

# Appendix B

## Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.

IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.

V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.

VI. Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

A history of the Library Bill of Rights is found in the latest edition of the [Intellectual Freedom Manual](#)



## The Freedom to Read Statement

The freedom to read is essential to our democracy. It is continuously under attack. Private groups and public authorities in various parts of the country are working to remove or limit access to reading materials, to censor content in schools, to label "controversial" views, to distribute lists of "objectionable" books or authors, and to purge libraries. These actions apparently rise from a view that our national tradition of free expression is no longer valid; that censorship and suppression are needed to counter threats to safety or national security, as well as to avoid the subversion of politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe they are prepared to sacrifice their heritage of a free press in order to be "protected" against what others think may be bad for them. We believe they still favor free enterprise in ideas and expression.

These efforts at suppression are related to a larger pattern of pressures being brought against education, the press, art and images, films, broadcast media, and the Internet. The problem is not only one of actual censorship. The shadow of fear cast by these pressures leads, we suspect, to an even larger voluntary curtailment of expression by those who seek to avoid controversy or unwelcome scrutiny by government officials.

Such pressure toward conformity is perhaps natural to a time of accelerated change. And yet suppression is never more dangerous than in such a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially command only a small audience. The written word is the natural medium for the new idea and the untried voice from which come the original contributions to social growth. It is essential to the extended discussion that serious thought requires, and to the accumulation of knowledge and ideas into organized collections.

We believe that free communication is essential to the preservation of a free society and a creative culture. We believe that these pressures toward conformity present the danger of limiting the range and variety of inquiry and expression on which our democracy and our culture depend. We believe that every American community must jealously guard the freedom to publish and to circulate, in order to preserve its own freedom to read. We believe that publishers and librarians have a profound responsibility to give validity to that freedom to read by making it possible for the readers to choose freely from a variety of offerings.

The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.

We therefore affirm these propositions:

***It is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those that are unorthodox, unpopular, or considered dangerous by the majority.***

Creative thought is by definition new, and what is new is different. The bearer of every new thought is a rebel until that idea is refined and tested. Totalitarian systems attempt to maintain themselves in power by the ruthless suppression of any concept that challenges the established orthodoxy. The power of a democratic system to adapt to change is vastly strengthened by the freedom of its citizens to choose widely from among conflicting opinions offered freely to them. To stifle every nonconformist idea at birth would mark the end of the democratic process. Furthermore, only through the constant activity of weighing and selecting can the democratic mind attain the strength demanded by times like these. We need to know not only what we believe but why we believe it.

***Publishers, librarians, and booksellers do not need to endorse every idea or presentation they make available. It would conflict with the public interest for them to establish their own political, moral, or aesthetic views as a standard for determining what should be published or circulated.***

Publishers and librarians serve the educational process by helping to make available knowledge and ideas required for the growth of the mind and the increase of learning. They do not foster education by imposing as mentors the patterns of their own thought. The people should have the freedom to read and consider a broader range of ideas than those that may be held by any single librarian or publisher or government or church. It is wrong that what one can read should be confined to what another thinks proper.

***It is contrary to the public interest for publishers or librarians to bar access to writings on the basis of the personal history or political affiliations of the author.***

No art or literature can flourish if it is to be measured by the political views or private lives of its creators. No society of free people can flourish that draws up lists of writers to whom it will not listen, whatever they may have to say.

***There is no place in our society for efforts to coerce the taste of others, to confine adults to the reading matter deemed suitable for adolescents, or to inhibit the efforts of writers to achieve artistic expression.***

To some, much of modern expression is shocking. But is not much of life itself shocking? We cut off literature at the source if we prevent writers from dealing with the stuff of life. Parents and teachers have a responsibility to prepare the young to meet the diversity of experiences in life to which they will be exposed, as they have a responsibility to help them learn to think critically for themselves. These are affirmative responsibilities, not to be discharged simply by preventing them from reading works for which they are not yet prepared. In these matters values differ,

and values cannot be legislated; nor can machinery be devised that will suit the demands of one group without limiting the freedom of others.

***It is not in the public interest to force a reader to accept the prejudgment of a label characterizing any expression or its author as subversive or dangerous.***

The ideal of labeling presupposes the existence of individuals or groups with wisdom to determine by authority what is good or bad for others. It presupposes that individuals must be directed in making up their minds about the ideas they examine. But Americans do not need others to do their thinking for them.

***It is the responsibility of publishers and librarians, as guardians of the people's freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large; and by the government whenever it seeks to reduce or deny public access to public information.***

It is inevitable in the give and take of the democratic process that the political, the moral, or the aesthetic concepts of an individual or group will occasionally collide with those of another individual or group. In a free society individuals are free to determine for themselves what they wish to read, and each group is free to determine what it will recommend to its freely associated members. But no group has the right to take the law into its own hands, and to impose its own concept of politics or morality upon other members of a democratic society. Freedom is no freedom if it is accorded only to the accepted and the inoffensive. Further, democratic societies are more safe, free, and creative when the free flow of public information is not restricted by governmental prerogative or self-censorship.

