

CENSORSHIP IN PUBLIC LIBRARIES:  
AN ANALYSIS USING GATEKEEPING THEORY

by

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## ABSTRACT

One pressing issue in libraries today is the censorship of information. This study applies Kurt Lewin's gatekeeping theory to examine the decision-makers as well as the different pressures and constraints that are at issue in decisions regarding challenges and censorship attempts that occur in public libraries. Through an in-depth case study of two federal court cases dealing with challenges and censorship attempts that occurred in public libraries, this study seeks to identify the gatekeeping structures present within public libraries, specifically those that contribute to conditions that encourage librarians to censor.

A qualitative content analysis of court documents as well as newspaper articles covering the court cases being analyzed, followed by a series of interviews with individuals involved in the cases, seek to reveal in more complexity the gatekeeping structure present in public libraries. Knowing who the decision-makers, or gatekeepers, are in the decision-making process, whether it is library boards, library directors, or public officials, is crucial to the understanding of censorship in public libraries.

Central to the study is the phenomenon of librarians themselves engaging in acts of censorship. Factors such as power and authority can lead librarians to engage in censorship activities as a reaction to instructions from their governing bodies. Without a clear understanding of the function of gates and gatekeepers in the decision-making process, libraries may allow unintended censorship of ideas and information to persist. This study seeks to inform librarians and information professionals to become better equipped to support the fight against censorship.

## DEDICATION

This dissertation is dedicated to the memory of my grandfather, Cecil Stallings, for holding such a deep and sincere passion for the higher education he never received, and for passing that passion on to his daughter. This is also for my mother, Patricia Steele, for taking that passion she was given by her father and in turn passing it on to me. Mom, you have shared this dream with me since day one, and this dissertation is yours.

## LIST OF ABBREVIATIONS

ACLU	American Civil Liberties Union
AFA	American Family Association
ALA	American Library Association
CCA	Comics Code Authority
CDA	Communications Decency Act
CIPA	Children’s Internet Protection Act
CMAA	Comics Magazine Association of America
COPA	Child Online Protection Act
FFL	Family Friendly Libraries
FOTF	Focus on the Family
IRB	Institutional Review Board
LGBTQ	Lesbian, Gay, Bisexual, Transgendered, and Questioning
LIS	Library and Information Science
MPAA	Motion Picture Association of America
MPPDA	Motion Picture Producers and Distributors of America
NLB	National Library Board
PABBIS	Parents Against Bad Books In Schools
PAFW	People For the American Way
PMRC	Parents Music Resource Center
RIAA	Recording Industry Association of America

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## CHAPTER 1

### INTRODUCTION

*“Censorship is the child of fear and the father of ignorance.”*

– Laurie Halse Anderson

The founding fathers of the United States recognized the importance of the sharing, access, and examining of differing views and beliefs. They framed this within the First Amendment of the United States Constitution, stating that:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances. (U.S. Const. amend. I)

While the First Amendment is the governing law that is singularly most responsible for the freedom of speech guaranteed to all Americans, interpretation of it varies and both courts and the citizenry disagree on what is protected under an American’s right to free speech. One example of an issue that is often disagreed upon in the debate regarding free speech is “hate speech,” such as in the case *Snyder v. Phelps* (2011).<sup>1</sup> Another example is pornography, such as

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<sup>1</sup> In the case *Snyder v. Phelps* (2011), the plaintiff, Albert Snyder, was the father of a U.S. Marine who died in 2006 while serving in Iraq. During the soldier’s funeral, a group known as the Westboro Baptist Church, led by pastor Fred Phelps, staged a demonstration near the church. The purpose of the group’s demonstration was to praise God for the killing of American soldiers and condemn the American military for its inclusion of homosexuals in its ranks. (Freedom of Speech, 2015). The case eventually went to the United States Supreme Court, which voted in favor of the Westboro Baptist Church and the funeral protesters in an 8-1 decision on March 2, 2011 (*Snyder v. Phelps*, 2011).

in the case *Jacobellis v. Ohio* (1964).<sup>2</sup> The importance of the freedom of speech is clearly evident within the context of public libraries, cultural organizations dedicated to the access and spread of information. Censorship of information is an issue that has been plaguing libraries for decades (Emery, 1994; Oppenheim & Smith, 2004), and is an issue the profession of librarianship still faces today.

### **The Censorship Phenomenon**

For the purpose of this study, it is important to understand the censorship phenomenon and how it relates to libraries. Examples of censorship exist throughout history, “from the Spanish Inquisition or the New England witch hunts to the book burnings of Nazi Germany” (Molz, 1990, p. 19). The term “censorship” can be traced back to its Latin root *censere*, which means to “estimate or assess” (Curry, 1997, p. 9). In ancient Rome, a censor was “a magistrate whose original functions of registering citizens and their property were greatly expanded to include supervision of senatorial rolls and moral conduct” (Censor, 1998, para. 1). According to *The Oxford Reference Dictionary*, a censor is “an official with the power to suppress parts of books, films, letters, news, etc. on the grounds of obscenity, risk to security, etc. – to treat (books, films, etc.) in this way” (Hawkins, 1988, p. 144). Today, censors can come in many different forms, whether it be a parent concerned with the moral conduct of children and the influences they are exposed to, or a government official concerned with the moral conduct of the community and the citizens they are serving.

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<sup>2</sup> In the case *Jacobellis v. Ohio* (1964), the United States Supreme Court handed down a decision regarding whether the state of Ohio could, consistent with the First Amendment, ban all showings of the Louis Malle film *The Lovers* (*Les Amants*), which the state had deemed as obscene. The Supreme Court ruled on June 22, 1964, that the film was not obscene and was therefore constitutionally protected (*Jacobellis v. Ohio*, 1964). The most famous opinion from the case came from Justice Potter Stewart, when he wrote of pornography, “I shall not today attempt further to define the kinds of material I understand to be embraced within that shorthand description; and perhaps I could never succeed in intelligibly doing so. But I know it when I see it, and the motion picture involved in this case is not that” (*Jacobellis v. Ohio*, 1964, at 197).



Many definitions of censorship have been proposed over the years. The American Library Association defines censorship as a “change in the access status of material, based on the content of the work and made by a governing authority or its representatives. Such changes include exclusion, restriction, removal, or age/grade level changes” (ALA, 2016, para. 2). For the purpose of this study, censorship will be defined using the American Library Association’s definition.

Along with the American Library Association, many researchers have offered definitions of censorship as well. According to Prebor and Gordon (2015), censorship is “an action utilized in order to prohibit access to books or information items because their content is considered dangerous or harmful to their readers” (p. 28). Intner (2004) defined censorship as “the systematic and deliberate exclusion of materials that would be considered protected speech” under the First Amendment (p. 8). Moody (2005) wrote that censorship “encompasses those actions which significantly restrict free access to information” (p. 139). Knox (2014) describes censorship as “an amalgamation of practices, including the redaction of text in a document, cutting pages out of a book, or denying access to materials” (p. 741). While many definitions of censorship have been used, according to Oppenheim and Smith (2004), “the general sentiment behind most definitions is that something is withheld from access by another” (p. 160). Molz (1990) attributes this inability to agree upon a common definition to censorship being “difficult to delimit” (p. 18).

Researchers divide censorship into two different types, generally referred to as regulative and constitutive, or existential, censorship (Jansen, 1991; Molz, 1990; Oppenheim & Smith, 2004). Oppenheim and Smith (2004) write that regulative censorship is “censorship which aims to put a stop to the expression of ideas that are perceived by some groups or individuals as

threatening or harmful to the conventions or ideals of religion, personal morality or protection of the state. This is the most familiar and visible form of censorship” (p. 160). It is because of regulative censorship that “books or other media professing alleged blasphemy, heresy, sedition, or immorality are liable to be banned” (Molz, 1990, p. 18).<sup>3</sup>

The second type of censorship, constitutive/existential censorship, is linked to “monopolistic domination by either the state or the market to subvert or deny public access to some forms of knowledge and information” (Molz, 1990, p. 18). It is often “silent, and so the more troubling, of the two” (Oppenheim & Smith, 2004, p. 160).<sup>4</sup>

In addition, censorship can appear in many different ways. According to McMenemy (2009), censorship can “take several different forms, from subtle pressure not to purchase material on a certain topic or by certain authors, or more overt campaigns by governments, special interest groups or individuals within a community who wish their own moral viewpoint to be at the fore” (p. 86). Knox (2014) writes that censorship “can be passive, as when an institution chooses not to acquire materials for fear of engendering controversy, or, active, involving the removal of books from library shelves or filtering websites on library computers” (p.741).

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<sup>3</sup> An example of regulative censorship came in July 2014, when Singapore’s National Library Board (NLB) announced they would be removing copies of three LGBTQ children’s books: *And Tango Makes Three*, *The White Swan Express*, and *Who’s In My Family?* from all libraries. The National Library Board is a powerful, state-funded network of 26 public libraries, with a collection of over five million books and multimedia items (Campbell, 2014; Hickey, 2014). Singapore is a conservative city-state, where gay sex between men is illegal, and punishable by up to two years in jail (AFP, 2014). After an extreme amount of criticism, the NLB ended up overturning the decision to remove two of the books. All copies of *Who’s In My Family* had already been destroyed, but *And Tango Makes Three* and *The White Swan Express* were taken out of the children’s section and placed in the adult section (Wei, 2014).

<sup>4</sup> An example of constitutive, or existential, censorship came shortly after the inauguration of President Donald J. Trump on January 20, 2017, when he became President of the United States. Days after his inauguration, President Trump’s administration notified the Environmental Protection Agency that scientists with the agency who want to publish or present their findings will likely need to have their work reviewed by the President’s administration prior to dissemination (Rott, 2017).

With the Internet and other external factors increasing information access to the public, the likelihood of ever agreeing upon a universally accepted definition of censorship continues to dwindle (Oppenheim & Smith, 2004). As Molz (1990) puts it, “no precise definition of censorship will prove to be wholly accurate” (p. 19). Times will change, technology will continue to evolve, and censorship will change its form. However, no matter what form it takes, censorship will always be there, and will always be a factor libraries will be forced to face (Hannabus & Allard, 2001; Jenkins, 1991; Oppenheim & Smith, 2004).

### **Censorship and the Librarianship Profession**

Krug and Morgan (2010) write, “Opposition to censorship derives naturally from the library’s historical role as an educational institution providing materials that develop individuals’ abilities, interests, and knowledge” (p. 13). While intellectual freedom is now considered to be a core value of the librarianship profession (Oltmann, 2016a), particularly for public libraries (Gorman, 2000), this has not always been the case. In the late 19<sup>th</sup> and early 20<sup>th</sup> centuries, the freedom to read “encompassed the right to morally educate the working class...and that educators must lead students to morally good texts at the proper time in one’s development” (Shockey, 2016, pp. 103-104). The role of intellectual freedom as a core value for the ALA was first understood in terms of book censorship (Krug & Morgan, 2010), with resistance to censorship first beginning to appear in the early decades of the 20<sup>th</sup> century (Shockey, 2016).<sup>5</sup>

The American Library Association (ALA) defines intellectual freedom as “the right of every individual to both seek and receive information from all points of view without restriction. It provides for free access to all expressions of ideas through which any and all sides of a

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<sup>5</sup> The American Library Association’s unified stance against censorship first came in the late 1930s with the censorship of John Steinbeck’s *The Grapes of Wrath*. The book was banned from libraries across the country, including libraries in East St. Louis, Illinois; Camden, New Jersey; Bakersfield, California; and others. ALA’s response to these pressures against *The Grapes of Wrath* was its adoption in 1939 of the *Library’s Bill of Rights*, the predecessor to the *Library Bill of Rights* (Krug & Morgan, 2010, p. 15).

question, cause or movement may be explored” (ALA, 2016, para. 3). The ALA promotes the freedom to choose as well as the freedom to express one’s opinions, even if that opinion might be considered unorthodox or unpopular. It further stresses the importance of ensuring the availability of those viewpoints to all who wish to read and access them. Akers (2012) writes that, “intellectual freedom is the basis for the US democratic system” (p. 387). As Sturges (2016) puts it, intellectual freedom is “the engine that carries us into a life of greater economic security, better health care, improved material prosperity, enriched communication, and a host of freedoms that stem from freedom of the mind” (p. 168).

Ethical considerations abound for librarians in regards to censorship, with many ethical and professional guidelines in place that librarians are expected to follow that urge them to refrain from censorship. According to Article III of the American Library Association’s *Library Bill of Rights*, “Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment” (ALA, 2010, p. 49). The *Library Bill of Rights* is the American Library Association’s statement expressing the rights of library users to intellectual freedom and the expectations the Association places on libraries to support those rights. In addition, Article II of the American Library Association’s *Code of Ethics* states, “We uphold the principles of intellectual freedom and resist all efforts to censor library resources” (ALA, 2010, p. 303). This commitment to intellectual freedom is also woven into the American Library Association’s *Freedom to Read Statement*, which states in Section 1 that, “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” (ALA, 2010, p. 203). By incorporating its commitment to intellectual freedom and

opposition to censorship into its professional guidelines, these have become core values of the librarianship profession.

### **Censorship versus Selection**

A major theme in the literature regarding censorship in libraries relates to the difference between the censorship of materials and the selection of materials. In his 1953 essay titled “Not Censorship but Selection,” Lester Asheim describes the difference between the two terms *censorship* and *selection*. His essay continues to serve as the library profession’s definitive statement on the distinction between these two important aspects of collection development.

In his essay, Asheim (1953) writes that the major distinction between censorship and selection is that the selector’s approach is positive, with the aim of promoting reading, while the approach of the censor is negative, often with the aim of inhibiting reading. He writes how selection seeks to protect the right of the reader to read, while censorship seeks to protect the reader himself from the effects of his reading. Asheim (1953) goes as far as to write that “selection is democratic while censorship is authoritarian” (p. 5). In addition, Asheim (1953) makes the argument that the fact that some materials get passed over does not mean that the librarian has censored those materials. Whether it is limited physical space, or today’s reality of many libraries facing limited budgets, many collection development librarians regularly struggle with decisions over which materials to purchase and which materials to forego (O’Sullivan & O’Sullivan, 2007).

In 1983, thirty years after his original essay, Asheim wrote a reappraisal of his own article and titled it “Selection and Censorship: A Reappraisal.” In the reappraisal, Asheim (1983) further emphasizes that segments of the librarian’s patron base should not be allowed to impede each other’s rights, and that the job of the librarian is to make selection choices with the library’s

entire community in mind, saying, “The librarian’s responsibility is to identify interests and make judgements with the entire collection and the entire community in mind, not just that part of it with the largest constituency or the loudest voices or the most intimidating threats” (Asheim, 1983, p. 184). Furthermore, Asheim (1983) also upholds his prior assertion that the best response to the problem of access is to add ideas rather than to remove them, and that the key is a balanced collection. He states that, “The removal of materials threatens the democratic balance that the total collection is meant to represent” (Asheim, 1983, p. 181).

With the Internet and electronic resources, libraries are going digital, however, Asheim’s arguments regarding censorship and selection are still relevant to contemporary librarianship. In 2002, June Pinnell-Stephens wrote an essay entitled “Lester Asheim in Cyberspace: A Tribute to Sound Reasoning” in which she argued that Asheim’s censorship versus selection distinction is also applicable to censorship and collection development in the digital age. She claims that the distinction between censorship and selection pertains to the Internet and electronic resources just as much as it does to books. In fact, libraries evaluate and purchase access to databases which often replace the print periodicals and serials librarians select.

Due to the Children’s Internet Protection Act (2000) requiring schools and libraries to use Internet filters in order to receive federal funding, filters are now common in both public libraries as well as school libraries (Bell, 2016). Pinnell-Stephens (2002) specifically discusses the issue of Internet filters in regards to the topic of censorship. She writes that providing access to the Internet is not the same as selection. Most filtering software does not allow the library to review the list of blocked sites and make decisions. Furthermore, software filters are used to prevent users from having access to potentially objectionable material, not to seek and include potentially valuable and useful material. So according to Asheim’s (1953) standards, this is censorship, not

selection. Also relevant to the discussion of filters is Asheim's argument of "legal right to representation" (Asheim, 1953, p. 63). Pinnell-Stephens (2002) writes that, "Even the producers and proponents of filters admit that all of them block access to material that is constitutionally protected" (p. 70). Libraries have tried different ways of handling Internet filters, such as designating certain areas as the children's computer area or the adult's only computer area, with the adult's only area not having filters. Regardless, by Asheim's standards, Internet filters still count as a form of censorship and not selection.

Along with Internet access, electronic resources are also an important part of contemporary librarianship and the discussion of selection versus censorship. There are advantages and disadvantages to both electronic and traditional print books. In today's reality of libraries facing limited budgets, libraries must often choose between selecting a print version or an electronic version of a book or material because they cannot afford duplicate copies. It is important for librarians to look at circulation and usage statistics and make selection decisions regarding print or electronic format based on the needs and preferences of their patrons (Jackson & Holley, 2011; Littman & Connaway, 2004). According to Asheim's standards, choosing only one format of a certain title due to budgetary constraints does not mean the librarian has censored.

This distinction between censorship and selection has been an issue that has plagued libraries for decades. While librarians tend to think of themselves as selectors and not censors, self-censorship by librarians does occur. Self-censorship by a librarian can easily stem from their assumptions regarding an author's intent, a reader's response, or a community's values. Rather than decide what is "best" for their communities, Asheim's essays on censorship and selection call on collection development librarians to make their selection decisions without censoring.

Even with the move into the digital age with the Internet and electronic resources, Asheim's work still remains relevant and serves as an important guideline within the profession of librarianship in the selection of materials that inform citizens.

### **Censorship and Material Selection**

While Asheim (1953) makes it clear that selection does not automatically denote censorship, it is possible for censorship to occur within the selection process. Material selection is an important aspect of any librarian's job. Pinnell-Stephens (2012) refers to selection as "the heart of the collection development process" (p. 3). McMenemy (2008) writes:

The selection of library materials is perhaps the most crucial aspect of the social contract between the librarian and the user. It is fundamental to our ethos and our status as a profession. In protecting and defending our role as selector of material, we need to take full responsibility for the collections we build. (p. 344)

O'Sullivan and O'Sullivan (2007) discuss the process of librarians making selection decisions and the questions librarians should be asking themselves as they are making these decisions. They write that when reviewing potential materials for purchase, librarians should ask themselves:

- (1) Is the resource accurate?
- (2) Is the information current?
- (3) Is the material age appropriate?
- (4) Is the material objective? (O'Sullivan & O'Sullivan, 2007, p. 206)

The decision process concerning which materials end up on library shelves and which do not can vary from library to library. Some libraries have a team of librarians participating in this process, while others may have a single librarian making collection development decisions



(Johnson, 2013). Collection development is a broad term “depicting a variety of decisions and actions whose goal is the formation of a collection of information items appropriate to the information needs of the library or information center patrons” (Prebor & Gordon, 2015, p. 28). In other words, the goal of the collection development librarian is to make selection decisions and build a library collection that meets the information needs of the community they are serving. Collection development should be guided by policy; however, selection decisions can be made all the more difficult for librarians when censorship plays a role in the process.

