



Intellectual freedom concerns cannot stop at the library door: the case of the G20 Summit

by Samuel E. Trosow

What is the relationship between general civil liberties concerns and our own Code of Ethics and Statement on Intellectual Freedom? The recent controversy over the massive violations of civil liberties at the G20 Summit in Toronto brought the need to address this issue to light.

The Statement on Intellectual Freedom, which is incorporated into our Code of Ethics, takes a very broad view of this mandate. The Statement begins:

All persons in Canada have the fundamental right, as embodied in the nation's Bill of Rights and the Canadian Charter of Rights and Freedoms, to have access to all expressions of knowledge, creativity and intellectual activity, and to express their thoughts publicly. This right to intellectual freedom, under the law, is essential to the health and development of Canadian society. Libraries have a basic responsibility for the development and maintenance of intellectual freedom.

By its terms, this mandate is not limited to what goes in the library. In other words, our responsibilities are not confined to what may be characterized, sometimes narrowly, as "library issues."

Last June, after the Ontario provincial government quietly promulgated Regulation 233/10, the Advisory Committee prepared a position statement expressing concern and opposition to the use of the 70-year-old Public Works Protection Act to curtail freedom of expression during the Toronto G20 Summit. Our statement pointed out how these actions were at odds with CLA's Position Statement on Intellectual Freedom. We asked that CLA request the Government of Ontario to revoke the regulation before the summit, and also to review the Act under which it was adopted in order to ensure future transparency and accountability in the law-making process.

Unfortunately, the CLA executive was not willing to adopt our recommendation, so CLA remained silent on the issue. While the B.C. Library Association did issue a

statement on the issue in July, it would have had more impact coming from the national association. While the CLA executive never fully published the reasons for its rejection of our recommendation, it is clear that there are some fundamentally different points of view about the nature and scope of our intellectual freedom mandate.

CLA needs to have a vigorous, frank and open debate on this issue in the near future.

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Workplace speech

by Toni Samek

CLA advocates for the protection of intellectual freedom for our school, public, academic and government library users, but our committee is also interested in promoting such freedoms in-house for library staff. Thus, at the 2008 CLA conference in Vancouver, the Advisory Committee on Intellectual Freedom hosted a panel "Inside Talk: Freedom of Speech in the Library Workplace." The panel was carefully timed to pick up on momentum in the United States, where in June 2005 the ALA Council adopted a Resolution on Workplace Speech that concluded with the following counsel: "Libraries should encourage discussion among library workers, including library administrators, of non-confidential professional and policy matters about the operation of the library and matters of public concern within the framework of applicable laws."

Although CLA does not have a workplace speech policy, our Code of Ethics begins with the directive to

“support and implement the principles and practices embodied in the current Canadian Library Association Statement on Intellectual Freedom.” Since at least the 1970s, librarians have embraced a core value of intellectual freedom. But while they have been long-standing advocates of their patrons’ freedoms, they have historically been less clear about intellectual freedom (and academic freedom) as it applies to their own institutional culture.

Accordingly, the Committee plans to put forward in 2012 for consideration by CLA membership a Resolution on Workplace Speech. But first, we want to raise awareness and encourage dialogue about how intellectual freedom, workplace speech and academic freedom are important to library and information workers within their own institutional cultures; for example, we feel it is vital to increase understanding about self-censoring and inside censorship. Equally essential, however, is the need to promote, endorse and extend shared governance, with particular applicability to workplace speech, collective bargaining and collective agreement language.

Our committee also aims to foster reflection about what constitutes “constructive engagement” and what makes for obstructiveness, because the two concepts are often consciously or unconsciously conflated. To further overall knowledge of these issues, we are currently entertaining the idea of developing a pdf for the CLA website, but for now the following resources are recommended:

- ALA Policy 54.21, “Resolution on Workplace Speech,” www.ala.org/ala/aboutala/offices/oif/statementspols/ifresolutions/Resolution%20on%20Workpl.pdf
- John Berry, “Don’t Muzzle Librarians,” January 15, 2010, www.allbusiness.com/legal/constitutional-law-freedom-speech/13700448-1.html
- John Buschman, “Who Defends Intellectual Freedom for Librarians?” *Academe Online* (September-December 2009), www.aaup.org/AAUP/pubsres/academe/2009/SO/Feat/busc.htm
- Toni Samek, Guest Editorial: “Cultivating a Culture of Freedom of Expression in the Library Workplace,” *Progressive Librarian* 31 (Summer 2008), pp. 3-5, www.libr.org/pl/PL31_summer2008.pdf
- Toni Samek, “The Library Push for Workplace Speech,” *Freedom to Read: Current Censorship Issues in Canada* Kit, Book and Periodical Council, Volume 25 (2009), p. 32, www.freedomtoread.ca/docs/2009/kit2009.pdf

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CLA Library Resources and Policies Challenges Survey

by Donna Bowman

In 2006, members of the Advisory Committee on Intellectual Freedom decided to fill a void by creating a survey to see what sorts of materials were being challenged in Canadian publicly funded libraries. With permission, we based our survey on Edmonton Public Library’s challenged materials spreadsheet, and on ALA’s database on challenged materials. The survey went online in January 2007, aimed at recording challenges made in 2006.

The survey has now run for four years. The first two years, it came out soon enough to feed information into the Book and Periodical Council’s Freedom to Read Week, held in February each year. For various reasons, the 2008 and 2009 surveys were delayed; questions about challenged library policies were added in the 2008 survey, and the survey was translated into French for the 2009 calendar year. As this article comes out, the 2010 survey of materials and policies challenged in the last calendar year should be out.

Survey results are shared with the Book and Periodical Council and with ALA’s Office for Intellectual Freedom, as well as with other interested parties. A key component of the CLA future plan includes upgrading the IT infrastructure, which would allow for a permanent home for the reporting of intellectual freedom challenges and access to the annual survey of challenged materials and policies, similar to ALA’s year-round database.

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