***It is the responsibility of publishers and librarians to give full meaning to the freedom to read by providing books that enrich the quality and diversity of thought and expression. By the exercise of this affirmative responsibility, they can demonstrate that the answer to a "bad" book is a good one, the answer to a "bad" idea is a good one.***

The freedom to read is of little consequence when the reader cannot obtain matter fit for that reader's purpose. What is needed is not only the absence of restraint, but the positive provision of opportunity for the people to read the best that has been thought and said. Books are the major channel by which the intellectual inheritance is handed down, and the principal means of its testing and growth. The defense of the freedom to read requires of all publishers and librarians the utmost of their faculties, and deserves of all Americans the fullest of their support.

We state these propositions neither lightly nor as easy generalizations. We here stake out a lofty claim for the value of the written word. We do so because we believe that it is possessed of enormous variety and usefulness, worthy of cherishing and keeping free. We realize that the application of these propositions may mean the dissemination of ideas and manners of expression that are repugnant to many persons. We do not state these propositions in the comfortable belief that what people read is unimportant. We believe rather that what people read is deeply important; that ideas can be dangerous; but that the suppression of ideas is fatal to a democratic society. Freedom itself is a dangerous way of life, but it is ours.

This statement was originally issued in May of 1953 by the Westchester Conference of the American Library Association and the American Book Publishers Council, which in 1970 consolidated with the American Educational Publishers Institute to become the Association of American Publishers.

Adopted June 25, 1953, by the ALA Council and the AAP Freedom to Read Committee; amended January 28, 1972; January 16, 1991; July 12, 2000; June 30, 2004.

*A Joint Statement by:*

[American Library Association](#)  
[Association of American Publishers](#)

*Subsequently endorsed by:*

[American Booksellers Foundation for Free Expression](#)  
[The Association of American University Presses, Inc.](#)  
[The Children's Book Council](#)  
[Freedom to Read Foundation](#)  
[National Association of College Stores](#)  
[National Coalition Against Censorship](#)  
[National Council of Teachers of English](#)  
[The Thomas Jefferson Center for the Protection of Free Expression](#)

## Freedom to View Statement

The **FREEDOM TO VIEW**, along with the freedom to speak, to hear, and to read, is protected by the [First Amendment to the Constitution of the United States](#). In a free society, there is no place for censorship of any medium of expression. Therefore these principles are affirmed:

1. To provide the broadest access to film, video, and other audiovisual materials because they are a means for the communication of ideas. Liberty of circulation is essential to insure the constitutional guarantee of freedom of expression.
2. To protect the confidentiality of all individuals and institutions using film, video, and other audiovisual materials.
3. To provide film, video, and other audiovisual materials which represent a diversity of views and expression. Selection of a work does not constitute or imply agreement with or approval of the content.
4. To provide a diversity of viewpoints without the constraint of labeling or prejudging film, video, or other audiovisual materials on the basis of the moral, religious, or political beliefs of the producer or filmmaker or on the basis of controversial content.
5. To contest vigorously, by all lawful means, every encroachment upon the public's freedom to view.

This statement was originally drafted by the Freedom to View Committee of the American Film and Video Association (formerly the Educational Film Library Association) and was adopted by the AFVA Board of Directors in February 1979. This statement was updated and approved by the AFVA Board of Directors in 1989.

**Endorsed January 10, 1990, by the ALA Council**





## Access to Digital Information, Services, and Networks

### *An Interpretation of the Library Bill of Rights*

#### Introduction

Freedom of expression is an inalienable human right and the foundation for self-government. Freedom of expression encompasses the freedom of speech and the corollary right to receive information.<sup>1</sup> Libraries and librarians protect and promote these rights regardless of the format or technology employed to create and disseminate information.

The American Library Association expresses the fundamental principles of librarianship in its Code of Ethics as well as in the Library Bill of Rights and its Interpretations. These principles guide librarians and library governing bodies in addressing issues of intellectual freedom that arise when the library provides access to digital information, services, and networks.

Libraries empower users by offering opportunities both for accessing the broadest range of information created by others and for creating and sharing information. Digital resources enhance the ability of libraries to fulfill this responsibility.

Libraries should regularly review issues arising from digital creation, distribution, retrieval, and archiving of information in the context of constitutional principles and ALA policies so that fundamental and traditional tenets of librarianship are upheld. Although digital information flows across boundaries and barriers despite attempts by individuals, governments, and private entities to channel or control it, many people lack access or capability to use or create digital information effectively.

In making decisions about how to offer access to digital information, services, and networks, each library should consider intellectual freedom principles in the context of its mission, goals, objectives, cooperative agreements, and the needs of the entire community it serves.

#### The Rights of Users

All library system and network policies, procedures, or regulations relating to digital information and services should be scrutinized for potential violation of user rights. User policies should be developed according to the policies and guidelines established by the American Library Association, including “Guidelines for the Development and Implementation

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<sup>1</sup> Martin v. Struthers, 319 U.S. 141 (1943); Lamont v. Postmaster General, 381 U.S. 301 (1965); Susan Nevelow Mart, The Right to Receive Information, 95 Law Library Journal 2 (2003).

of Policies, Regulations, and Procedures Affecting Access to Library Materials, Services, and Facilities.”