Refraining from censorship when making selection decisions is an important part of every librarian’s job. Within the librarianship profession, self-censorship is believed to be a prevalent issue (Downey, 2013; Moody, 2005; Whelan, 2009). Self-censorship occurs when “librarians censor their own actions by not selecting materials they anticipate may cause controversy or problems” (Oltmann, 2016c, p. 24). As Downey (2013) notes, “self-censorship is tricky because it’s usually invisible—if a library is missing a book, nobody can say for certain why it’s missing” (p. 104).

With libraries facing limited physical space and limited budgets, librarians and other information professionals are often in the position of choosing which materials to include in their library’s collection and which materials to forgo. This can raise issues related to free speech and censorship. Just because a librarian chooses not to select a book or other material for a library’s collection, does not automatically mean that the librarian has censored (O’Sullivan & O’Sullivan, 2007). Today, librarians can still consult the standards set forth by Asheim (1953) in his essay “Not Censorship but Selection” when making selection decisions for their libraries.

## Challenges in Libraries

As well as refraining from censorship when making selection decisions, another important part of every librarian's job is to support the library's established collection development policy when books or materials are challenged. According to the ALA:

A **challenge** is an attempt to remove or restrict materials, based upon the objections of a person or group. A **banning** is the removal of those materials. Challenges do not simply involve a person expressing a point of view; rather, they are an attempt to remove material from the curriculum or library, thereby restricting the access of others. (ALA, 2016, para. 1)

Whether a challenge comes from a concerned parent, government official, or other member of the community, Hill (2010) claims that having a thorough collection development policy can guide librarians' efforts in dealing with book challenges and provide materials that best meet the needs of patrons. While not all libraries have such policies, a well-run library will incorporate the guidelines set forth in the *Library Bill of Rights* and other professional guidelines into its own official policies adopted by its governing body. Incorporating these guidelines into official library policies will hold librarians and others involved accountable for refraining from censorship and upholding the values of intellectual freedom.

Hill (2010) also suggests being open with patrons and asking for their feedback and input about books in the library, and provides readers with information about how book challenges may affect librarians and their jobs. Hill (2010) makes it clear that selecting books that may be considered "controversial" can be incredibly stressful for librarians; with many librarians making selection decisions that could be construed as acts of censorship based on fear of losing their jobs. While standing firm and not succumbing to pressure in regards to a challenge or censorship

attempt can be scary for a librarian, the librarianship profession has adopted many initiatives to promote intellectual freedom and combat censorship.

### **Resistance to Censorship**

Along with the *Library Bill of Rights* and other guidelines, the profession has adopted many other initiatives to combat censorship. Each year, the ALA sponsors a national initiative to fight censorship and support the freedom to read, known as Banned Books Week. The tradition of Banned Books Week first began in 1982 (McMenemy, 2009). Usually held during the last week of September, Banned Books Week stresses the importance of a free and open spread of information (ALA, 2012). According to the ALA, “Banned Books Week brings together the entire book community; librarians, booksellers, publishers, journalists, teachers, and readers of all types, in shared support of the freedom to seek and to express ideas, even those some consider unorthodox or unpopular” (ALA, 2012, para. 1).

In order to inform the public about book challenges and censorship attempts that occur at libraries and schools, the ALA compiles lists of challenged books, including the Top Ten Challenged Books lists for each year (ALA, 2013d), as well as the 100 Most Frequently Challenged Books by Decade (ALA, 2013a). The ALA’s Office of Intellectual Freedom compiles these lists by collecting information from newspapers as well as reports submitted by individuals (ALA, 2013b).

Banned Books Week has become an important staple in support of the freedom to read. As Long (2006) writes:

Many more books might be challenged – and possibly banned or restricted – if librarians, teachers, and booksellers across the USA did not use Banned Books Week each year to teach the importance of our First Amendment rights and the power of

literature, and to draw attention to the danger that exists when restraints are imposed on the availability of information in a free society. (p. 75)

While there has been support for the ALA and its efforts to promote intellectual freedom, there has also been opposition. The American Family Association<sup>6</sup>, Focus on the Family<sup>7</sup>, and the Christian Coalition<sup>8</sup> are all examples of national organizations that have publicly opposed initiatives such as Banned Books Week and other ventures by the ALA to support the freedom to read and the fight against censorship (Morgan, 1995). Regardless of the opposition, by following the guidelines set forth in the ALA's *Library Bill of Rights*, *Code of Ethics*, and *Freedom to Read Statement*, as well as those set forth by Lester Ashiem (1953), the librarianship profession continues to promote the ideals of intellectual freedom that promote a democratic society.

### **Purpose and Research Questions**

Throughout their history, public libraries have served communities as centers of information access (Harris, 1973). This places a responsibility on public libraries and those involved in their material selection process to decide what information these institutions will include in their collections and make available to the public. This responsibility has led to public

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<sup>6</sup> The American Family Association (AFA) is a non-profit organization founded in 1977 by pastor Donald Wildmon, which opposes same-sex marriage, pornography, and abortion (AFA, 2017). The group's activism is directed toward the "preservation of marriage and the family" (AFA, 2017, para. 4). The AFA's key strategy is the use of boycotts. With the organization's boycotts of many television shows and other media, Gene Mater, former Senior Vice President of CBS Television, has stated, "We look upon Wildmon's efforts as the greatest frontal assault on intellectual freedom this country has ever faced" (Thomas, 1993, p. A14).

<sup>7</sup> Focus on the Family is an American Christian conservative organization founded in 1977 by psychologist James Dobson. Like the AFA, it also opposes same-sex marriage, pornography, and abortion (FOTF, 2017). Focus on the Family's stated mission is "nurturing and defending the God-ordained institution of the family and promoting biblical truths worldwide" (FOTF, 2017, para. 1).

<sup>8</sup> The Christian Coalition is a faith-based political organization. Part of the group's stated mission is to "represent the pro-family point of view before local councils, school boards, state legislatures, and Congress" (Christian Coalition, 2017, para. 4). Their major work lies in voter education, through the distribution of tens of millions of voter guides each election year throughout all fifty states (Christian Coalition, 2017).

libraries (libraries serving the general public of a community) experiencing more challenges and censorship attempts of the materials that they select than many other types of library institutions, including academic libraries (libraries serving a college or university) and other types (ALA, 2013c). For these reasons, the current study focuses on censorship in public libraries.

As librarians can be viewed as mediators between information and the public, there is a need to more deeply understand the processes and roles that play an important part in the decision-making process regarding library collections. This study applies Kurt Lewin's (1947) gatekeeping theory to examine in more complexity the decision-makers as well as the different pressures and constraints that are at issue in decisions regarding challenges and censorship attempts that occur in public libraries. Without a clear understanding of the function of gates and gatekeepers in the decision-making process, libraries may allow unintended censorship of ideas and information to persist.

Central to the study is the phenomenon of librarians themselves engaging in acts of censorship. Through an in-depth case study of two federal court cases dealing with challenges and censorship attempts that occurred in public libraries, this study seeks to identify the gatekeeping structures present within public libraries, specifically those that contribute to conditions that encourage librarians to censor. A qualitative content analysis of court documents as well as newspaper articles covering the court cases being analyzed, followed by a series of interviews with individuals involved in the cases, seek to reveal in more complexity the gatekeeping structure present in public libraries. Data gathered through the case study addressed the following research questions:

RQ1: How does gatekeeping theory explain censorship attempts in public libraries?

RQ2: What factors allow librarians to engage in censorship activities?

### **Summary**

As Oppenheim and Smith (2004) write, “The relationship between librarians and censorship is, and has been, a troubled one” (p. 159). In order for librarians, information professionals, as well as library and information science (LIS) researchers to fully understand censorship, a review of relevant intellectual freedom and censorship literature is necessary, which is addressed in Chapter 2. By understanding the key decision-makers and pressures present throughout the decision-making process, librarians and information professionals can be better informed to support the fight against censorship.

## CHAPTER 2

### LITERATURE REVIEW

Community concern regarding the messages that library materials deliver continues to drive censorship challenges. Censorship can come in many forms, such as book banning and book burning, and can stem from ethical, political, religious, or security reasons. Censorship comes from a variety of different sources, including parents, government officials, community leaders, and even librarians themselves. Documented occurrences of censorship committed by librarians, despite their professional obligation to promote intellectual freedom, prove the complexity of the phenomenon. The topic of censorship has been widely researched, and many articles have been written about the various forms of censorship and how they affect libraries, library patrons, and communities. Issues of censorship have been studied within the United States (Oltmann, 2016c; Thorson, 2016), as well as internationally (Curry, 2001; Moody, 2004; Prebor & Gordon, 2015; Taylor & McMenemy, 2013). This literature review begins with a discussion on censorship throughout the history of the United States, followed by a discussion on censorship specifically within the realm of public libraries.

#### **Censorship in the United States**

Throughout the history of the United States, there are many examples of censorship and censorship attempts. Censorship is often viewed as a violation of the First Amendment and the right to free speech. Freedom of speech is particularly pertinent to libraries, as it “encompasses not only a right to express oneself, but also a right to access information” (Oltmann, 2016b, p.

153). The First Amendment is a common argument made by advocates against the act of censorship (Lambe, 2002). As Pinnell-Stephens (2012) writes, “The basis of intellectual freedom in libraries lies in the First Amendment” (pg. xi). However, interpretation of the First Amendment is not concrete, and throughout U.S. history, courts have attempted to decide what freedoms are actually protected under the First Amendment. At the highest level, the United States Supreme Court has heard many cases dealing with the First Amendment and the freedom of speech, which can also be relevant to libraries since they attempt to provide an environment of free expression and accessibility.

### **Censorship and Obscenity**

One of the oldest, and most commonly cited, reasons behind many book challenges and censorship attempts in the United States is that the book or other material contains obscenity. As Wachsberger (2006) writes, “The history of books censored for depicting sexual acts—whether the chosen word was ‘pornography,’ ‘erotica,’ or ‘obscenity’—is a fascinating ride through our country’s court system” (p. VII). An early case dealing with the issue of obscenity would be *Rosen v. United States* (1896), in which the defendant allegedly used the United States Postal Service to send material that was deemed “obscene, lewd, and lascivious” (*Rosen v. United States*, 1896, at 43). In their ruling, the Supreme Court adopted the same obscenity standard as had been articulated in the notable British case, *Regina v. Hicklin* (1868). The *Hicklin* test defined material as obscene if it tended ““to deprave or corrupt those whose minds are open to such immoral influences, and into whose hands a publication of this sort may fall”” (*Rosen v. United States*, 1896, at 43). The Supreme Court upheld the conviction (*Rosen v. United States*, 1896).



In 1873, the United States Congress passed the Comstock Act (1873), which made it a crime to knowingly mail obscene materials or advertisements and information about obscene materials, abortion, or contraception (de Grazia, 1992). It is notable that while it has roots dating back to 1775 and an original intention of supporting the concept of intellectual freedom, the Comstock Act (1873) is just one of many examples of the United States Postal Service enacting laws and acting as a censor throughout its history (Darling, 1979; Paul & Schwartz, 1961).<sup>9</sup>

One seminal example of censorship on the grounds of obscenity would be James Joyce's most famous work, *Ulysses* (1922). Prior to the novel's United States publication, the work was serialized in the literary magazine, *The Little Review*. Following this first publication of *Ulysses*, three issues of *The Little Review* were seized and burnt by the United States Postal Service on the grounds that its content was deemed "obscene." A complaint was made regarding a particular chapter that was published in the magazine, and after a trial the publishers were convicted and fined (Baggett, 1995). Publication of *Ulysses* in the United States stopped for over a decade (Gillers, 2007). It was not until the federal district court case *United States v. One Book Called Ulysses* in 1933 that the novel could legally be published in the United States (Gillers, 2007). In the ruling for the case, Judge John M. Woolsey established the important notion that an entire work, rather than just a portion of it, should be considered in order for the work to be declared obscene (*United States v. One Book Called Ulysses*, 1933).

The United States Supreme Court ruled in the case *Roth v. United States* (1957) that obscenity was not protected under the First Amendment. It also developed what came to be

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<sup>9</sup> In 1945, the Postmaster General of the United States, Frank Comerford Walker, filed suit against the author and publisher of a pamphlet, called *Preparing for Marriage* (*Walker v. Popenoe*, 1945), which he withheld from the mail on the grounds of the Comstock Act (1873). The pamphlet contained "detailed information and advice regarding the physical and emotional aspects of marriage" (*Walker v. Popenoe*, 1945, at 512). However, the Court ruled that the order barring the pamphlet from the mail without a hearing was "a violation of due process" (*Walker v. Popenoe*, 1945, at 513).

known as the *Roth* test for obscenity, which was "whether to the average person, applying contemporary community standards, the dominant theme of the material, taken as a whole, appeals to the prurient interest" (*Roth v. United States*, 1957, at 489). However, the *Roth* test definition of obscenity proved difficult to apply. In the United States Supreme Court case *Jacobellis v. Ohio* (1964), which addressed whether or not states had the right to ban films they deemed obscene, Justice Potter Stewart famously stated that while he could not precisely define pornography, "I know it when I see it" (*Jacobellis v. Ohio*, 1964, at 197).

The *Roth* test was eventually expanded with the case *Miller v. California* (1973). Under the *Miller* test, a work is obscene if:

"(a) . . . 'the average person, applying contemporary community standards' would find the work, as a whole, appeals to the prurient interest . . . (b) . . . the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law, and (c) . . . the work, taken as a whole, lacks serious literary, artistic, political, or scientific value." (*Miller v. California*, 1973, at 39)

Many people confuse obscenity, which is not protected under the First Amendment, with pornography, which is protected under the First Amendment (Pinnell-Stephens, 1999). The exception to this would be child pornography. The First Amendment is a common argument for those against censorship, and many challenges and censorship attempts involve materials targeted toward children and young adults. However, the First Amendment argument is not as strong when the censorship pertains to young children (Magnuson, 2010), as many laws are in place for the purpose of protecting children. The Supreme Court ruled in the cases *New York v. Ferber* (1982) and *Osborne v. Ohio* (1990) that child pornography is not subject to the *Miller* test and that the government's interest in protecting children from abuse was crucial. This interest in

protecting children includes not only when they are at home, but while the children are at school as well.

### **Censorship in Schools**

The United States Supreme Court has heard many cases regarding the First Amendment rights of students. One example is the case *West Virginia Board of Education v. Barnette* (1943). In this case, two students whose religion, Jehovah's Witnesses, forbade them from saluting or pledging to symbols were expelled from school for refusing to salute the American flag and say the Pledge of Allegiance. In a 6-3 vote, the Court ruled in favor of the students (*West Virginia Board of Education v. Barnette*, 1943).

Another seminal case regarding First Amendment rights of students was *Tinker v. Des Moines Independent Community School District* (1969). Three students, including siblings John F. Tinker and Mary Beth Tinker, as well as their friend Christopher Eckhardt, were expelled after they wore black armbands to school as a symbolic protest of the Vietnam War (ALA, 2006). The Supreme Court held that students "do not shed their constitutional rights at the schoolhouse gate" (*Tinker v. Des Moines Independent Community School District*, 1969, at 506) and that "the First Amendment protects public school students' rights to express political and social views" (ALA, 2006, para. 25).

One pivotal United States Supreme Court ruling regarding First Amendment rights and censorship in school libraries was *Board of Education, Island Trees Union Free School District No. 26 v. Pico* (1982). In 1975, members of the school board from the Island Trees School District ordered that certain books be removed from high school and junior high school libraries on the grounds that the books were "anti-American, anti-Christian, anti-Semitic, and just plain filthy" (*Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 1982, at

857). Some of the books to be removed were *Slaughterhouse Five*, *Best Short Stories of Negro Writers*, *Go Ask Alice*, and *Down These Mean Streets* (Molz, 1990). A high school student named Steven Pico led a group of students who sued the board, claiming a denial of their First Amendment rights. The case made its way to the Supreme Court, where a closely divided Court ruled 5 to 4 in favor of the students (ALA, 2006).

In the ruling for the case, Justice William Brennan cited both *Tinker v. Des Moines School District* (1969) as well as *West Virginia Board of Education v. Barnette* (1943) and stated that “local school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to ‘prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion’” (*Board of Education, Island Trees Union Free School District No. 26 v. Pico*, 1982, at 872).

### **Censorship of the Motion Picture Industry**

One significant example of censorship in the United States is the censorship of the motion picture industry with the Motion Picture Production Code in the 1930s. The Motion Picture Production Code was the set of moral guidelines for the industry that was applied to most motion pictures released by major studios in the United States from 1930 to 1968. It was also known as the Hays Code, after Will H. Hays, who was the president of the Motion Picture Producers and Distributors of America (MPPDA) from 1922 to 1945 (Miller, 1994). Hays was the Chairman of the Republican National Committee from 1918-1921, and served as the United States Postmaster General from 1921-1922, under U.S. President Warren G. Harding (Allen, 1959). Several studios in Hollywood recruited Hays in 1922 to help rehabilitate Hollywood’s image after several risqué films and a series of off-camera scandals involving Hollywood stars

tarnished the motion picture industry image (Miller, 1994). Hays resigned as Postmaster General on January 14, 1922, to become president of the newly formed MPPDA (AP, 1922).

The MPPDA, which later became known as the Motion Picture Association of America (MPAA), adopted the Production Code in 1930 and then began strictly enforcing it in 1934 (Miller, 1994). The Production Code clearly spelled out what content was acceptable and what content was not acceptable for motion pictures produced in the United States. Content restricted by the Production Code included “scenes of passion” unless essential to a film’s plot, “sex perversion,” adultery, “indecent” dancing, and white slavery (AP, 1930, p. 3). The Production Code was adhered to well into the 1950s, and then with the emergence of television, influence of foreign films, and directors who would push the envelope,<sup>10</sup> the Code began to weaken. In 1968, the Production Code was replaced with the MPAA film rating system (Miller, 1994).

