

Censorship: Should Public Libraries Filter Internet Sites?

In June 2003 the U.S. Supreme Court upheld (six to three) a federal law that requires public libraries to install filters that block access to pornography on the Internet. The idea was to protect children; adults could presumably ask librarians to unblock the material, and presumably librarians would comply. All nine Justices agreed that restricting the access of children does not in itself violate the First Amendment which guarantees freedom of speech in public forums. The issue was whether the law interferes with the First Amendment rights of adults. Chief Justice Rehnquist, who voted with the majority, said that Internet access does *not* turn a library into a public forum. Libraries, he said, are for “research, learning, and recreational pursuits,” and speech in them may be curtailed even without compelling reason, just as a librarian’s failure to purchase a particular book—for whatever reasons—does not constitute a violation of the First Amendment. We reprint two arguments, one pro and one con, on the issue. The fact that the Court has decided the issue does not at all imply that one should not continue to debate it.

David Burt is a market research manager. This essay was first printed in CQ Researcher, June 1, 2001, two years before the Supreme Court decided the case.

Yes, Install Filters

In communities across America, a controversy is raging over how to cope with the problem of library patrons using Internet terminals to access illegal obscenity and child pornography.

Like many libraries, the Broward County, Fla., Public Library relies on “education” and “a policy” to encourage appropriate use of the Internet. But a lawsuit against the library uncovered the problems with such an education/policy approach. The *New Times* of Broward reported that access to Internet pornography in the library had led to 14 incidents of masturbation documented by library and police reports, two incidents of men exposing themselves, and one instance of a man fondling a female patron.

Freedom of Information Act requests have uncovered thousands of other library pornography incidents from all over the country. The Greenville [S.C.] Public Library suffered similar problems. An internal report discovered that “a large number, perhaps 50 percent, of the users on one afternoon were young men going to pornography sites.”

Library administrators found that “female staff . . . are intimidated by this activity.” One female staffer stated: “I felt dirty coming home at the end of the day.”

To stop the illegal activity and restore staff morale, the library board chose to install N2H2 filtering software. Since then, abuse of the Internet has stopped. Further, no patrons have complained about being denied access to legitimate sites. 5

This experience has been repeated across the county. After watching the failure of the education/policy approach, nearly 4,000 public libraries have chosen to install filtering software. According to a 2000 study by the U.S. National Commission on Libraries and Information Science, 24.6 percent of public libraries now use filters, an increase of 121 percent in two years.

Other research shows the filters are widely popular with the librarians who use them. Library researcher Ken Haycock, who recently studied the use of filters in public libraries, found that 76 percent of public librarians said they were “very/somewhat satisfied” with the decision to install Internet filter software. An eye-popping 90 percent of public

librarians using filters responded that the software serves its purpose either "very well" or "somewhat well."

Public libraries don't stock *Hustler* next to *House & Garden* in their magazine section, so why should they offer Hustler.com? They shouldn't. Not when there is a tested, effective solution widely available.

Topics for Critical Thinking and Writing

1. Burt does not address the First Amendment issue of whether filters interfere with an adult's right of access to Internet pornography. Given the facts he sets forth, do you agree that the issue of freedom of access to ideas is irrelevant in this context?
2. In his final paragraph Burt offers an analogy: Just as the library does not stock pornographic magazines, so the library does not need to "offer" online pornography. As we point out in our headnote, Chief Justice Rehnquist made pretty much the same argument. On the other hand, Associate Justice David Souter, voting in the minority, took a different line. Souter said that the proper analogy is not the failure to stock a book; rather, Souter said, the proper analogy "is either to buying a book and then keeping it from adults lacking an acceptable 'purpose' or to buying an encyclopedia and then cutting out pages with anything thought to be unsuitable for all adults." Putting aside the merits of the case as a whole, which (if any) of these comparisons seems valid to you? Explain.

NANCY KRANICH

Nancy Kranich, president of the American Library Association, wrote this essay for CQ Researcher, which published it along with Burt's essay on June 1, 2001.

No, Do Not Install Filters

Filters are neither the best nor the only means to protect children using the Internet in libraries. They give parents a false sense of security that their children are protected. No filter protects children from all objectionable content. But all filters block access to critical constitutionally protected speech about many subjects people need to know.

