric, Rights, and Reality and the Library Bill of Rights," *Library Trends* 45(1) (Summer 1996): 75-86.

<sup>3</sup> "The Core Values Discussion: Another Opinion." <http://librarians.about.com/careers/librarians/library/weekly/aa101500.htm>

<sup>4</sup> John Buschman and Mark Rosenzweig, "Intellectual Freedom Within the Library Workplace: An Exploratory Study in the U.S.," *Journal of Information Ethics* (Fall 1999): 36-45.

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