### **Censorship of the Comic Book Industry**

Another important example of censorship in the United States is the censorship of the comic book industry. Controversy regarding comic books and their content surfaced shortly after their debut in the 1930s. The first group to object to comics was educators, who saw comics as a “bad influence on students’ reading abilities and literary tastes” (Nyberg, n.d., para. 3). Church and civic groups objected to “immoral” content such as scantily clad women and the glorification of villains. The Catholic Church’s National Office of Decent Literature added comics to the materials it evaluated (Nyberg, n.d., para. 4).

After World War II, there was a rise in the popularity of horror comics, bringing a third group into the comic book debate, mental health experts. With a focus on juvenile delinquency,

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<sup>10</sup> An example of a director pushing the envelope and working around Production Code guidelines was Alfred Hitchcock with his 1946 film *Notorious*. In the film, he worked around a three-second-kissing only rule by having the actors break off every three seconds, while the entire sequence actually lasts two and a half minutes (McGilligan, 2004, p. 376).

noted New York City psychiatrist Dr. Fredric Wertham campaigned to ban the sales of comics to children and argued that “children imitated the actions of comic book characters” and that “the content desensitized children to violence” (Nyberg, n.d., para. 5).

In September of 1954, the Comics Magazine Association of America (CMAA) was formed in response to a widespread public concern over the gory and horrific content that was common in comic books of the time (“Horror,” 1954). This led to the Comics Code Authority (CCA) and regulations on content published in comic books. Comic book publishers that were members would submit their comics to the CCA, which would screen them for adherence to its Code. If the book was found to be in compliance, then they would authorize the use of their seal on the book’s cover (Hajdu, 2008). Pressure from the CCA and the use of its seal led to the censorship of comic books across the country.



*Figure 2.1. The Comics Code Seal. Courtesy of the Comic Code Authority.*

Even prior to the adoption of the CCA, there were some cities that had already organized public burnings and bans on comic books (Costello, 2009). The city councils of both Oklahoma City, Oklahoma, and Houston, Texas, passed city ordinances banning crime and horror comics (“Horror,” 1954). The movement against comics even infiltrated public libraries, with the Charlotte (North Carolina) Public Library system refusing to carry them in its collections in 1951 (Wigand, 2015).

The fallout from all of the regulations was devastating for the comic book industry. According to Hajdu (2008), work for comic book cartoonists dried up, with more than 800 creators losing their jobs. In addition, the number of comic book titles published dropped from

650 titles in 1954 to 250 in 1956 (Hajdu, 2008). Over time, the industry was able to recover as publishers one by one left the CCA. In January of 2011, Archie Comics, the last remaining publisher still participating, announced they were leaving the CCA, therefore rendering the CCA and its Code defunct (Rogers, 2011).

### **Censorship of the Recording Industry**

Yet another example of censorship in the United States would be the censorship of the music recording industry stemming from the use of Parental Advisory labels. The labels are placed on music and other audio recordings if the recording uses excessive profanities or inappropriate references. The intention of the labels is to alert parents of material that is potentially unsuitable for younger children (Cole, 2010).



*Figure 2.2.* Parental Advisory Label. Courtesy of Recording Industry Association of America, Inc.

The idea for the labels was first outlined by Tipper Gore, wife of Al Gore and eventual Second Lady of the United States, and her advocacy group the Parents Music Resource Center (PMRC) in a 1984 letter to the Recording Industry Association of America (RIAA) and 62 record labels (Schonfeld, 2015). The PMRC initially proposed a rating code: "Violent lyrics would be marked with a 'V,' Satanic or anti-Christian occult content with an 'O,' and lyrics referencing drugs or alcohol with a 'D/A'" (Schonfeld, 2015). With little response, the PMRC then proposed a generic label warning of lyric content. The RIAA eventually gave in and agreed to put warning stickers on albums, with early versions of Parental Advisory labels first used in 1985 (Schonfeld, 2015). In 1990, "Banned in the USA" by the rap group 2 Live Crew became the first album to bear the "black and white" Parental Advisory label (Schonfeld, 2015, para. 10).

Parental Advisory labels were originally affixed on physical cassettes and then compact discs. Now, with the rise of digital music through online music stores and music streaming, the label is usually embedded in the digital artwork of albums that are purchased online (Cole, 2010). While the evolution of digital music has changed the level of impact the Parental Advisory label system has, use of the labels has nevertheless impacted the recording industry, in some cases leading to censorship of the recordings. Many major retailers that distribute music, including Wal-Mart, have enacted policies that do not allow the selling of any recordings containing the label in their stores (Cole, 2010).

### **Censorship and the Internet**

The question of what forms of communication are or are not protected under the First Amendment becomes even more complicated with the move into the digital age. The arrival of the Internet brought a wave of new concerns, particularly in regards to the safety of children. The Communications Decency Act (CDA) was passed by the United States Congress on February 1, 1996, and signed by President Bill Clinton on February 8, 1996. The CDA (1996) imposed criminal sanctions on anyone who knowingly:

(A) uses an interactive computer service to send to a specific person or persons under 18 years of age, or (B) uses any interactive computer service to display in a manner available to a person under 18 years of age, any comment, request, suggestion, proposal, image, or other communication that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs.

(CDA, 1996)

The CDA (1996) marked Congress's first attempt to regulate pornography on the Internet. The law was eventually struck down by the landmark case *Reno v. American Civil*



*Liberties Union* (1997). In the case, the non-profit organization American Civil Liberties Union (ACLU) filed suit against Janet Reno in her capacity as Attorney General of the United States, claiming that parts of the CDA (1996) were unconstitutional. In the ruling on the case, a unanimous Supreme Court specifically extended the First Amendment to written, visual and spoken expression posted on the Internet (*Reno v. ACLU*, 1997). This case was significant as it was the first to bring the First Amendment into the digital age.

In 1998, Congress passed its second attempt to regulate Internet pornography, the Child Online Protection Act (COPA), which restricted access by minors to any material defined as harmful to such minors on the Internet (COPA, 1998). Then, on June 29, 2004, in *Ashcroft v. American Civil Liberties Union*, the Supreme Court ruled that the law was likely to be unconstitutional. The Court wrote, “filtering software may well be more effective than COPA is confirmed by the findings of the Commission on Child Online Protection, a blue-ribbon commission created by Congress in COPA itself. Congress directed the Commission to evaluate the relative merits of different means of restricting minors' ability to gain access to harmful materials on the Internet” (*Ashcroft v. ACLU*, 2004, at 668).

On December 21<sup>st</sup>, 2000, Congress signed into law the Children’s Internet Protection Act (CIPA). The law requires K-12 schools and libraries in the United States to use Internet filters in order to be eligible to receive federal funding (CIPA, 2000). The law was later challenged by the American Library Association as unconstitutional, but the United States Supreme Court ruled that public libraries' use of Internet filtering software does not violate their patrons' First Amendment free speech rights and that the Children's Internet Protection Act is constitutional (*United States v. ALA*, 2003).

Also related to censorship and the Internet is the censorship of social media content. Companies like Facebook and Twitter rely on a growing team of employees to remove offensive material – a practice known as “content moderation” – from their sites (Chen, 2014). While the content being removed, such as pornography and gore, can be disturbing, it is censorship nonetheless. In addition, with the public becoming increasingly reliant on social media for their access to news, some social media sites have come under fire for censoring their trending news stories. One recent example would be Facebook being accused of censoring its trending news sidebar and purposely leaving out stories from conservative news sites (Bowles & Thielman, 2016). With the rise of social media, the censoring of social media content is an issue that is becoming increasingly relevant to today’s world.

Technology and the Internet have played important roles for libraries in regards to issues of censorship and intellectual freedom. As stated in the 8<sup>th</sup> Edition of the ALA’s *Intellectual Freedom Manual* (2010), “Freedom to express oneself through a chosen mode of communication, including the Internet, becomes virtually meaningless if access to that information is not protected” (p. xvii). For some librarians, it made them question the very ideals and core values that the profession stands for. Bosseller and Budd (2015) write, “The Internet’s entrance into the library changed (and challenged) many librarians’ commitment to intellectual freedom” (p. 34). Regardless, the Internet and its ability to more quickly and easily provide access to information like never before has ushered in a new era for librarianship.

Whether dealing with the issue of obscenity, the evolvement of technology and the Internet, or other free speech controversies, the question of what is protected under an individual’s First Amendment rights is an issue that is highly debated. This issue of First

Amendment rights and the right to free speech is also of particular concern for libraries when dealing with issues of censorship.

### **Censorship in Public Libraries**

In the history of public libraries, censorship is “as old as the public library movement itself” (Thompson, 1975, pg. 1). As Wiegand (2015) put it, “Censorship was never far from public library practices” (p. 36). In his 1973 article “The Purpose of the American Public Library: A Revisionist Interpretation of History,” Michael Harris gives a history of the American public library, with the Boston Public Library beginning the public library movement in the 1850s. Since their inception, American public libraries have faced censorship issues (Wiegand, 2015).

### **Censorship and Race**

Race and ethnic background have been factors in censorship since the beginning of the public library movement. For the earliest public libraries in the 1850s, librarians and library trustees were often white, upper class, educated males, who were often the public library’s target demographic (Harris, 1973). However, in the 1890s, there was a huge influx of immigrants into the United States (Harris, 1973). Between 1893 and 1917, 7 million immigrants arrived from southern and eastern Europe (Wiegand, 2015). This caused people to fear for the “American way of life.” In response, public libraries began to offer programs and classes for immigrants with the purpose of “Americanizing” them (Harris, 1973).

During the Carnegie era, the period from 1889 until 1917, Scottish-American businessman Andrew Carnegie gave \$41 million to construct 1,679 public library buildings in 1,412 U.S. communities (Bobinski, 1968; Wiegand, 2015). However, some communities rejected Carnegie grants, with varying justifications. Sometimes it was pride, sometimes it was class, and

sometimes it was race (Wiegand, 2015). This was particularly at issue in the segregated, Jim Crow-era South, where many Carnegie grants were rejected because community leaders believed a Carnegie Free Library would have to admit blacks (Wiegand, 2015).<sup>11</sup>

One southern public library that did accept a Carnegie grant was the Colored Branches of the Louisville Public Library in Louisville, Kentucky, which opened its first black branch in 1905 (Wiegand, 2015). The branch then moved into a new Carnegie building in 1908, followed by a second black neighborhood receiving a Carnegie library in 1914 (Wiegand, 2015). Largely due to the fact that they were among the few places in segregated Louisville that welcomed and allowed blacks to gather, the public library at this time took on the role of the neighborhood social center (Wiegand, 2015).

Another example of censorship in public libraries with racial influences came in 1901, when the H.W. Wilson Company began publishing its *Readers' Guide to Periodical Literature*. The *Readers' Guide* was an index of periodicals public libraries would often use as suggestions for their collections. However, periodicals issued by marginalized groups such as African or Hispanic Americans could not be indexed in the *Readers' Guide*. This put them at a distinct disadvantage, as then public libraries tended to not subscribe to them (Wiegand, 2015).

An important point in the history of public libraries is their integration. After World War II, efforts began to integrate public libraries in the American South (Wiegand, 2015). In regards to these efforts to integrate, “librarians across the country were mostly silent, and largely absent” (Wiegand, 2015, p. 172). In 1954, the United States Supreme Court ruled in *Brown v. Board of Education* that “separate but equal” was no longer legal. During this time, public libraries in the South were frequent sites of racial protests. Examples include a 1960 sit-in at the Greenville

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<sup>11</sup> While the segregation of libraries might not be considered censorship by all definitions, it does involve the exclusion of information from people of particular races. Under the ALA's definition of censorship (2016, para. 3), exclusion is considered to be a form of censorship.

Public Library in South Carolina led by a teenaged Jesse Jackson, and, in 1961, a peaceful protest led by members of the National Association for the Advancement of Colored People (NAACP) at the public library in Jackson, Mississippi (Wiegand, 2015). While these protests were predominant in the South, they occurred at public libraries all across the country, including the North (Wiegand, 2015), making desegregation a pivotal point in the history of American public libraries.

Racial and ethnic background continues to be an influencer on censorship in libraries, with multiple researchers exploring public views regarding the inclusion of racially charged materials in a library's collection. From 1976 to 2006, the General Social Survey (GSS) asked randomly selected national samples of U.S. adults age eighteen and older whether they would support removing a book spouting racist beliefs targeted at African Americans from the public library, with multiple researchers using statistical tests to analyze the data collected from the survey (Burke, 2010; Bussert, 2012).

In their analysis of the survey results, researchers found an overwhelming majority of the survey's participants did not support removing the racist book from the library (Burke, 2010), and the most influential predictors of support for book removal from the public library were found to be education level, religious affiliation, and race (Bussert, 2012). In regards to education level, Bussert (2012) found that "the lower one's education level, the higher their support for removal of the racist book from the public library" (p.117). In regards to religious affiliation, Protestants showed the highest level of support for removal, followed by Catholics, Jews, and respondents unaffiliated with religion (Bussert, 2012). Race was also found to be influential regarding support for book removal from the public library. Bussert (2012) found that,

“While half of African American respondents supported removing a racist book, only one-third of white respondents did” (p.117).

Throughout the history of public libraries, censorship stemming from racial or ethnic background has been present. This censorship has come in various forms, including segregated library branches back at the turn-of-the-century, or the suppression of books or other materials spouting racist beliefs that occurs even to this day. When faced with a censorship challenge of this nature, it is important for librarians to remember the *Library Bill of Rights* and other ethical codes that guide them as a profession and encourage them to refrain from censoring such materials and ideas from their library.

### **Censorship and Religion**

Censorship can also stem from religious beliefs (Wiegand, 2015). According to Prebor and Gordon (2015), “Religiously motivated censorship is one of the most prevalent forms of censorship and has existed since antiquity” (p. 28). Religious texts such as the Bible, the Talmud, and the Quran have all been censored at some time (Prebor & Gordon, 2015). Even popular releases such as J.K. Rowling’s Harry Potter series have been censored on religious grounds due to the books’ portrayal of witchcraft (Bald, 2011).

In the history of public libraries, censorship due to religious reasons can be predominantly seen at the turn of the twentieth century with the tension between public libraries and the Roman Catholic Church. In 1895, Catholics in Portland, Oregon, complained that their public library subscribed to no Catholic magazines (Wiegand, 2015). In addition, of the 1,400 books at that time that the Dewey Decimal system classified as religion, none was by a Catholic author. This eventually led to a priest in Fort Wayne, Indiana, to say that because Catholics paid

taxes to support the library, they should be represented on the library board and that any books attacking the church should be removed (Wiegand, 2015).

In 1938, a Catholic organization known as the National Organization for Decent Literature (NODL) was established to combat the publication and sale of lewd magazine and brochure literature (Wiegand, 2015). In fact, the Roman Catholic Church has a long history with censorship. One example would be in 1559 when the first Index of forbidden books was published by Pope Paul IV. The index was used for hundreds of years with the final edition being published in 1948 and officially being abolished in 1966 (Prebor & Gordon, 2015).

Another example of censorship challenges grounded in religious beliefs involves the book *The Last Temptation of Christ* by Nikos Kazantzakis, a novel many people consider to be sacrilegious. The book was first published in English in 1960 and regularly appears on banned book lists (Bald, 2006). In Santa Ana, California, a patron checked out the book and then renewed it. As soon as the book was returned, it was promptly checked out and then renewed by a friend of the original patron. The librarian soon discovered they were members of a group determined to keep the book out of circulation (Wiegand, 2015). Protests of the book also occurred in Long Beach, Pasadena, Fullerton, and Newport Beach. In San Diego, several citizens claimed that the book was pornographic, defamed Christ, and part of a Communist conspiracy (Wiegand, 2015).

Libraries will often serve a patron base with differing religious views. This is something for librarians to be mindful of when making selection decisions. While ALA's values would support having materials in the collection from a variety of differing religious viewpoints, it is important to note that there are Christian libraries and other faith-based library institutions with unique user needs that the collection development policy should address (Gehring, 2016;

Hippenhammer 1993; Hippenhammer 1994). It is important for the collection development policy of any library to support the representation of differing religious viewpoints as well as the needs of the community it serves.

### **Censorship of Fiction**

Another important part of public libraries' history in terms of censorship would be the war on fiction. Public libraries began with the purpose of serving an aristocratic class as elitist centers for scholarly research (Harris, 1973). However, this changed towards the end of the 19<sup>th</sup> century, when public libraries began to cater to the "common man." Libraries began to strive to assist the poor with educating themselves and pulling themselves up to a higher socioeconomic class (Harries, 1973). While public libraries have historically encouraged "self-improvement reading" (Wiegand, 2015, p. 38), this did not always align with the desires of the public. Since the beginning of the public library movement, trends have shown the public's taste for the current, popular fiction of the time (Wiegand, 2015).

One example of fiction dominating a library's circulation would be the Boston Public Library. In 1859, the Boston Public Library found out firsthand that if the library did not provide the popular stories the public valued, whether or not they were deemed valuable by librarians or other cultural authorities, then circulation would decrease (Wiegand, 2015). Later, in 1875, *The Literary World* reported on the circulation of the different Boston Public Library branches. According to *The World*, fiction accounted for 79 percent of the East Boston branch circulation, 78 percent for South Boston, and 81 percent for Roxbury (Wiegand, 2015).

While late-nineteenth-century American public libraries carried popular fiction in their collections to keep people coming back, this did not stop censorship attacks against it (Wiegand, 2015). One tactic used by librarians around the turn-of-the-century to limit access to fiction was



through the use of closed versus open stacks. In the beginning of the public library movement, library stacks were closed and a patron would have to go to the desk to ask the librarian or other staff member to retrieve the book they were looking for. After 1893, libraries began to open their stacks to the public. However, librarians would regularly put nonfiction out in the open stacks but keep fiction in the closed stacks as a way to get the public to read more nonfiction and less fiction (Wiegand, 2015).

Another tactic libraries would use to encourage the reading of nonfiction as opposed to fiction was moving from a one-book-per-visit rule to a two-book-per-visit rule that allowed patrons to checkout only one fiction book as one of their two books (Wiegand, 2015). This tactic continued even after World War I. Prior to the war, the Los Angeles Public Library permitted patrons to checkout three books at a time, and all could be fiction. After the war, the library extended the limit to five books, but only two of the books could be fiction (Wiegand, 2015). However, this rule had little effect. While nonfiction circulation did increase by seven percent, fiction still accounted for 74 percent of the library's total circulation (Wiegand, 2015).