Filters cannot take the place of responsible use, informed by local-based Internet access policies, user-education programs, links to great sites, and safety guidelines. That is why ALA and many other organizations—including the federal Commission on Online Child Protection (COPA) and several filtering companies—oppose federal legislation mandating that libraries and schools utilize Internet-blocking technology. Laws like the Children’s Internet Protection Act (CIPA) force libraries in economically disadvantaged areas to use already scarce resources to install expensive and unreliable filtering technologies or lose the vital federal funds they need to end the demoralizing effects of “digital discrimination” in underserved communities.

Thanks to the e-rate and other programs, 95 percent of America’s libraries are now online, and libraries are the No. 1 point of access for those without computers at home, work, or school. Librarians have worked hard to ensure that libraries provide a wide spectrum of information to our diverse communities. We do this not only by providing access to both print and online resources but also by instructing people how to use these resources efficiently and safely. We identify great sites for children and adults and schedule computer classes. The vast majority of library patrons use the Internet responsibly, guided by library policies that address appropriate use and invoke disciplinary action for violators. Approximately 95 percent of public libraries already have Internet policies.

Librarians care deeply about children. We have dedicated our careers to ensuring that adults and children enjoy an enriching experience and access to quality materials in libraries. We understand the enormous learning potential of the Internet and appreciate the responsibility we have as a society for ensuring that libraries remain safe and intellectually creative environments for everyone.

This will not be accomplished by imposing Draconian governmental controls over our libraries, but rather by allowing the parents and librarians in our local communities to tailor workable and effective policies to protect children from inappropriate material on the Internet.

Topics for Critical Thinking and Writing

1. In her first paragraph Kranich diminishes the value of filters as a way of protecting children. In your view, does her essay provide adequate support for the view that filters are not the best way to protect children? Explain.
2. In her third paragraph Kranich says: “The vast majority of library patrons use the Internet responsibly, guided by library policies that

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address appropriate use and invoke disciplinary action for violators.” Does your public library have such a policy? If so, what is it? Do you think it is a good one? Explain.

3. In her final paragraph Kranich says that parents and librarians should unite “to tailor workable and effective policies to protect children from inappropriate material on the Internet.” First of all, do you agree that children should be protected from some materials? Second, if you do agree and if you were serving on a local committee, what proposals would you make?

Fact and Value thesis paper (Argumentative research and evaluation essay)

Step one is to choose a subject. The problem that you perceive as an author is that people don't agree with what you believe is true and don't concur with your opinion on one of the following subjects. You will be arguing that the first part of your thesis is true and the opinion in the second part of the thesis is better than your audience's, trying to get the audience to change their minds to agree with your entire thesis. Choose one of the following subjects to create a fact and aesthetic, or moral, based evaluation.

Legalizing gay marriage (Chapter 4)	Death Penalty (Chap.6)	Torture of POWs (Chap. 11)
Gun Control (Chap. 5)	Drug legalization (Chap. 7)	Internet censorship (Chap. 3)
Privacy violations (Chap. 9)	Sexual Harassment (Chap. 10)	

Step two is to construct the thesis. Choose a problem in the topic you have chosen and decide what you want to say about it. The thesis sentence needs to be written like this template: *Quantitative statement and value statement* (e.g. *Censoring the internet will not reduce the amount of hate crimes as a result of cyber bullying and is unethical*). The paper would then examine the amount of hate crimes as a result of cyber bullying [quantitative research] and then define the word "unethical" and match censorship to it [value statements]). Write the quantitative statement piece first and then choose your value word(s) for the second part of the thesis. I want you to use an opinion word which is very vague and can be defined a number of ways during your paper. This will hopefully give you more freedom to play with definition methods. You may use words from my value word list used for the Evaluation paper.

Once you construct your thesis, step three is to write the body. Find **three** pieces of quality research to support the beginning, quantitative argument of the thesis. One piece needs to be a **web** source. In the next part of the body, you need to define your value word using at **least two definition methods**. Then you need to match the subject to the definition using one piece of research. Other research may also be used.

You need a **con argument** also, containing **one** piece of research that disagrees with your thesis.

Of the five pieces of research used for the paper, two must come from our textbook.

The paper needs standard introduction and conclusion sections and a Works Cited page.

The paper length should be around five-seven pages, typed and double spaced.