Users’ access should not be restricted or denied for expressing, receiving, creating, or participating in constitutionally protected speech. If access is restricted or denied for behavioral or other reasons, users should be provided due process, including, but not limited to, formal notice and a means of appeal.

Information retrieved, utilized, or created digitally is constitutionally protected unless determined otherwise by a court of competent jurisdiction. These rights extend to minors as well as adults (“Free Access to Libraries for Minors”; “Access to Resources and Services in the School Library Media Program”; “Access for Children and Young Adults to Nonprint Materials”; and “Minors and Internet Interactivity”).<sup>2</sup>

Libraries should use technology to enhance, not deny, digital access. Users have the right to be free of unreasonable limitations or conditions set by libraries, librarians, system administrators, vendors, network service providers, or others. Contracts, agreements, and licenses entered into by libraries on behalf of their users should not violate this right. Libraries should provide library users the training and assistance necessary to find, evaluate, and use information effectively.

Users have both the right of confidentiality and the right of privacy. The library should uphold these rights by policy, procedure, and practice in accordance with “Privacy: An Interpretation of the Library Bill of Rights,” and “Importance of Education to Intellectual Freedom: An Interpretation of the Library Bill of Rights.”

## Equity of Access

The digital environment provides expanding opportunities for everyone to participate in the information society, but individuals may face serious barriers to access.

Digital information, services, and networks provided directly or indirectly by the library should be equally, readily, and equitably accessible to all library users. American Library Association policies oppose the charging of user fees for the provision of information services by libraries that receive support from public funds (50.3 “Free Access to Information”; 53.1.14 “Economic Barriers to Information Access”; 60.1.1 “Minority Concerns Policy Objectives”; 61.1 “Library Services for the Poor Policy Objectives”). All libraries should develop policies concerning access

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<sup>2</sup> *Tinker v. Des Moines Independent Community School District*, 393 U.S. 503 (1969); *Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 457 U.S. 853, (1982); *American Amusement Machine Association v. Teri Kendrick*, 244 F.3d 954 (7th Cir. 2001); cert.denied, 534 U.S. 994 (2001)

to digital information that are consistent with ALA's policies and guidelines, including "Economic Barriers to Information Access: An Interpretation of the Library Bill of Rights," "Guidelines for the Development and Implementation of Policies, Regulations and Procedures Affecting Access to Library Materials, Services and Facilities," and "Services to Persons with Disabilities: An Interpretation of the Library Bill of Rights."

### **Information Resources and Access**

Libraries, acting within their mission and objectives, must support access to information on all subjects that serve the needs or interests of each user, regardless of the user's age or the content of the material. In order to preserve the cultural record and to prevent the loss of information, libraries may need to expand their selection or collection development policies to ensure preservation, in appropriate formats, of information obtained digitally. Libraries have an obligation to provide access to government information available in digital format.

Providing connections to global information, services, and networks is not the same as selecting and purchasing materials for a library collection. Libraries and librarians should not deny or limit access to digital information because of its allegedly controversial content or because of a librarian's personal beliefs or fear of confrontation. Furthermore, libraries and librarians should not deny access to digital information solely on the grounds that it is perceived to lack value. Parents and legal guardians who are concerned about their children's use of digital resources should provide guidance to their own children. Some information accessed digitally may not meet a library's selection or collection development policy. It is, therefore, left to each user to determine what is appropriate.

Publicly funded libraries have a legal obligation to provide access to constitutionally protected information. Federal, state, county, municipal, local, or library governing bodies sometimes require the use of Internet filters or other technological measures that block access to constitutionally protected information, contrary to the Library Bill of Rights (ALA Policy Manual, 53.1.17, Resolution on the Use of Filtering Software in Libraries). If a library uses a technological measure that blocks access to information, it should be set at the least restrictive level in order to minimize the blocking of constitutionally protected speech. Adults retain the right to access all constitutionally protected information and to ask for the technological measure to be disabled in a timely manner. Minors also retain the right to access constitutionally protected information and, at the minimum, have the right to ask the library or librarian to provide access to erroneously blocked information in a timely manner.

Libraries and librarians have an obligation to inform users of these rights and to provide the means to exercise these rights.<sup>3</sup>

Digital resources provide unprecedented opportunities to expand the scope of information available to users. Libraries and librarians should provide access to information presenting all points of view. The provision of access does not imply sponsorship or endorsement. These principles pertain to digital resources as much as they do to the more traditional sources of information in libraries (“Diversity in Collection Development”).

**See Also:** “Questions and Answers on Access to Digital Information, Services and Networks: An Interpretation of the Library Bill of Rights.”

Adopted January 24, 1996; amended January 19, 2005; and July 15, 2009, by the ALA Council.

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<sup>3</sup> “If some libraries do not have the capacity to unblock specific Web sites or to disable the filter or if it is shown that an adult user’s election to view constitutionally protected Internet material is burdened in some other substantial way, that would be the subject for an as-applied challenge, not the facial challenge made in this case.” United States, et al. v. American Library Association, 539 U.S. 194 (2003) (Justice Kennedy, concurring).