While some libraries would use tactics such as placing fiction in closed stacks or enforcing limits on the number of fiction books a patron can borrow at a time, other public libraries would outright ban fiction from their collections (Wiegand, 2015). One example of this would be the public library in Germantown, Pennsylvania, that refused to stock any fiction (Wiegand, 2015). Another example would be the Groton (Connecticut) Public Library. Their library moved into new quarters in 1867 and the librarian declared ““there would be no fiction at all in the Library’” (Wiegand, 2015, pg. 41). Whether libraries utilized closed versus open stacks to limit the public's access to fiction, limits on how many fiction books a patron could

borrow from the library at one time, or outright banned fiction from their collections altogether, the war against fiction is a pivotal example of censorship in the history of public libraries.

### **Censorship of Paperbacks**

Another example of censorship in the history of public libraries is the movement against carrying paperback books during the 1950s. After World War II, in order to maximize sales, book publishers began to issue more paperbacks with alluring covers (Wiegand, 2015). Merchants would then place these paperbacks on newsstands with their oftentimes suggestive covers out in order to attract customers (Wiegand, 2015). Some people at this time claimed that the suggestive covers affected the moral standards of the country and led to increased juvenile delinquency. Some even argued it was a Communist conspiracy to take over the country (Wiegand, 2015).

Several groups got involved in the issue, one of them being the National Organization for Decent Literature (NODL), the Catholic organization established in 1938 to combat the publication and sale of lewd magazine and brochure literature (Wiegand, 2015). In the early 1950s, the NODL targeted paperbacks and comic books, even publishing lists it disapproved of in its monthly publication, *The Priest* (Wiegand, 2015). NODL committees would even monitor newsstands and pressure the owners to stop selling these popular paperbacks (Wiegand, 2015). Many librarians at the time either agreed with or were intimidated by the NODL and often refused to carry paperbacks in their collections (Wiegand, 2015).

Wiegand (2015) says of this refusal by libraries in the 1950s to carry paperback books, which were significantly cheaper than hardbacks, “The library profession identified with that part of the publishing industry that favored hardbounds over the softcovers that newsstands and drugstores sold largely to working-class readers” (p. 169). This period marks an important point

in the history of public libraries and the profession of librarianship in regards to censorship, particularly as it is an example of a large portion of the librarianship profession acting as censors themselves.

### **Censorship of Communist Materials**

Another censorship issue regarding public libraries in the 1950s was the censorship of materials believed to be spreading communist ideas and beliefs (Wiegand, 2015). Wisconsin senator Joseph McCarthy capitalized on America's Cold War fears regarding the Soviet Union and the Communist movement. He accused multiple civic agencies and institutions, including libraries, of spreading communist ideas. He specifically targeted libraries that the recently established United States Information Agency had opened at United States embassies abroad. He claimed that these libraries had 30,000 communist books, and the effects of his claims were felt throughout the American library community (Wiegand, 2015).

Many librarians at this time proceeded to withdraw controversial materials from their libraries, whether it was because they believed in McCarthy's message or they simply wanted to save their jobs. However, some librarians did resist McCarthy and his message (Wiegand, 2015). One example would be when the *Boston Herald* newspaper attacked the Boston Public Library for stocking books it claimed promoted Communism. A local Catholic newspaper in Boston as well as numerous citizens joined the librarians in a successful protest (Wiegand, 2015). While some librarians adhered to the principles set forth in the *Library Bill of Rights* and some succumbed to pressure, the fear of Communism in America in the 1950s greatly impacted the entire American library community.

## **Censorship of LGBTQ Materials**

Currently, a population that is often overlooked and the victims of censorship is the Lesbian, Gay, Bisexual, Transgendered, and Questioning (LGBTQ) community. While it may not be the top cited reason (ALA, 2013d), homosexuality was still cited as a reason for censorship in many analyses of censorship trends over the last several decades (Woods, 1979; Harer & Harris, 1994; Sova, 1998; Doyle, 2000; Foerstel, 2002; Karolides, Bald, & Sova, 2005). In addition, there are even examples of state legislatures that limit state funding for libraries that do not agree to restrictions on certain controversial LGBTQ materials (Barack, 2005; Oder, 2006).

Censorship of LGBTQ materials in libraries has been a common area of research. Censorship of LGBTQ resources and materials has been researched within the context of school libraries (Coley, 2002; Garry, 2015; Hughes-Hassell, Overberg, & Harris, 2013; Maycock, 2011; Oltmann, 2016d; Sanelli & Perreault, 2001), as well as public libraries (Burke, 2008; Cook, 2004; Curry, 2005; Stringer-Stanback, 2011). Research has shown that while it is often the subject of censorship, the country as a whole is becoming less conservative and is more open to finding gay-themed materials in their libraries (Burke, 2008). Furthermore, a supportive community and administration is of utmost importance when building a quality, inclusive library collection (Garry, 2015).

Despite these findings, lesbian, gay, bisexual and transgendered individuals do often face harassment, discrimination and even violence in society as a whole. Many LGBTQ young adults have learned to be secretive about their sexual identity for fear of rejection from their peers or even their families (Rauch, 2011). This is particularly true for young adults who attend schools in small, less diverse, rural communities and those with limited financial resources (Kosciw,

Greytak, & Diaz, 2009). Those limited resources can be a particular drawback for public libraries, as they prevent them from circulating relevant, up-to-date materials (Van Buskirk, 2005) that might increase awareness and tolerance of LGBTQ individuals and issues. While "partisan or doctrinal disapproval" (ALA, 2010, p. 49) plays a large factor in these materials not being available where they are most needed, the fact also remains that many librarians and information professionals in these areas simply do not have the funds to provide these materials, either to LGBTQ students or to those who surround them.

Much of the controversy surrounding LGBTQ-themed literature and materials deals with their dissemination to children (Naidoo, 2012). Kidd (2009) writes how the "censorship of children's books has accelerated in the twentieth century, as the censorship of adult materials became less acceptable and as childhood was imagined more and more as a time of great innocence and vulnerability" (p. 199). In regards to LGBTQ-themed materials, DePalma and Atkinson (2006) write how oftentimes children are considered to be innocent asexual beings, and therefore must be "protected from the dangerous knowledge of homosexuality" (DePalma & Atkinson, 2006, p. 339). Parents frequently challenge books with LGBTQ themes, claiming they are not suitable for the child's age group. This makes it difficult for families with LGBTQ members to access these materials. According to Wolf (1989):

Homophobia...still keeps most gay families hidden and accounts for the absence of information about them. It also keeps what information there is out of the library, especially the children's room, and makes it difficult to locate through conventional research strategies. (Wolf, 1989, p. 52)

As school libraries are often not safe spaces for LGBTQ teens, they will often seek out public libraries for resources related to their issues and identity questions (Curry, 2005).

However, as Curry's study showed, not all reference librarians were even aware what the relevant terminology – for example, “gay-straight alliance” - was, and were therefore unable to address the questions posed to them by the researchers regarding their LGBTQ collections. Some also seemed nervous or uncomfortable with the questions being posed to them (Curry, 2005, p. 70). This not only hindered the search, but also raised the question of whether or not the librarians were maintaining objectivity about the nature of the materials (Curry, 2005, p. 72).

Alvin M. Schrader's (2009) article, *Challenging Silence, Challenging Censorship, Building Resilience: LGBTQ Services and Collections in Public, School and Post-Secondary Libraries*, discusses the importance of including lesbian, gay, bisexual, transgendered, trans-identified, two-spirited, queer or questioning (LGBTQ) materials in libraries so that young people can turn to these materials for support. Schrader (2009) explains that librarians are avoiding building these collections and are claiming that their libraries do not serve people who need, or want, LGBTQ materials or that the library cannot afford to purchase those materials (p. 107). Schrader (2009) challenges librarian to, “...foster diversity and resilience. They can create safe places. They can turn pain into opportunity, tolerance into celebration, despair into hope,” (p. 109). This message should empower librarians to resist the pressure to censor these materials in their libraries.

While some adults may feel that censoring certain materials from young people is a way of protecting them, it is in direct opposition of the ALA's *Freedom to Read Statement*. Section 4 of the *Freedom to Read Statement* states that, “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” (ALA, 2010, p. 203). Parents, teachers, as well as librarians all have a responsibility to prepare young people for the diversity

of experiences that they will be exposed to in life. Through both the *Library Bill of Rights* and the *Freedom to Read Statement*, the American Library Association places the professional responsibility on librarians to provide the population with information that meets their needs, including the LGBTQ community.

### **Summary**

Throughout the history of the United States and the history of public libraries, censorship has been an issue of concern that librarians and information professionals must address. The act of censorship in libraries has been studied many times in many different contexts. Many different factors, including changes with the digital age and serving a diverse patron base, make the study of censorship still relevant and just as important today. While the literature on censorship is vast and varied, there is a need for research specifically on the phenomenon of librarians acting as censors, which this study seeks to address.

In order to understand censorship in public libraries and the decision-making process that accompanies it in more complexity, Chapter 3 will discuss how this study will use Lewin's (1947) gatekeeping theory as a lens to identify the decision-makers and the pressures that are present throughout the process. This will better equip librarians and information professionals with the tools they need to adhere to the principles set forth in the First Amendment, as well as professional guidelines such as the ALA's *Library Bill of Rights*, *Code of Ethics*, and *Freedom to Read Statement*, and refrain from censorship.

## CHAPTER 3

### THEORY

Nye and Barco (2012) write, “Librarians are the gatekeepers of information for the communities they serve” (p. 1). One approach to looking at the decision-making process during censorship attempts in libraries is framing it within Lewin’s (1947) gatekeeping theory. Gatekeeping theory is the attempt to explain the flow of information messages through communication channels and the spread of that information to the public. According to Shoemaker and Vos (2009), gatekeeping is the “process of culling and crafting countless bits of information into the limited number of messages that reach people everyday, and it is the center of the media’s role in modern public life” (p. 1). While Shoemaker and Vos (2009) focus on mass media, the approach is applicable to censorship in libraries as well.

#### **Lewin and the Origination of Gatekeeping**

Gatekeeping theory was developed by Kurt Lewin when he coined the term in 1947 while observing food habits in families. Lewin (1947) described how food passes through different *channels*, such as the grocery channel and the garden channel, which bring food from the grocery or the garden to the dining-room table. Each channel can then be subdivided into sections. For example, the garden channel can be divided into planting and harvesting sections. There are *gates*, or decision-making points, along the way, and movement through the gates are controlled by decision-makers, or *gatekeepers*, such as Lewin’s example of the housewife, as well as by



what Lewin refers to as a set of impartial rules. Food can be either accepted or rejected at each of these gates before the meal finally ends up on the family's table.

### **Gatekeeping in Mass Communication**

Gatekeeping theory has been used extensively in the study of mass communication, particularly being applied to editors in news publication. Lewin (1947) himself noted this connection between gatekeeping and mass communication, stating that gatekeeping, "holds not only for food channels but also for the traveling of a news item through certain communication channels in a group..." (p. 145). The first communications scholar to translate Lewin's gatekeeping theory into a research project was David Manning White with his 1950 Mr. Gates study. Dr. White asked a newspaper editor he referred to as "Mr. Gates" to keep all copy that came into his office from three wire services in one week during February of 1949. Mr. Gates agreed to provide an explanation as to why rejected stories were not used. At the end of the week, approximately 90 percent of the wire copy received had been rejected. White's conclusion was that the selection decisions were "highly subjective" (1950, p. 386), with decisions being based on the editor's own set of experiences, attitudes and expectations.

White's (1950) Mr. Gates study has played a pivotal role in the history of gatekeeping theory, and many researchers have since expanded upon his original study. Gieber (1956) expanded White's earlier study from just one wire editor to 16 wire editors. His key finding was that wire editors are at the mercy of the press associations because they can only publish what the wires provide. Furthermore, Gieber (1956) noted limitations in White's (1950) previous study, such as focusing solely on the man making the decisions instead of the entire decision-making process, as well as ignoring certain organizational influences, such as work routines and rushing to meet deadlines. According to Roberts (2005), "Gieber's study, also imperfect, was an

improvement over White because it introduced more variables and pressures into the analysis” accounting for the complexity of the gatekeeping process (p. 7).

White’s (1950) study has also been adapted many times. In his research, McNelly (1959) studied reporters instead of editors. He noted that it was reporters who were actually at the source of the news stories and served as the first gatekeepers in the long line to story publication. Along with newspapers, White’s (1950) study has also been translated to different media, including photographs (Bissell, 2000) and television (Whitney & Becker, 1982).

White’s Mr. Gates study has been replicated as well. In his 1967 appropriately titled study, “Mr. Gates Revisited,” Snider studied the same Mr. Gates used in White’s study back in 1950. He asked Mr. Gates the same questions, and concluded that, “his 1949 answers to the questions asked are consistent with his 1966 answers” (Snider, 1967, p. 427).

In his 1985 study, “Gatekeeping: The Mix of Topics and the Selection of Stories,” Stempel investigated the different categories of news topics across different news outlets, as well as the selection of individual news stories. He looked at nine different mass media outlets, including national newspapers, state newspapers, as well as television broadcasts. He found that the mix of story topics was similar across the different news outlets. However, there was a difference in the selection patterns between news outlets, particularly between the newspapers and the television broadcasts.

In today’s online world, the way people receive their news is drastically changing. Instead of print, more newspapers are now going online, with more people getting their news from Internet resources. This has further sparked considerations of gatekeeping in scholarly research as well as popular press. Singer (2001) studied how newspapers choose to link, or not

link, their stories to websites. In addition, he noted how the move to digital format increases the number of decision-makers and gatekeepers in the process.

Since Lewin first coined the term gatekeeping in 1947 with his model using the dissemination of food, gatekeeping theory has been used heavily in mass communication research, particularly with news editors and the story selection process. While the Internet and the arrival of the digital age has changed how many people receive news, Lewin's gatekeeping model is still applicable today.

While gatekeeping is frequently used in mass communication, the theory is also applicable to libraries as well. Mass communication and libraries both deal with the dissemination of information. They are also both closed systems, in which information is disseminated but no feedback loop is present. For those reasons, the current study takes gatekeeping theory, a theory commonly used in mass communication, and translates it to libraries.

### **Concepts of Gatekeeping Theory**

For the purposes of this study, it is necessary to understand the fundamental concepts of gatekeeping theory and how they translate to libraries. These concepts include information messages, communication channels, gates, gatekeepers, positive and negative forces, and internal and external forces.

#### **Information Messages**

Information messages travel via spoken and written word, through traditional formats such as books and letters, or through more modern formats, such as emails and social media messages. Information messages are intentionally spread by passage through gates and received by the public. Spreading involves the notion that the sender conveys the message to the receiver

with the expectation that the receiver will then pass the message on to the next level of receivers, forming a chain of communication sharing. The public, as receivers of information messages, can either be specific to a certain community or organization, or can act as the general public. In terms of libraries, information messages come in the form of library materials, such as books, ebooks, journals, multimedia materials, or any other materials a library carries in its collection.

### **Communication Channels**

Communication channels are pathways along which information messages travel as the message travels from sender to receiver. Lewin's (1947) model using food dissemination included a grocery channel and a garden channel. In terms of communication, information messages travel along channels such as telephone, mail, email, and more modernly social media. For example, if someone sends a letter in the mail, the letter travels from the sender, to the mailbox, to the post office, and finally to the intended recipient. In terms of libraries, the material selection process can be thought of as a communication channel that books and other materials must travel along before they are accepted into the library's collection.

### **Gates**

A key component to Lewin's (1947) model was his concept of gates. Gates are decision points along communication channels, which come in the form of people, policies, or other forces. At each gate, information is either allowed to continue to flow, or stop. The gate either opens, allowing information to pass through, or closes, to restrict the information from spreading. How a gate opens or closes depends on the communication channel the information message is traveling along. For example, a gate closing can be in the form of someone hanging up the phone or deleting a social media post. In the context of libraries and the material selection

process, the gates are the points where materials either move through the gate and are accepted into the library's collection, or are rejected and not included in the collection.

### **Gatekeepers**

In Lewin's (1947) model, there are also gatekeepers, often in the form of people, controlling the gates and making the decisions. In his model, Lewin (1947) gave the example of the housewife as a decision-maker of what food ends up on the dinner table. In the context of libraries, a key gatekeeper is the library representative, or team of representatives, that take assessment of the library's collection and make the official decisions of what needs to be added to or taken away from the collection. A pertinent example is the collection development librarian. In the context of a small library, it is often a single librarian making the decisions. However, in the case of large libraries, there is typically a team of librarians serving in the materials selection process (Johnson, 2013). For example, academic libraries will often have a team of collection development librarians with each librarian designated to a particular subject or field of study.

While the collection development librarian is often a key gatekeeper in the decision-making process, there are often more gatekeepers that books and materials must be granted approval by before they reach library shelves (Johnson, 2013). At a public library, other gatekeepers that can exist within the decision-making process are library boards, library directors, and other administrators such as department heads and supervisors. At an academic library, this can also include university leaders and administrators. As well as public and academic libraries, there are often other gatekeepers present at school libraries. School librarians, more commonly known as school media specialists, teachers, and school administrators can all act as gatekeepers leading to the acceptance or rejection of a book or other material within a

school's curriculum or library collection. The gatekeeping process can be simple or complex, as reflected by the complexity of the organization and community it serves.

### **Positive and Negative Forces**

Another critical aspect to Lewin's model is his idea that there are what he refers to as positive and negative forces present at the gates which can influence the decision-making. The concept of forces addresses the notion that there are factors that influence whether information is allowed to flow through a gate or is stopped at the gate. These factors influence gatekeepers' decision-making on gate control. Factors are either positive in nature, supporting continued flow through the gate, or negative in nature, resulting in closure of the gate and impedance of information flow.

For example, in the grocery channel, attractiveness of a product could be considered a positive force and encourage the shopper to purchase the item, whereas an expensive price would be a negative force and have the opposite effect. Forces can change polarity throughout the process, such as change from positive to negative or vice versa. For example, if a shopper purchases an item at an expensive price, originally a negative force, it can then become a positive force if the shopper is more inclined to use the item due to the fact that they spent so much money on it.

In regards to libraries, there are also positive and negative forces impacting decision-making during a censorship attempt. Personal views and beliefs, views and beliefs of the community, societal "norms," library policies, library resources, as well as a librarian's fear of losing funding or even their job are all forces that can play a positive or negative role in the final decision. Pressure from parents, government officials, or others can also act as forces that can factor into gatekeeper decision-making during censorship attempts at libraries.

## Internal and External Forces

These influential factors discussed by Lewin that are present at the gates can also be thought of as either internal or external forces, depending on whether or not they come from within the organization. In terms of libraries, an example of an internal force would be a library policy, whereas pressure from government officials would be an example of an external force.

For the purposes of this study, it is important to understand the concepts of Lewin's (1947) gatekeeping theory and how they apply to libraries. These concepts include information messages, communication channels, gates, gatekeepers, positive and negative forces, as well as internal and external forces. These concepts are summarized in Table 3.1.

<b>Table 3.1. Summary of Gatekeeping Theory Concepts.</b>	
<b>Concept</b>	<b>Summary</b>
Information Messages	Information messages travel via spoken and written word, through traditional formats such as books and letters, or through more modern formats, such as emails and social media messages. Information messages are intentionally spread by passage through gates and received by the public.
Communication Channels	Communication channels are pathways along which information messages travel.
Gates	Gates are decision points along communication channels, where information is either allowed to continue to flow, or stop. At each gate, the gate either opens, allowing information to pass through, or closes, to restrict the information from spreading.
Gatekeepers	Often coming in the form of people, gatekeepers control the gates and make the decisions for gate function (open or close).
Positive and Negative Forces	The concept of forces addresses the notion that there are factors that influence whether information is allowed to flow through a gate or is stopped at the gate. These factors influence gatekeepers' decision-making on gate control. Factors are either positive in nature supporting continued flow through the gate or negative in nature resulting in closure of the gate and impedance of information flow.
Internal and External Forces	These influential factors that are present at the gates can also be thought of as either internal or external forces, depending on whether or not they come from within the organization.

## Gatekeeping and the Levels of Analysis

Gatekeeping theory can apply to many different aspects of communicators and their messages. Shoemaker and Vos (2009) apply five levels of analysis to the study of gatekeeping, which “order the world into a hierarchy that can help us study communication and build theory” (p. 31). These five levels of analysis include the individual level, the communication routines level, the organizational level, the social institution level, and the social system level. These differentiated levels help to show the gatekeeping process in more complexity (Shoemaker & Vos, 2009). These levels of analysis can also help when analyzing censorship attempts in libraries, and they are the frameworks used for data analysis in this study.

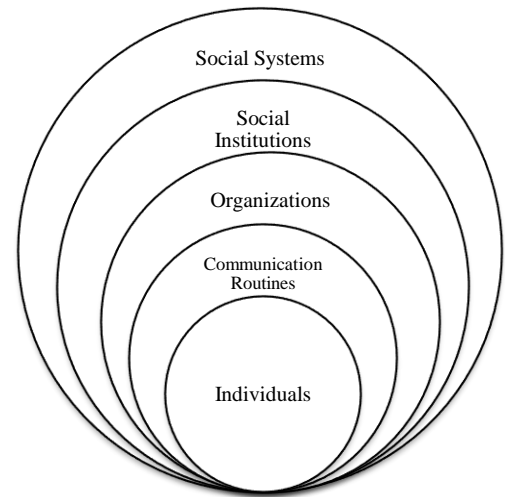


Figure 3.1. Gatekeeping and the Levels of Analysis.

### Censorship and the Individual Level of Analysis

The *Oxford English Dictionary* defines an individual as a “single human being, as distinct from a particular group, or from society in general” (“Individual,” 1989). The individual level of analysis deals with the personal characteristics of the decision-maker. This often includes demographic profiles, life experiences, personal values and beliefs, and work experiences. All of these personal attributes can play a role in the decision-making process.

According to Barzilai-Nahon (2009), theories assuming individual factors, such as personal judgement, as the “major determinant of gatekeeping” (pp. 3-4) were among the first to be evaluated. Back in White’s (1950) quintessential Mr. Gates study, he argued that news items



were rejected for the personal feelings of the gatekeeper. When looking at the impact of individual factors, research has greatly focused on the impact personality characteristics have on the decision-making process (Johnstone, Slawski, & Bowman, 1972; Livingston & Bennett, 2003; Weaver & Wilhoilt, 1986).

The individual level of analysis is particularly applicable to the act of censorship. In the context of libraries, censorship can occur as early as the material selection process. Consider a possible scenario when a librarian lets their own personal views and beliefs impact their decision regarding the inclusion of a book or material. In this case, they are censoring at the individual level of analysis. For example, a librarian might make a decision regarding a material based on his or her own political or religious beliefs, such as a conservative librarian choosing to not select a book during the selection process due to personally held views that a more liberal librarian would have no problem selecting. It is important when making selection decisions for librarians to make decisions based on their community and the population they are serving and refrain from making decisions based on personal views and beliefs.

Pressure from parents is an external force within the context of libraries that can exist at the individual level of analysis. Many of the books challenged each year are targeted at either children or young adult audiences. Parents have approached librarians if they feel a book in the library is inappropriate for their child to read and request the book to be removed. Whether it is a school library or public library, book challenges from parents can sometimes lead to public controversy, so librarians can sometimes feel pressure to honor to a challenge in order to avoid potential conflict. In this scenario, the parent's personal views or beliefs reflect the individual level of analysis. Whether it stems from the personal views or beliefs of the librarian, the parent, or another person involved, censorship is viable proof at the individual level of analysis.

## **Censorship and the Communication Routines Level of Analysis**

In Lewin's description of his gatekeeping theory, the movement through channels and from gate to gate is controlled by either a gatekeeper or what he referred to as "impartial rules" (1951, p. 186). These "impartial rules" have now come to be referred to as "communication routines" (Shoemaker & Vos, 2009, p. 51). Shoemaker and Reese (1996) define routines as "patterned, routinized, repeated practices and forms that media workers use to do their jobs" (p. 105). Routines are present and have been highly studied within the context of the news media (Epstein, 1979); however, routines are present within libraries as well.

Within the communication routines level of analysis, there are organizational routines as well as professional routines. Organizational routines are informal ways of doing things specific to a particular organization, like an individual library. The librarian who works for a particular library for a long period of time is likely to be guided by these organizational routines. There are also professional routines applicable to the entire librarianship profession, which emerge from rules and guidelines of the profession. For example, celebrating Banned Books Week each year has become a routine for many libraries, emerging from the values set forth in the ALA's guidelines for the librarianship profession. Whether routines are applicable to a specific organization or an entire profession, they often play a role in the decision-making process.

When taking routines into consideration, it is important to remember that gatekeepers often use "norms of selection" to guide in their selection process of what passes through the gate and what is rejected. When gatekeepers allow norms, or patterns of established behaviors, to guide their selections, they represent their profession or society more than act as individual decision-makers (Shoemaker & Vos, 2009). Researchers have divided norms into two different types: explicit norms and implicit norms. According to Burnett and Bonnici (2003), "Explicit

norms are codified in documents...that outline the purpose and rules of a group, whereas implicit norms are those norms that emerge informally through day-to-day interactions of the group” (p. 333).

The day-to-day interactions of a library, or implicit norms, become “routines’ for the library. These are operations of the library that are followed because they are understood as the way things are done, and not because they are written in a codified policy. For example, a librarian or other library worker may refrain from wearing headphones and listening to music while working at the reference desk because it is understood as the way they should do things in order to perform their job properly, but there may not be a written rule in a codified policy forbidding it.

While libraries do have these implicit norms, or uncoded “routines,” they also have explicit norms in the form of policies and other guidelines. These are evidenced in the form of an official mission statement for the library, as well as codified policies such as a collection development policy, social media policy, or even a food and drink policy. Codified policies that promote censorship by librarians pose an example at the organizational level of analysis, to be discussed in the next section.

### **Censorship and the Organizational Level of Analysis**

The *Oxford English Dictionary* defines an organization as an “organized body of people with a particular purpose” (“Organization,” 1989). This could be a business, a social club, or a library. According to Shoemaker and Vos (2009), while most decisions are made at the individual and communication routines levels of analysis, studying gatekeeping at the organizational level is crucial because it is at the organizational level where gatekeepers are hired

and rules are made. This level of analysis offers the potential for acts of censorship by librarians, who by professional norms should promote rather than hinder access to information.

At the organizational level, censorship attempts exist in libraries in a variety of different ways. One potential situation regarding censorship at this level is when a librarian makes a selection decision based out of fear for his or her job. Consider the case where a library director or other supervisor will want to avoid potential controversy or conflict and want a librarian to go along with a censorship request from an external party such as parents, government officials, or other powerful members of the community. This can in turn put pressure on the librarian to go along with the decision due to fear their supervisor will fire them if they put up resistance. This is where a thorough collection development policy is important in fighting an externally forced censorship process. It offers a mechanism for librarians to protect themselves in situations regarding challenges to books or other materials, both from internal and external pressures.

In some situations, censorship through library policy can also exist at the organizational level of analysis. For example, some libraries may use Internet filters, “adults only” sections, specially marked books or other materials only able to be checked-out or accessed by adults 18 or over, or other regulations they have written into a codified policy by the organization. In instances when censorship is in the form of a written, codified policy specific to a particular library, then it exists at the organizational level of analysis.

Other important factors exist at the organizational level that shape decisions regarding censorship attempts in libraries. Resources available to the individual library often play an important role. For example, the library’s budget and financial resources are major influential factors that can negatively impact the selection process. The fact that some materials are never chosen due to budget constraints does not mean the librarian has censored those materials

(O'Sullivan & O'Sullivan, 2007). Other resources such as staff knowledge and expertise, as well as access to technological resources are other factors that often play a role. If a library does not have access to the technological resources needed to support a particular material, a librarian choosing to not select that material is not censorship. The size and complexity of the library's structure also plays a role in decision-making at the organizational level. If the organization is large enough, there can be a team of librarians making decisions regarding the collection as opposed to a single librarian. All of these organizational structures and resources available play a role in the decision-making process for a library during a censorship attempt at the organizational level.

### **Censorship and the Social Institution Level of Analysis**

The *Oxford English Dictionary* defines an institution as an “establishment, organization, or association, instituted for the promotion of some object” (“Institution,” 1989). Turow (2010) refers to an institution as a “loosely knit sets of organizations...that hold authority of fundamental aspects of social life” (p. 4). Examples of institutions include the government, mass media, the military, religious institutions, educational institutions (such as schools and universities), professional associations (such as the American Library Association), as well as courts and the legal system.

One example of a large and powerful institution is the government (Shoemaker & Vos, 2009). In regards to libraries, the concept of governmental control can be seen in the example of public libraries. Public libraries are funded through public tax dollars. While an important component of a collection development librarian's job is to make purchasing decisions and make wise choices pertaining to the library budget, receiving public funding can sometimes lead to government officials or other community leaders feeling like they have a right to decide what

should and what should not be included in the library collection. This can often lead to librarians making decisions regarding censorship attempts based on pressure from government officials or fear of losing funding.

In addition, it is often common for local government officials to serve on library boards, or for the local government officials to appoint library board members. This can often lead to pressure on the librarian to follow the wishes of the library board out of fear of losing much needed funding. Although less common, pressure from government officials can also be a factor at academic libraries, as well as pressure from university leaders and administrators, or even university donors.

On a national scale, one example of a government acting as a gatekeeper and censoring books from the public took place in Singapore. In July 2014, Singapore's National Library Board (NLB) announced they would be removing copies of three LGBTQ children's books: *And Tango Makes Three*, *The White Swan Express*, and *Who's In My Family?* from all libraries. The National Library Board is a powerful, state-funded network of 26 public libraries, with a collection of over five million books and multimedia items (Campbell, 2014; Hickey, 2014). Singapore is a conservative city-state, where gay sex between men is illegal, and punishable by up to two years in jail (AFP, 2014). After an extreme amount of criticism, the NLB ended up overturning the decision to remove two of the books. All copies of *Who's In My Family* had already been destroyed, but *And Tango Makes Three* and *The White Swan Express* were taken out of the children's section and placed in the adult section (Wei, 2014).

This concept of governmental control can be a factor in the context of libraries and their decision-making during censorship attempts, particularly in the case of public libraries, and can exist at all levels of government. However, as U.S. Supreme Court Justice William Brennan

stated in *Texas v. Johnson* (1989), “If there is a bedrock principle underlying the First Amendment, it is that the Government may not prohibit the expression of an idea simply because society finds the idea itself offensive or disagreeable.” (at 414).

Another large and powerful institution is the media (Shoemaker & Vos, 2009), which is also relevant in regards to libraries. For example, if there is a situation where a librarian is receiving pressure regarding a censorship attempt and the librarian knows that the situation could garner unwanted media attention, the librarian could succumb to the pressure in order to avoid a public controversy.

As well as government and the media, smaller institutions can also play a role in the gatekeeping process. In the context of libraries, this could include local activist groups such as political groups trying to push their agenda or parent groups trying to “protect” children. One example is the group Family Friendly Libraries (FFL), a local parent group established in 1995 in Fairfax County, Virginia, that took issue with many of the ALA’s guidelines (Rudin, 2006). Later, another Fairfax County, Virginia, parent group, Parents Against Bad Books in Schools (PABBIS), created a website where it listed hundreds of “bad books” (Rudin, 2006, p. 278) included in the libraries and the curriculum at the local schools. While local groups may not experience the same national influence as other larger institutions, they can still play a powerful role when it comes to censorship attempts in libraries.

Along with larger institutions, such as the government, and smaller institutions, such as local activist groups, there are other factors that play a role at the institutional level of analysis, such as professional rules and guidelines. For example, the ALA’s *Library Bill of Rights*, *Code of Ethics*, and *Freedom to Read Statement* apply not just to one specific library, but the entire

librarianship profession as an institution. When rules or guidelines apply to the entire librarianship profession, then it exists at the institutional level of analysis.

Another factor that poses potential influence on library decision-making during censorship attempts at the institutional level is the type of library institution. This includes public libraries (libraries serving the general public of the community), academic libraries (libraries serving a college or university), school libraries (libraries serving a school such as an elementary, middle, or high school), as well as other types. The type of institution a library is and the population it serves, be it young children, college students, or the general public, plays a role in the decision-making that occurs during a censorship attempt. The decision-making process varies between different types of library institutions, and there are different external pressures at different types of library institutions. A school library can often face different external pressures during a censorship attempt than a public library. Whether a large and powerful institution such as the government or the media, a small local activist group, or the library institution itself, these institutions exist in the library decision-making process at the institutional level of analysis.

### **Censorship and the Social System Level of Analysis**

The highest level of analysis in the hierarchy is the social system. This is the level dealing with how social system, social structure, culture, and ideology all play a role in the gatekeeping process. In the context of libraries, this can be seen in the hypothetical case of a librarian deciding to censor a book because it does not fit with the primary views of the community or society's "way of life." While the librarian is supposed to keep the needs of the community in mind, they are also supposed to provide access to information for all points of view represented, even if the view is in the minority. In addition, even views not held by the



community can be important as they can introduce new knowledge and new ways of thinking into the community.

Selection decisions which attempt to make the library's collection reflective of all views represented in the community can often be difficult, as differing views and opinions are often represented within the community the library is serving. Reflecting the views of the public has not only been an issue for libraries, but the mass media as well. In his 1936 essay "Are Our Newspapers Reflecting Public Sentiment?" Clapper addresses whether newspapers in the 1930s were accurately reporting public sentiment. In the essay, Clapper uses the example of news stories being affected by the political viewpoint of the author and goes on to state, "American newspapers are not 100 percent pure yet. Some flagrant examples of news-coloring are known to all newspaper readers" (Clapper, 1936, p. 17).

In terms of libraries, censorship at the social system level of analysis can occur when someone wants a book or other material removed from the library because it does not reflect his or her community's culture, or "way of life." For example, if someone wanted all materials and informative programming regarding the Islamic religion and culture banned from the library because the community the library serves is predominantly Christian, the censorship would exist at the social system level of analysis.

Analyzing gatekeeping at the social system level of analysis can be challenging because many factors involved at this level, such as views and beliefs, can often, depending on the situation, exist at others levels of analysis. In terms of views and beliefs, there can be personal views and beliefs specific to an individual, which exist at the individual level of analysis. There can also be societal views and beliefs, which exist at the social system level of analysis. This can also play a role in censorship. For example, if a librarian makes a decision based on his or her

own personal views and beliefs, this represents censorship at the individual level of analysis. However, if the librarian makes a decision based on the views and beliefs of society as a whole, this would be censorship at the social system level of analysis. Shoemaker and Vos (2009) write that, “scholars who wish to explore how a social system shapes the gatekeeping process should explain their logic in detail” (p. 106). Regardless of its complexity, analyzing gatekeeping in the library decision-making process at the social system level of analysis is an important step in the process.

Using the different levels of analysis presented by Shoemaker and Vos (2009) can aid researchers in their understanding of the gatekeeping process in more depth. In addition, in the context of libraries, it can help librarians and information professionals to better understand the act of censorship within the gatekeeping process, which can in turn help better prepare them for when a censorship attempt may be committed as a practicing professional. In turn, this deeper understanding of the censorship process through the lens of gatekeeping theory offers the possibility of how censorship operates for players external to the institution of libraries.

### **Summary**

In 1947, Kurt Lewin developed his gatekeeping model using food dissemination. His model was then translated to the news story selection process and has been frequently used in mass communication research. However, Lewin’s (1947) gatekeeping model can also translate to libraries and the decision-making process during censorship attempts. Without a clear understanding of the function of gates and gatekeepers in the decision-making process regarding censorship attempts, libraries may allow unintended censorship of ideas and information to persist.

Through the framework of gatekeeping theory, the act of censorship in libraries was explored through application of the theory to identify the different pressures and constraints that are at issue in internal decisions regarding library collections. Chapter 4 will discuss how this study used an in-depth case study approach by taking two federal court cases dealing with challenges and censorship attempts in public libraries where librarians acted as censors and examining them through the lens of gatekeeping theory. This was achieved through a qualitative content analysis of court documents and newspaper articles covering the cases, followed by a series of interviews with individuals involved in the cases. Findings will more deeply inform librarians and information professionals regarding the topic of censorship.

## CHAPTER 4

### METHODS

This study seeks to identify the gatekeeping structures present within censorship attempts in public libraries, specifically those that contribute to conditions that encourage librarians to censor. In order to inform the research questions guiding this study, the researcher utilized a qualitative, in-depth case study methodological approach. This approach was used to analyze two federal court cases dealing with challenges and censorship attempts in public libraries where librarians acted as censors. The first phase of the study was a qualitative content analysis of court documents as well as newspaper articles covering two federal court cases dealing with censorship in public libraries. The second phase of this study consisted of a series of qualitative interviews conducted with individuals involved in the two court cases analyzed in this study.

#### **Research Questions**

By using Lewin's (1947) gatekeeping theory as a lens, this study seeks to understand the phenomenon of censorship in public libraries, specifically acts of censorship committed by librarians, through the following research questions:

RQ1: How does gatekeeping theory explain censorship attempts in public libraries?

RQ2: What factors allow librarians to engage in censorship activities?

## **Rational for Research Design**

The methodological approach selected for this study was a qualitative, in-depth case study. Traditionally, there have been two major approaches to research methodologies. These are known as quantitative and qualitative methods (Bavelas, 1995). While the main purpose of quantitative research is widely considered to be the quantification of data, qualitative research is considered to be more exploratory in nature, particularly suitable for gaining an in-depth understanding of underlying reasons and motivations. It provides insights into the setting of a problem in a real world context. In general, qualitative research generates rich, detailed and trustworthy process data that contribute to the in-depth understanding of a context (Babbie, 2012). Therefore, a qualitative approach was considered to be most appropriate for the current study. The case study approach included two methods to examine and analyze the data: content analysis and semi-structured interviews. Prior to further discussing these methods, the two cases will be presented.

## **Sample Cases**

The cases analyzed in this study are federal court cases that address censorship challenges in public libraries in the United States. Specifically, these two cases involve librarians acting as censors. The two court cases were identified from the American Library Association's *Notable First Amendment Court Cases* webpage (ALA, 2006), and were chosen for the study because they were the only two cases listed on the webpage that dealt with the censorship of public library resources. Many of the library cases listed on the ALA's list (ALA, 2006) deal with school libraries, which is beyond the scope of this study. Both court cases chosen dealt solely with issues of censorship as related to library material circulation or use of library

resources in regards to public libraries. In addition, in each case, a library professional acted as a censor and limited access to information resources.

***Mainstream Loudoun v. Board of Trustees of the Loudoun County Library (1998)***

In this case, a group of adult library patrons and individuals in Loudoun County, Virginia, brought a suit against library trustees, board members, and the director of the county's public library, claiming that the library's use of Internet blocking software to block child pornography and obscene material was an infringement on their First Amendment rights (*Mainstream Loudoun v. Board of Trustees of the Loudoun County Library*, 1998b). The library's Internet policy was highly restrictive in that it treated adults the same as children. The court ruled that, because the library decided to provide Internet access, the First Amendment limited the library board's discretion in placing content-based restrictions on access to the Internet, therefore declaring the Loudoun County Internet policy invalid (ALA, 2006).

***Sund v. City of Wichita Falls, Texas (2000)***

In this case, city residents of Wichita Falls, Texas, who were members of a church sought removal of the two books *Heather Has Two Mommies* and *Daddy's Roommate*. The residents sought removal of the books because they disapproved of the books' depiction of homosexuality. The City of Wichita Falls City Council then passed a resolution to restrict access to the books if a petition was able to get 300 signatures of people asking for the restriction. A different group of citizens then filed suit after copies of the two books were removed from the children's section of the library and placed on a locked shelf in the adult area (*Sund v. City of Wichita Falls, Texas*, 2000). The District Court ruled that the city's resolution permitting the removal of the two books improperly delegated governmental authority regarding selection decisions of books carried in the library and prohibited the city from enforcing it (ALA, 2006).

## Procedures

### Content Analysis

The first phase of the current study was a qualitative content analysis of newspaper articles, court opinions, and other court documents related to the two federal court cases being studied that deal with censorship in public libraries. Krippendorff (2004) defines content analysis as “a research technique for making replicable and valid inferences from texts (or other meaningful matter) to the contexts of their use” (p. 18). Content analysis is now a frequently used qualitative technique among researchers (Hsieh & Shannon, 2005), with its roots in the study of mass communications dating back to the 1950s (White & Marsh, 2006). Content analysis is commonly considered by researchers to be a flexible method when analyzing text data (Cavanagh, 1997).

This flexibility has led to the technique becoming a popular choice for many LIS researchers (White & Marsh, 2006). LIS researchers have conducted content analyses on reference interview transcripts (Dewdney, 1992; White, 1998), LIS course descriptions (Bonnici, Maatta, Wells, Brodsky, & Meadows, 2012), LIS online course chat logs (Burnett, Bonnici, Miksa, & Kim, 2007), LIS job advertisements (Bonnici, Subramaniam, & Burnett, 2009; Croneis & Henderson, 2002; Lynch & Smith, 2001), as well as newspaper reports of book challenges to a frequently targeted children’s book (Magnuson, 2010).

Hsieh and Shannon (2005) describe three types of qualitative content analysis: conventional content analysis, summative content analysis, and directed content analysis. Directed content analysis was the approach employed in this study. According to Hsieh and Shannon (2005), the goal of directed content analysis is “to validate or extend conceptually a theoretical framework or theory” (p. 1281). Researchers have referred to the approach as a

deductive category application (Mayring, 2000). With a directed content analysis approach, researchers begin by using existing theory or previous research to identify key concepts or variables as initial coding sets (Potter & Levine-Donnerstein, 1999). Next, researchers use the theory to determine operation definitions for each category (Hsieh & Shannon, 2005).

A directed content analysis was completed on court documents and related media documents covering the two court cases. Documents analyzed included the court opinion and the complaint filed, as well as newspaper articles covering the cases. Court opinions, complaints filed, and other court documents were found by searching the database LexisNexis Academic using the parties of the cases, *Mainstream Loudon v. Board of Trustees of Loudoun* and *Sund v. City of Wichita Falls, Texas*. Newspaper articles covering the cases were found by searching the database ProQuest Newspapers, again using the parties of the cases, *Mainstream Loudon v. Board of Trustees of Loudoun* and *Sund v. City of Wichita Falls, Texas*.

For the case *Mainstream Loudon v. Board of Trustees of Loudoun*, documents analyzed included the Court's opinion from the preliminary trial (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a), the Court's final opinion (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b), the original complaint filed (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c), the Notice of Appeal (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998d), and the Plaintiffs-Intervenors Proposed Complaint (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998e). Two newspaper articles covering the case and published in *The Washington Post* (Blum, 1998a; Blum 1998b) were also analyzed. For the case *Sund v. City of Wichita Falls, Texas*, the Court's opinion (*Sund v. City of Wichita Falls, Texas*, 2000) and a newspaper article covering the case and published in the *Dallas Morning News* (AP, 1998) were both analyzed.



In order to address the research questions, the researcher analyzed each document found and highlighted passages relevant to the gatekeeping structure of the library, such as the decision-makers, pressures, and other forces present during the events of each case. The researcher highlighted passages using the framework of Shoemaker and Vos's (2009) gatekeeping levels of analysis presented in Chapter 3, with a passage being defined as a complete thought, quote, or idea for the purpose of this study. The following section presents each level of analysis and how it was applied in the content analysis approach.

### **Gatekeeping Levels of Analysis**

Shoemaker and Vos (2009) apply five levels of analysis to the study of gatekeeping, which “order the world into a hierarchy that can help us study communication and build theory” (p. 31). These five levels of analysis include the individual level, the communication routines level, the organizational level, the social institution level, and the social system level.

#### ***Individual Level:***

The *Oxford English Dictionary* defines an individual as a “single human being, as distinct from a particular group, or from society in general” (“Individual,” 1989). The individual level of analysis deals with the personal characteristics of the decision-maker. This often includes demographic profiles, life experiences, personal values and beliefs, and work experiences. All of these personal attributes can play a role in the decision-making process. For the content analysis, the researcher highlighted passages from the documents that described the personal views and beliefs of individuals involved in the cases, such as the librarian, library director, library board members, government officials, or other individuals involved. For example, if a newspaper article quoted a Library Board member regarding their personal view on Internet filters, then the passage would be highlighted and assigned to the individual level of analysis.

### ***Communication Routines Level:***

Shoemaker and Reese (1996) define routines as “patterned, routinized, repeated practices and forms that media workers use to do their jobs” (p. 105). Routines are present and have been highly studied within the context of the news media (Epstein, 1979); however, routines are present within libraries as well. The day-to-day interactions of a library become “routines’ for the library. These are operations of the library that are followed because they are understood as the way things are done, and not because they are written in a codified policy. When censorship occurs due to an uncoded practice of the library, it is occurring at the communication routines level of analysis. For the content analysis, the researcher highlighted passages from the documents that described any repeated pattern or practice of the library that was a routine for the library and not detailed in a library policy. For example, passages from interview transcripts where participants described how members of the community would repeatedly rely on the public library for Internet access were highlighted and assigned to the communication routines level of analysis.

### ***Organizational Level:***

The *Oxford English Dictionary* defines an organization as an “organized body of people with a particular purpose” (“Organization,” 1989). This could be a business, a social club, or a library. At the organizational level, censorship attempts exist in libraries in a variety of different ways. One potential situation regarding censorship at this level is when a librarian makes a decision regarding a challenge or censorship attempt based out of fear for his or her job. Librarians can sometimes experience pressure from the library director or other supervisor and fear they will be fired if they put up resistance. For the content analysis, the researcher highlighted passages from the documents that described the feelings of the librarian regarding

fear for his or her job. For example, if a study participant stated in their interview transcript that they were not concerned about losing his or her job, then the passage was highlighted and assigned to the organizational level of analysis.

In some situations, censorship through library policy can also exist at the organizational level of analysis. For example, some libraries may use Internet filters, “adults only” sections, specially marked books or other materials only able to be checked-out or accessed by adults 18 or over, or other regulations they have written into a codified policy applicable to their specific library. In instances when censorship is in the form of a written, codified policy specific to a particular library, then it exists at the organizational level of analysis. For the content analysis, the researcher highlighted passages from the documents that described aspects of library policy.

Other important factors exist at the organizational level that shape decisions regarding censorship attempts in libraries. Resources available to the individual library often play an important role. For example, the library’s budget and financial resources are big influencers during the selection process. Other resources such as staff knowledge and expertise, as well as access to technological resources are other factors that often play a role. The size and complexity of the library’s structure also plays a role in decision-making at the organizational level. All of these organizational structures and resources available play a role in the decision-making process for a library during a censorship attempt at the organizational level. For the content analysis, the researcher highlighted passages from the documents describing the library’s access to financial and technological resources, as well staff knowledge and expertise. In addition, the researcher also highlighted passages from the documents that described the organizational structure of the library.

### ***Social Institution Level:***

The *Oxford English Dictionary* defines an institution as an “establishment, organization, or association, instituted for the promotion of some object (“Institution,” 1989). Turrow (2010) refers to an institution as a “loosely knit sets of organizations...that hold authority of fundamental aspects of social life” (p. 4). Examples of institutions include the government, mass media, the military, religious institutions, educational institutions (such as schools and universities), professional associations (such as the American Library Association), as well as courts and the legal system.

One example of a large and powerful institution is the government (Shoemaker & Vos, 2009). In regards to libraries, public libraries are funded through public tax dollars, which can often lead to librarians making decisions regarding censorship attempts based on pressure from government officials or fear of losing funding. In addition, it is often common for local government officials to serve on library boards, or for the local government officials to appoint library board members. This can often lead to pressure on the librarian to follow the wishes of the library board out of fear of losing much needed funding. For the content analysis, the researcher highlighted passages from the documents that described any government involvement in library decision-making. This could include a city manager, city council, or any other government officials.

In addition, the researcher highlighted passages from the documents that described feelings regarding a fear of losing public funding from the government. For example, if a study participant stated in their interview transcript that they were not concerned about the local government pulling funding from the library, then the passage was highlighted and assigned to the social institution level of analysis.

Another large and powerful institution is the media (Shoemaker & Vos, 2009), which is also relevant in regards to libraries. For example, if there is a situation where a librarian is receiving pressure regarding a censorship attempt and the librarian knows that the situation could garner unwanted media attention, the librarian could succumb to the pressure in order to avoid a public controversy. For the content analysis, the researcher highlighted passages from the documents that described any media involvement or portrayal by the media of the cases being analyzed.

As well as government and the media, other institutions such as activist groups can also play a role in the gatekeeping process. For the content analysis, the researcher highlighted passages from the documents that described the involvement of any activist groups that played a role in the cases being analyzed.

Other factors that can play a role at the institutional level of analysis include professional rules and guidelines. For example, there are guidelines, such as the ALA's *Library Bill of Rights*, *Code of Ethics*, and *Freedom to Read Statement*, which apply not just to one specific library, but the entire librarianship profession. When rules or guidelines apply to the entire librarianship profession, then it exists at the institutional level of analysis. For the content analysis, the researcher highlighted passages from the documents that described how the ALA's guidelines, or any other professional guidelines, played a role in decision-making at the library from the case. For example, if a court document stated that the library made selection decisions in accordance with ALA's guidelines, then the passage was highlighted and assigned to the social institution level of analysis.

### ***Social System Level:***

The highest level of analysis in the hierarchy is the social system. This is the level dealing with how social system, social structure, culture, and ideology all play a role in the gatekeeping process. The views and beliefs of a community, or the views and beliefs of society as a whole, exist at the social system level of analysis. For the content analysis, the researcher highlighted passages from the documents that described the views and beliefs of the community where the case took place, as well as the views and beliefs of society as a whole. For example, if a newspaper article reported on the opinion of the community regarding two children's books being removed from the library, then the passage would be highlighted and assigned to the social system level of analysis.

### **Interviews**

The second phase of this study involved a series of qualitative interviews conducted with individuals involved in the two court cases. The purpose of the research interview is, "to explore the views, experiences, beliefs and/or motivations of individuals on specific matters" (Gill, Stewart, Treasure, & Chadwick, 2008, p. 292). Qualitative approaches such as interviewing are believed to provide a "deeper" understanding of a social phenomenon than purely quantitative methods. Interviews can offer flexibility, and can be structured, unstructured, or semi-structured (Gill, Stewart, Treasure, & Chadwick, 2008).

Qualitative interviewing has been a common approach to research (Schutt, 2015). Examples include using qualitative interviewing to investigate employee mistreatment (Oetzel, Meares, Torres, Derkacs, & Ginossar, 2003; Meares, Oetzel, Torres, Derkacs, & Ginossar, 2004), workplace bullying (Tracy, Lutgen-Sandvik, & Alberts, 2006), as well as intercultural friendship development (Sias et al., 2008). Qualitative interviewing approaches have also been

utilized by LIS researchers. In terms of issues related to censorship, LIS researchers have used qualitative interviewing to investigate collection development and censorship in Torah studies libraries in Israel (Prebor & Gordon, 2015), as well as public library directors' interpretations of intellectual freedom (Oltmann, 2016a). In addition, LIS researchers have used qualitative interviewing approaches to explore rural library services in Bangladesh (Islam & Zabed Ahmed, 2011), faculty's perception on the value of the academic library (Nitecki & Abels, 2013), as well as the impact of national library associations (Henczel, 2014).

The interviews conducted for the current study were a series of semi-structured interviews. Semi-structured interviews consist of pre-determined questions that help to target the subject matter to be explored, but they also allow the interviewer or interviewee to diverge from the pre-determined questions and explore an idea they feel is important in more detail during the interview (Gill, Stewart, Treasure, & Chadwick, 2008). Semi-structured interviews are used frequently, as they provide participants with guidance on what to talk about, yet also allow for the discovery or elaboration of pertinent information touched on by participants but not previously thought of by the researcher (Gill, Stewart, Treasure, & Chadwick, 2008). For these reasons, semi-structured interviews were utilized for the current study.

To recruit participants for the study, the researcher did a preliminary review of the court documents to get names of individuals involved in the two court cases. After receiving approval from the Institutional Review Board (see Appendix A), the researcher attempted to contact potential study participants via the social networking site Facebook. For potential participants not able to be contacted via Facebook, the researcher did an Internet search using the site [whitepages.com](http://whitepages.com) and searching by name and location. Once contact information was found, the

potential study participants were either contacted by phone or sent an invitation to participate via email (see Appendix B).

Interviews with the participants were conducted via phone and generally lasted around 30 minutes each, with participants being informed of the time commitment prior to the interview. During the interviews, participants were asked questions from a pool of guided questions developed by the researcher and based on the framework of Shoemaker and Vos's (2009) gatekeeping levels of analysis (see Appendix C).

Prior to the interviews, participants also consented to the use of audio recording throughout the phone interviews (see Appendix A). Audio recordings of the interviews were transcribed by the researcher and then analyzed using the same framework of Shoemaker and Vos's (2009) gatekeeping levels of analysis as previously described.

## **Participants**

There were a total of six individuals that participated in the study. Participants of the study are described in the following section. Names of the participants have been changed to maintain confidentiality.

There were four participants in the study that were involved in the case *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), a case dealing with the use of Internet filters in the Loudoun County Public Library system in Loudoun County, Virginia. These four participants included:

### ***Ruth:***

Ruth was a leader in the nonprofit group Mainstream Loudoun, the plaintiffs in the case *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), and served a



term as President for the organization. Ruth holds a Master's degree and was a high school English teacher in the Loudoun County Public School System for over 20 years.

***Lisa:***

Lisa was also a leader in the Mainstream Loudoun group, holding various leadership positions in the organization throughout the years, including serving terms as President and Library Chair. She holds a college degree in Education and has been a resident of Loudoun County for over 20 years.

***Michael:***

Michael was an administrator for the Loudoun County Public Library system at the time of the case *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b). He holds a Master's in Library Science (MLS) degree from Florida State University, and has over 20 years of library experience, ranging from working as a paraprofessional to library administration.

***Kathy:***

Kathy was a member of the Loudoun County Library Board at the time surrounding the case *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b). She served on the Library Board for two years and would frequently visit the public library with her three children.

There were two participants in the study that were involved in the case *Sund v. City of Wichita Falls, Texas* (2000), a case dealing with the removal of the children's books *Heather Has Two Mommies* and *Daddy's Roommate* from the Wichita Falls Public Library in Wichita Falls, Texas. These two participants included:

**Marie:**

Marie was a plaintiff in the case *Sund v. City of Wichita Falls, Texas* (2000). At the time of the case, she was a stay-at-home mom of three school-age children residing in Wichita Falls, Texas. Marie and her children were heavily involved with the public library in Wichita Falls, frequently checking out library materials and participating in activities and events hosted by the library.

**Sandra:**

Sandra was an administrator at the Wichita Falls Public Library at the time of the case *Sund v. City of Wichita Falls, Texas* (2000). She holds a Master's in Library and Information Science (MLIS) degree from Texas Woman's University, and has over 20 years of library experience, ranging from working as a library page to library administration.

**Confirmability**

Confirmability refers to “the degree to which the results could be confirmed or corroborated by others (Trochim, W.M.K., 2006, para. 7). For the current study, this was addressed through the enlistment of another researcher to review the data. The researcher enlisted holds a Ph.D. in the field of library science and was approved by the Institutional Review Board (IRB) prior to participation in the data review (see Appendix A). After approval, the additional researcher analyzed a data sample from the court documents, newspapers, and interview transcripts using the same framework of Shoemaker and Vos's (2009) gatekeeping levels of analysis used by the primary researcher.

**Summary**

Through the use of a qualitative, in-depth case study approach employing content analysis and interview methods, this study examined two federal court cases dealing with

challenges and censorship attempts in public libraries where librarians acted as censors. Through a qualitative content analysis of court documents and newspaper articles covering the cases, followed by a series of interviews, the researcher sought information regarding decision-makers present, also considered to be gatekeepers, as well as pressures, whether internal or external, which act as forces and play a role in the gatekeepers' decisions during these censorship attempts. Using an in-depth case study approach to gain this information addresses the research questions and achieves the goals of this study. Chapter 5 will discuss the results of the content analysis and interviews conducted in this study.

## CHAPTER 5

### RESULTS

In order to identify the gatekeeping structures present within censorship attempts in public libraries, specifically those that contribute to conditions that encourage librarians to censor, an in-depth case study was conducted through the use of content analysis and interviews on two federal court cases dealing with censorship in public libraries. Both cases involved the engagement of censorship by practicing library professionals. This chapter outlines the results of the content analysis of court documents and newspaper articles related to the cases as well as the interviews with individuals involved in the cases.

#### ***Mainstream Loudoun v. Board of Trustees of the Loudoun County Library (1998)***

In the case *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), a group of adult patrons of the Loudoun County Library in Virginia, collectively known as Mainstream Loudoun, filed suit against individual library board members as well as the library director, claiming that the policy implemented by the library which imposes Internet blocking software was in violation of their First Amendment rights (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998c). Plaintiffs in the case alleged, “the Policy imposes an unconstitutional restriction on their right to access protected speech on the Internet” (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998a, at 787).

## Case Background

Loudoun County is located in the far northern area of Virginia. It includes both rural farms as well as posh suburbs of Washington DC. It is also home to several high tech companies and many of Washington's political elite (Tech Law Journal, 1998a). The County is divided into eight districts; with each district electing a member to a Board of Supervisors that governs the county, along with a Chair, elected by the county-at-large (Loudoun, n.d.).

Loudoun County runs a public library system that includes six branches. According to the original complaint filed, "In 1997, approximately 966,000 citizens visited Loudoun County libraries and checked out more than 1.7 million books, magazines, videos, audiocassettes and CDs. In November 1997, the library began to offer Internet access through nine public terminals located at the six branches" (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998c, at 56).

With the library system beginning to offer Internet access, the Loudoun County, Virginia, Library Board adopted their "Policy on Internet Sexual Harassment." On October 20, 1997, the Library Board voted to adopt the policy which requires that:

"[s]ite-blocking software ... be installed on all [library] computers" so as to: "a. block child pornography and obscene material (hard core pornography)"; and "b. block material deemed Harmful to Juveniles under applicable Virginia statutes and legal precedents (soft core pornography)." (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998a, at 787)

To achieve the goals set forth in the Internet policy, the Library Board entered a contract with Log-On Data Corporation, a company that manufactures a filtering software product called "X-Stop." Log-On Data Corp. refused to divulge the method by which X-Stop filters sites, but it

soon became apparent to many library patrons that the filtering software blocks some sites that are not prohibited by the policy (ALA, 2006). The plaintiffs in the case alleged that “the Policy impermissibly blocks their access to protected speech such as the Quaker Home Page, the Zero Population Growth website, and the site for the American Association of University Women-Maryland” (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998a, at 787).

### **The Case**

The excessive restrictions enforced by the Library’s Internet policy led to a group of library patrons claiming that the Internet policy adopted by the library violated their First Amendment rights. The group of individuals was Loudoun County residents and referred to themselves as Mainstream Loudoun (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998c). On December 22, 1997, two months after adoption of the Internet policy, the nonprofit organization People for the American Way Foundation filed litigation on behalf of the Loudoun County residents of Mainstream Loudoun. According to the complaint filed:

Mainstream Loudoun is a non-profit, grassroots membership organization based in Loudoun County, Virginia that is dedicated to ensuring a free and open society that preserves religious and personal freedom as established by the U.S. Constitution. The mission of Mainstream Loudoun includes working to ensure that the public libraries continue to provide information and resources to serve the diverse needs of the entire community of Loudoun County residents in their quest for knowledge, inspiration, enjoyment, and excellence. (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998c, at 12)

Defendants listed in the case included the members of the Board of Trustees of the Loudoun County Public Library, as well as Douglas Henderson, Director of Library Services. On

February 5, 1998, shortly after the original complaint was filed, the American Civil Liberties Union (ACLU) filed a motion to intervene in the case on behalf of several individuals and organizations who publish on the Internet and have had their web pages blocked by the X-Stop software (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998e).<sup>12</sup>

Prior to the final Loudoun decision, the defendant moved to dismiss, claiming that the library board's use of filtering software was "absolutely immune from suit" (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998a, at 789). At oral argument, "defendants went so far as to claim that a public library could constitutionally prohibit access to speech simply because it was authored by African-Americans, or because it espoused a particular political viewpoint, for example pro-Republican" (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998a, at 792). On April 7, 1998, Judge Leonie Brinkema<sup>13</sup> denied the defendant's motion to dismiss (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998a).

On June 3, 1998, the Loudoun County Board of Supervisors decided by a 7 to 2 vote to spend another \$10,000 on the legal battle, in addition to the \$40,000 that the library trustees had already allocated from their own budget. This was still far less than \$100,000 originally

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<sup>12</sup> There were eight intervenors in the case. Three were Web sites, including the Safer Sex Page, Banned Books Online, and the Books for Gay and Lesbian Teens/Youth page. Two of the intervenors were non-profit corporations that maintain Web sites: the American Association of University Women and the Renaissance Transgender Association. There was also a for-profit corporation that maintains a Web site: The Ethical Spectacle. There were also two individuals that were intervenors in the case: a news columnist who publishes his articles on Web sites, and an artist who publishes his work on a Web site (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998e).

<sup>13</sup> Judge Leonie Brinkema became a U.S. District Court Judge on October 23, 1993. She was nominated by President Bill Clinton (Tech Law Journal, 1999a). Prior to her legal career, Judge Brinkema was a librarian, earning an M.L.S. degree from Rutgers University in 1970. She later received a J.D. degree from Cornell University in 1976 (Tech Law Journal, 1999a). In a statement by Linda Chavez, former director of the U.S. Commission on Civil Rights, she referred to Judge Brinkema's judgment on issues related to pornography as "highly suspect" (Tech Law Journal, 1998c, para. 4). Chavez stated, "In 1995, for example, she sentenced a defendant convicted of collecting child pornography to probation, because she believed his behavior did not threaten others. A few months later, the defendant was arrested after failing to report to his probation officer an incident in which he was found watching young boys shower at a recreational center. Judge Brinkema then imposed a nine months jail sentence, telling the defendant he had failed to demonstrate that he was rehabilitated after having, 'received an incredibly generous sentence'" (Tech Law Journal, 1998c, para. 4). Chavez went on to discuss Judge Brinkema's record of reversal on appeal, stating that "she has been overturned 10 times on drug sentencing cases alone" (Tech Law Journal, 1998c, para. 5).

requested by the library trustees (Blum, 1998b).

On November 23, 1998, Judge Brinkema declared that the highly restrictive Loudoun County Internet policy was invalid under the free speech provisions of the First Amendment (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b). In the Court's memorandum opinion, Judge Brinkema writes, "In examining the specific Policy before us, we find it overinclusive because, on its face, it limits the access of all patrons, adult and juvenile, to material deemed fit for juveniles" (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b, at 567). She goes on to write, "Although defendant is under no obligation to provide Internet access to its patrons, it has chosen to do so and is therefore restricted by the First Amendment in the limitations it is allowed to place on patron access...Defendant will be permanently enjoined from enforcing its Policy on Internet Sexual Harassment" (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b, at 570).

On December 1<sup>st</sup>, 1998, the Loudoun County Public Library Board of Trustees held a public meeting to hear public testimony, decide how to proceed in regards to appeal, and to discuss whether or not to revise its Internet use policy. During the first two hours of the meeting, there were about 150 people in attendance. Other than Board members, library staff, and journalists, attendees wore large label tags identifying their position. Supporters of the filtering software wore square tags with the words "No Porn," while opponents wore tags with the word "censorship" inside a circle with a diagonal line drawn through it (Tech Law Journal, 1998a).

The majority of attendees were supporters of the filtering software. In addition, about three quarters of those who testified were filtering supporters from the "No Porn" camp (Tech Law Journal, 1998a). One of those that testified on behalf of filtering supporters was Linda



Chavez, former director of the U.S. Commission on Civil Rights, and at the time a nationally syndicated political columnist and TV pundit. According to Chavez's statement:

Judge Brinkema's decision goes far beyond any reasonable interpretation of the "free speech" clause of the First Amendment and sets dangerous legal precedent that if left unchallenged will debase the political freedoms of citizens in a democracy to enact sensible policies designed both to protect children and uphold community standards of decency and decorum in public places...It is your duty to defend the Board's policy by appealing Judge Brinkema's baseless and dangerous decision. (Tech Law Journal, 1998c)

Jeri McGiverin, President of Mainstream Loudoun, also testified at the meeting, speaking on the role of parents in regards to Internet access and filtering software. She stated:

Whether Internet access for minors should be with or without filtering software is a decision best left to each parent. Because filtering software often fails to block what it is intended to block, parents must be included as much as possible in decisions regarding their children's Internet use. Unfortunately, some filtering proponents speak of filters as though they were failsafe programs, creating a false sense of security for parents, who may then erroneously assume that as long as filters are present, their guidance is not necessary. (Tech Law Journal, 1998b, para. 5)

The meeting lasted from 7:30 PM until midnight. At the end of the meeting, in a 7-1 vote, the Loudoun County Public Library Board of Trustees passed a motion to appeal Judge Brinkema's decision (Tech Law Journal, 1998a). On December 23, 1998, the Library Board filed a Notice of Appeal (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998d). However, on April 19<sup>th</sup>, 1999, the Library Board voted not to appeal (Tech Law Journal, 1999b).

## **Results of Content Analysis and Interviews**

For the case *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998), a content analysis was completed on court documents as well as newspaper articles covering the case. Court documents analyzed included the Court's opinion from the preliminary trial (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a), the Court's final opinion (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b), the original complaint filed (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c), the Notice of Appeal (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998d), and the Plaintiffs-Intervenors Proposed Complaint (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998e). Two newspaper articles covering the case and published in *The Washington Post* (Blum, 1998a; Blum 1998b) were also analyzed. In addition to the documents, transcripts of the participant interviews were also analyzed.

In analysis of the court documents, newspaper articles, as well as the interview transcripts, the researcher highlighted passages relevant to the gatekeeping structure of the library, such as the decision-makers and pressures present during the events of each case. The researcher highlighted passages using the framework of Shoemaker and Vos's (2009) gatekeeping levels of analysis previously discussed in Chapters 3 and 4. These five levels of analysis include Individuals, Communication Routines, Organizations, Social Institutions, and Social Systems (Shoemaker & Vos, 2009).

### ***Individual Level:***

The individual level of analysis pertains to issues regarding an individual's personal views and beliefs. In *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b), this particularly pertained to personal views and beliefs regarding issues relating to Internet access

and pornography. The chair of Loudoun County's Board of Supervisors at the time, Dale Polen Myers, gave her personal stance on pornography to *The Washington Post*, stating, "It goes against everything I've ever been raised – to think that my tax dollars would go to spending money on something I would not even allow in my home" (Blum, 1998b, p. F1).

Kathy, a member of the Library Board in Loudoun County at the time of the case, said, "I was a single mom with three boys. When we go to the library, they go for three corners. I don't always know what they're looking at. And that's the God's honest truth" (Kathy, personal communication, April 26, 2017). She continued, "The big thing was, what was seen can't be unseen, and keeping the little ones safe, that was my goal" (Kathy, personal communication, April 26, 2017). These personal views and beliefs of individuals acted as negative forces working to limit access to information and existed at the individual level of analysis.

#### ***Communication Routines Level:***

The communication routines level of analysis pertains to routinized, repeated practices, such as repeated patterns of behavior. In regards to the communication routines level of analysis, findings revealed that one routine that existed for the library was that the community relied heavily on the public library for their Internet access, especially since the Internet was still new at the time. While some did have Internet access in their homes, many did not. When asked if people in their community relied on the public library for their Internet access, Ruth, a leader in the group Mainstream Loudoun, stated:

A number of people did. Especially at that point. We had a number of people who could not afford computers. For students, it was a good place to research. Even those of us who had computers at home, for some reason or another we would oftentimes go to the library and use that to supplement research we were doing there. It's just like how they had

videotapes, which were also available in stores, but they did provide those because they were used by people in the community, even though there were other avenues to access that type of material. (Ruth, personal communication, April 20, 2017)

According to Michael, an administrator at the library at the time of the case, “People came to the library because we were able to get faster Internet than they could get at home” (Michael, personal communication, May 8, 2017).

Today, Wi-Fi and other advances in technology such as smartphones and tablets have made the Internet more accessible and affordable. However, at the time of the case *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b), this was not the case, and whether it was due to financial reasons or other issues with accessibility, many people in the community relied on the public library for Internet access. People in the community relying on the public library for their Internet access was an established pattern of behavior, or implicit norm (Burnett and Bonnici, 2003), within the community, and became a “routine” for the library, present at the communication routines level of analysis.

### ***Organizational Level:***

At the organizational level of analysis, findings revealed the Library Board to be a major gatekeeper for the public library in the case *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b). In her interview, Ruth, a leader in the group Mainstream Loudoun, discussed how the members of her organization began to focus on library issues and attend Library Board meetings to see for themselves what was going on (Ruth, personal communication, April 20, 2017). Ruth spoke of the Board’s efforts, such as trying to establish a video checkout policy for children using the Motion Picture Association guidelines, allowing parents access to the records of their children’s checkouts and what their children were reading, and removing statements from the

American Library Association's *Bill of Rights and Freedom to Read* documents from their policy (Ruth, personal communication, April, 20, 2017). According to Ruth (personal communication, April 20, 2017), the following statements from the *Library Bill of Rights* were removed from the library's policy:

- From Article II, "Materials should not be proscribed or removed because of partisan or doctrinal disapproval" (ALA, 2010, p. 49).
- From Article III, "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment" (ALA, 2010, p. 49).
- From Article IV, "Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas" (ALA, 2010, p. 49).

The Library Board removed these statements from the library's policy, and, according to Ruth, "They said they did it because they thought that the policy was too long. It was three-quarters of a page, the whole thing" (Ruth, personal communication, April, 20, 2017).

The concept of library policy at the organizational level of analysis was very prevalent throughout the findings of the content analysis as well as the interviews, most notably the library's Internet policy. In 1997, the Loudoun County, Virginia, Library Board adopted their "Policy on Internet Sexual Harassment." The policy was designed to "prevent adult and minor Internet users from accessing illegal pornography and to avoid the creation of a sexually hostile environment" (ALA, 2006). The policy acted as gate, controlling what information library users had access to via the Internet and what information they did not.

Prior to their "Policy on Internet Sexual Harassment," the Library Board in Loudoun County had implemented multiple policies with respect to the development of library resources

and their use by patrons. A policy entitled “Freedom for Ideas -- Freedom From Censorship” was adopted by the Library Board on May 15, 1995 and then reaffirmed on January 27, 1997

(*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c). The policy quotes the First Amendment and:

contains a number of specific propositions, including, in relevant part: (1) “It is in the public interest to maintain a library collection in various media, offering the widest possible diversity of views and expressions. The selection and development of the Library collection is not to be diminished because minors might have access to materials with controversial content;” (2) “Materials shall not be excluded from the collection because of the nature of the information or views presented therein, nor the political orientation of their content. Furthermore, materials shall not be excluded because of the moral, religious or political beliefs of their writer, publisher or film maker, nor does their inclusion in the collection imply endorsement of all the ideas presented therein;” (3) “[T]he rights and responsibilities of parents or legal guardians will neither be abridged nor assumed by the library system;” and (4) “Censorship of ideas will be rejected and opposed by the library system.” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c, at 57)

On January 23, 1995, a “Policy on Collection Development” was revised and then reaffirmed on January 27, 1997 (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c).

According to that policy:

it is “[t]he goal of Loudoun Public Libraries . . . to provide the citizens of Loudoun County with a range of materials in a variety of print and non-print formats to meet their informational, cultural, educational, and recreational needs and interests.” The collection policy expressly endorses the “Freedom For Ideas -- Freedom From Censorship” policy,

and adds that “[i]ndividual use of library materials is a private and personal matter. All citizens are free to reject for themselves materials of which they may disapprove; no citizen may restrict the freedom of use and access for others.” The policy adds that “[r]esponsibility for the reading, listening, and viewing of library materials by children rests with their parents or legal guardians and not with the library staff. Selection of library materials is not inhibited by the possibility that materials may come into the possession of children.” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c, at 58)

A “Policy on Confidentiality” was revised by the Library Board on February 26, 1996 and then reaffirmed on January 27, 1997 (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c). The policy “provides that ‘[c]onfidentiality of all patrons' library use will be maintained. In the case of children under 17, parents and/or legal guardians shall have complete access to their minor child's records in order that unnecessary obstacles will not be placed between parent and child by the library’” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c, at 59).

In terms of creating and adopting policy for the library, findings revealed that the key decision-maker in the process was the Library Board. According to Ruth, a leader in the group Mainstream Loudoun, “They had a policy when the Internet came out that was created by the Library Director, and it was a very decent policy. The Library Board at the time did not like it, so they rejected it and adopted one of their own” (Ruth, personal communication, April 20, 2017).

Michael, an administrator at the library at the time of the case, stated, “I went to my Library Board and presented a policy for the Internet. And the policy that we suggested, it was a very common-sense policy, which was basically that adults could choose if they had filters or

not, and parents could make that decision for their minor children” (Michael, personal communication, May 8, 2017).

However, the Board rejected this policy, and on July 21, 1997, the Library Board adopted an initial “Internet Use Policy” which provided that:

the Library's computers would be equipped with screening software designed to prevent access to material that is indecent, creates a hostile environment, or “exposes those of tender age to violent or sexually explicit text and imagery.” Under the initial policy, adults would have been able to obtain unfiltered access to the Internet for a specific session upon request to the library staff. The initial policy stated that minors could obtain unfiltered Internet access only if a parent or legal guardian gave permission and was physically present with the minor for the duration of that specific session. (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c, at 67)

The Library Board adopted this initial policy over the objection of the Director of Library Services (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c). When asked if the Director of Library Services was on board with the proposed Internet policy, Lisa, a leader in the group Mainstream Loudoun, stated, “No, he was not on board. But, you know, I don’t know what happened behind the scenes. I had many conversations with him and he knew where we were coming from. He just kind of had to go with the flow because they could hire and fire him” (Lisa, personal communication, April 21, 2017).

Michael, an administrator at the library at the time of the case, stated, “I was a contract employee for the Board. I was hired by the Library Board and I was under contract to work for them. I had no choice but to implement it [the policy], but I told them that I thought it was illegal, and if they got challenged I thought that they would lose. It was my responsibility to tell



them I felt their policy was in violation of the law (Michael, personal communication, May 8, 2017).

When asked if he was ever concerned for his job while the events of the case were unfolding, Michael stated, “Yes, I was, but at the same time, my evaluation came up and they said I handled things professionally. But I was, because you never know (Michael, personal communication, May 8, 2017).

Findings revealed that in Loudoun County, the Library Board was the major decision-maker regarding library policy, and the Director of Library Services was over the day-to-day operations of the library. As Michael, an administrator at the library at the time of the case put it, “They are a policy-making Board” (Michael, personal communication, May 8, 2017).

Speaking on the role of the Library Board as compared to that of the Director, Kathy, a member of the Library Board at the time of the case, stated, “My business was the planning of new [library] sites and the vision forward. The day-to-day stuff was truly the Director’s job. We did not micromanage the Director” (Kathy, personal communication, April 26, 2017).

On October 20, 1997, the Library Board voted 5-4 and passed a “Policy on Internet Sexual Harassment” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998c, at 3). The policy stated that:

the Loudoun County public libraries would provide Internet access to its patrons subject to the following restrictions: (1) the library would not provide e-mail, chat rooms, or pornography; (2) all library computers would be equipped with site-blocking software to block all sites displaying: (a) child pornography and obscene material; and (b) material deemed harmful to juveniles; (3) all library computers would be installed near and in full view of library staff; and (4) patrons would not be permitted to access pornography and, if

they do so and refuse to stop, the police may be called to intervene. (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b, at 556)

According to Ruth, a leader in the group Mainstream Loudoun, “Basically what the policy said was that Internet access had to be filtered at all times, for all people, to the level that it would filter out anything not appropriate for juveniles. We felt this was rather far-reaching, to treat adults like children” (Ruth, personal communication, April, 20, 2017).

In regards to the 5-4 vote, Michael, an administrator at the library at the time of the case, stated, “Three or four people on the Board were very strong social conservatives, and then they were able to just scare two other people into going along with them” (Michael, personal communication, May 8, 2017)..

While the Library Director objected to the Internet policy, in late November 1997, “the Library Director selected a vendor for blocking software and installed the software on library computers before making Internet access available to the public in the Loudoun County Library system” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998e, at 70).

In regards to filters, Kathy, a Library Board member at the time of the case, stated, “We talked about it, ‘Are they any good? Do they work?’ We decided to do an opt-in policy, so parents had to be informed that their child would have free access to all types of information and could get into trouble” (Kathy, personal communication, April 26, 2017). Kathy continued, “Basically, our concern was that if it was illegal for a child to have something in the hard copy, then they shouldn’t be able to get it on the Internet without their parents’ knowledge” (Kathy, personal communication, April 26, 2017).

With the installation of Internet filters on all library computers, it was found that more than pornography and obscene material was being blocked. According to Ruth, a leader in the

group Mainstream Loudoun, “One gentleman called me, and he was irate. He went to the library to look up a map of Disney World, and he somehow got to a blocked site” (Ruth, personal communication, April 20, 2017).

Plaintiffs from the case alleged that “the Policy impermissibly blocks their access to protected speech such as the Quaker Home Page, the Zero Population Growth website, and the site for the American Association of University Women-Maryland” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a, at 787), as well as “improperly limits adult Internet speech to what is fit for children” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a, at 796). In addition, the plaintiffs from the case also claimed that, “there are no clear criteria for blocking decisions and that defendants maintain an unblocking policy that unconstitutionally chills plaintiffs' receipt of constitutionally protected materials” (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a, at 787).

The product X-Stop was manufactured by Log-On Data Corporation (ALA, 2006).

According to Ruth:

We found out it was a firm based in California and the people there would be the ones who would decide what would be filtered or blocked. That kind of bothered us. Somebody outside of the state making decisions about what we have access to. And because of proprietary information, even the librarians in Loudoun County could not know what sites were being blocked. You would only find out if you happen to try to go to one of those sites. (Ruth, personal communication, April, 20, 2017)

Ruth continued, “What happens then, if you go to a blocked site, the buzzer would go off, the lights flash, signaling that you were trying to access pornography. You were humiliated and

embarrassed, because that was the system. We didn't feel that was right either" (Ruth, personal communication, April 20, 2017).

The policy did offer a process for getting blocked sites unblocked. "Under the unblocking policy, library patrons who have been denied access to a site may submit a written request which must include their name, telephone number, and a detailed explanation of why they desire access to the blocked site. The library staff then 'decide[s] whether the request should be granted'" (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a, at 797). "There is no time limit in which a request must be handled and no procedure for notifying the patron of the outcome of a request" (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b, at 556).

In addition to the use of filters, the location and positioning of computers within the library was also addressed in the policy. Kathy, a member of the Library Board at the time of the case, stated that regarding the positioning of computers within the library, "Everything's in the center so that nobody's on anything they shouldn't be on" (Kathy, personal communication, April 26, 2017).

The group Mainstream Loudoun proposed a different policy for the Internet. According to Ruth, a leader in the group Mainstream Loudoun, "Our policy said that default should be to open Internet, but there should be a means for individuals to use a filter" (Ruth, personal communication, April, 20, 2017). She went on to say that, "We also suggested privacy screens, because even if something is constitutional, there are things you might not want to see. For example, if someone is looking up surgery or the Holocaust, or something like that" (Ruth, personal communication, April, 20, 2017). Furthermore, "Parents would have to sign an approval sheet for any child under 18 to use the Internet. Then the parents would mark on that sheet whether they wanted their child to have filtered or unfiltered access. So it was up to the parent as

to what the child could do. Because, you know, some parents trust their kids and want them to learn to be responsible for their behaviors” (Ruth, personal communication, April, 20, 2017).

This policy proposed by Mainstream Loudoun was not initially agreed upon by the Library Board (Ruth, personal communication, April, 20, 2017). However, after the policy adopted by the Board was declared unconstitutional by Judge Brinkema (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998b, at 556), Ruth, a leader in the group Mainstream Loudoun, stated, “they ended up adopting the Internet policy we had suggested in the first place” (Ruth, personal communication, April, 20, 2017).

Content analysis of the documents as well as participant interviews revealed the Library Board in Loudoun County to be a major decision-maker regarding library policy. The Library Board had adopted multiple policies regarding the development of library resources and their use by patrons. Implementation of these policies exists at the organizational level of analysis.

#### ***Social Institution Level:***

At the social institution level of analysis, one major finding was government involvement in library decisions. This can be seen through the selection of the Library Board. The public library system in Loudoun County is governed by a Board of Trustees, which is granted “management and control” of the library system under state law (*Mainstream Loudon v. Board of Trustees of Loudoun*, 1998a, at 787). These Board members are selected by local government officials. Each of the supervisors on the county’s Board of Supervisors nominates a member to the county’s Library Board, with Blum (1998a) stating that “Each supervisor is responsible for nominating a Library Board member from his or her district, and the nominee must receive the endorsement of the full Board of Supervisors. Usually, the county board supports the district supervisor's recommendation to fill vacancies on boards and committees” (p. F6).

Kathy, a Library Board member at the time of the case, was appointed by the county supervisor for her district, whom she had gotten to know through volunteering and serving the community (Kathy, personal communication, April 26, 2017). She stated, “He just wanted the average mom to have a voice. I was like, okay. I use the library with my kids. I can voice my opinion” (Kathy, personal communication, April 26, 2017).

In addition to appointing Library Board members, the local government also played a role in financing the library. The county was the public library’s main source of funding (Michael, personal communication, May 8, 2017). However, according to Michael, an administrator at the library at the time of the case,

The state law requires the Library Board to have certain powers, and the Library Board actually controls the finances of the library. So the Board of Supervisors gave the budget to the library, but they could not tell us how to spend that money. The way they control it is they say, “We’re not going to give you that money.” But if they gave the library money, which they did, then they could not tell the library how to spend it. (Michael, personal communication, May 8, 2017)

When asked if he was ever concerned if the library would lose public funding due to the events of the case, Michael stated, “No, it didn’t really affect us. They were just upset that it was the county that was absorbing the legal costs, and not the library” (Michael, personal communication, May 8, 2017).

On June 3, 1998, the Loudoun County Board of Supervisors decided by a 7 to 2 vote to spend \$10,000 on the legal battle, in addition to the \$40,000 that the library trustees had already allocated from their own budget (Blum, 1998b). Ruth, a leader in the group Mainstream Loudoun, recalled this in her interview, stating, “They [the Library Board] also got the county

Board of Supervisors, which appointed the Board, to support them with a letter of support, and to grant them \$10,000 to fight the case” (Ruth, personal communication, April 20, 2017).

Regarding the Library Board, Kathy stated, “We had a couple people who were political. I was not a political person; I was a community person. There was one very liberal woman on the Board, and she would just get the political groups riled” (Kathy, personal communication, April 26, 2017).

One political group that got involved was the main plaintiff in the case, the group Mainstream Loudoun. Ruth, a leader in Mainstream Loudoun, stated, “What happened was, a new Library Board was appointed by the county’s Board of Supervisors, and they started on their agenda by labeling the previous board ‘a left-wing, politically-motivated, irreligious, immoral, radical elitist’ in the local newspaper. So we thought, we might have a problem here” (Ruth, personal communication, April 20, 2017). This prompted Ruth and other members of Mainstream Loudoun to focus on library issues and attend Library Board meetings in order to be informed (Ruth, personal communication, April 20, 2017).

According to Ruth, Mainstream Loudoun was started as a voice against the religious right and the far right (Ruth, personal communication, April 20, 2017). Lisa, another leader in the group Mainstream Loudoun along with Ruth, went on to say that the primary focus of Mainstream Loudoun was First Amendment issues, but the group also addressed issues related to family life education, sex education, family reproductive choice issues, as well as understanding and supporting diversity. In addition, the group was supportive of public education (Lisa, personal communication, April 21, 2017).

Two examples of national political activist groups that got involved on the side of the plaintiffs were People For the American Way (PFAW) and the American Civil Liberties Union

(ACLU). In the case, the nonprofit organization People for the American Way Foundation filed litigation on behalf of the Loudoun County residents of Mainstream Loudoun (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998c). People For the American Way and its affiliate, People For the American Way Foundation, are, according to their website, “progressive advocacy organizations founded to fight right-wing extremism and defend constitutional values under attack, including free expression, religious liberty, equal justice under the law, and the right to meaningfully participate in our democracy” (PFAW, 2017, para. 1).

Shortly after the original complaint was filed, the American Civil Liberties Union (ACLU) filed a motion to intervene in the case on behalf of several individuals and organizations who publish on the Internet and have had their web pages blocked by the X-Stop software (*Mainstream Loudoun v. Board of Trustees of Loudoun*, 1998e). The ACLU was formed in 1920 and, according to their website, for nearly 100 years, “has been our nation’s guardian of liberty, working in courts, legislatures, and communities to defend and preserve the individual rights and liberties that the Constitution and the laws of the United States guarantee everyone in this country” (ACLU, 2017, para. 1).

While the plaintiffs had support from multiple national political activist groups, the other side had strong support from powerful political groups as well. According to Ruth, a leader in the group Mainstream Loudoun, “people on the Library Board had connections with a number of right-wing groups like Christian Coalition, Concerned Women for America, Family Friendly Libraries, Family Research Council, Enough is Enough, and they provided a lot of support for the people we were opposing” (Ruth, personal communication, April 20, 2017).

Another group that played a role in the case at the social institution level of analysis was the librarianship profession itself. According to Michael, an administrator at the library at the



time of the case,

When it was happening, a lot of librarians across the country were writing letters to *Library Journal*, saying, “Gosh, why would anyone want to work in a place like that?”

The way the story was coming out, they didn’t realize how much the staff opposed censoring. Freedom of information and intellectual freedom, we were all in support of that. It was very tough on the staff, because it almost appeared that our colleagues turned their backs on us. (Michael, personal communication, May 8, 2017)

This example shows not only how the librarianship profession responded to how the case was being portrayed in the media, but also how media coverage can drastically affect public opinion. Along with the local government and political activist groups, the media was another powerful institution that played a role in the case. The case received a lot of media coverage, with Michael stating, “It was in *The Washington Post*, all the local newspapers, National Public Radio was doing it, and the local public radio stations were actually broadcasting the Board meetings” (Michael, personal communication, May 8, 2017).

In regards to their coverage in the media, Ruth, a leader in the group Mainstream Loudoun, stated:

It was a constant public relations battle, because we were trying to explain to people why we should not have mandatory filtering for everyone, and the other side talked about children being abused and women sitting in the library next to men who were aroused and then following them out to the dark library parking lot. It was much more emotionally effective than just saying “First Amendment” and “you have the right to information.” (Ruth, personal communication, April 20, 2017)

Ruth continued, “The main campaign against us was that we were pornographers; that we wanted to make pornography available to children and that we didn’t care about children, and you know, I’d been a teacher in the public schools there for twenty-something years, so you know, that wasn’t quite accurate” (Ruth, personal communication, April 20, 2017).

According to Lisa, another leader in the group Mainstream Loudoun along with Ruth, their side was not portrayed accurately in the mainstream media (Lisa, personal communication, April 21, 2017). Lisa stated:

It took a while for people to really understand where we were coming from. You know, if people wanted to use filters, let them have it. Even though they don’t work that well. Set up the library how you set up your home. Want filters for your kids, have it. Want it for yourself, have it. Just don’t treat adults like children and give them the same access. We just had to keep making sure that people were understanding what we were saying. (Lisa, personal communication, April 21, 2017)

Kathy, a member of the Library Board at the time of the case, recalled how the side of the Library Board was represented in the media. “There was a lot of negative press that was misrepresentative. It was very hurtful. After my term on the Library Board, I turned in my library card for over a decade” (Kathy, personal communication, April 26, 2017).

Content analysis of the documents as well as participant interviews revealed that the local government of Loudoun County, several political activist groups, as well as the media were all examples of powerful institutions that played a role in the case at the social institution level of analysis.

### ***Social System Level:***

At the social system level of analysis lies the views and beliefs of the community, as well as society's views as a whole. According to Kathy, a member of the Library Board at the time of the case, "We had public forums to see what people had to say about it, and we took that into consideration" (Kathy, personal communication, April 26, 2017). Kathy continued, "I found that the community wanted to have a discussion, and a small group wanted to rebel-rouse (Kathy, personal communication, April 26, 2017). According to Kathy:

All of a sudden, a handful of people were sure that we were coming in and we were going to burn books and pick things off the shelves. It was like, what are you guys talking about? Someone showed me this list of books we were supposedly going to be banning, and I said, "I have the majority of these on my shelf at home. We're not talking books, we're not talking media, we're just talking computers." Nobody had done this stuff yet. There were very few libraries who had it [the Internet]. So, we were just doing the best we could. (Kathy, personal communication, April 26, 2017)

In regards to community views on the Library Board's Internet policy, Ruth, a leader in the group Mainstream Loudoun, stated, "We persisted, and we actually did have most of the community behind us (Ruth, personal communication, April 20, 2017).

Regarding the use of filters, Michael, an administrator at the library at the time of the case, stated, "Well, I have to say, whenever they gave people the option for filtered or unfiltered, very few people used filtered" (Michael, personal communication, May 8, 2017).

Along with views on the Internet policy and filtering, the community also had strong views regarding the Library Board removing statements from ALA documents from their policy. Lisa, another leader in the group Mainstream Loudoun along with Ruth, remembered hearing a

historian speak on the history of Loudoun County and put things in perspective. Lisa explained:

He was talking to the group about the history of Loudoun County. We have always since the 1700s been a divided county. Before the Civil War, we had the large landowners and farmers in the East and the Western end of the county was the smaller landowners.

Always divided on taxes and land use. He said the only time that he's aware of that Loudoun County has ever been together on an issue, was over the Library Board when they started cutting the ALA documents. (Lisa, personal communication, April 21, 2017)

These findings regarding the views and beliefs of the community exist at the social system level of analysis.

### **Summary of Results**

For the case *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b), content analysis of court documents and newspaper articles covering the case as well as participant interviews revealed information regarding the cases in terms of Shoemaker and Vos's (2009) gatekeeping levels of analysis. The number of passages highlighted for each of the five levels was tallied for the documents analyzed during the content analysis, as well as the transcripts of participant interviews that were analyzed. The results are summarized in Table 5.1.

<b>Gatekeeping Level of Analysis</b>	<b>Document Tally</b>	<b>Interview Tally</b>
<b>Individual</b>	2	4
<b>Communication Routines</b>	0	4
<b>Organizational</b>	36	12
<b>Social Institution</b>	18	28
<b>Social System</b>	1	4

At the individual level of analysis, information regarding the personal views and beliefs of individuals were revealed, such as the chair of Loudoun County's Board of Supervisors at the time giving her personal stance on pornography to *The Washington Post* (Blum, 1998b).

At the communication routines level of analysis, it was found that members of the community would consistently rely on the public library for their Internet access, particularly back at the time of the case (Ruth, personal communication, April 20, 2017), with members of the community repeatedly coming to the library to use the Internet becoming a pattern, or "routine" for the library.

At the organizational level of analysis, it was revealed that the Library Board was the major decision-maker regarding library policy, such as the library's "Policy on Internet Sexual Harassment." The Library Director was a contract employee hired by the Library Board, which also had the power to fire him (Michael, personal communication, May 8, 2017).

At the social institution level of analysis, government involvement in library decisions was evident through the selection process of Library Board members by local government officials. For example, one of the participants in the study, Kathy, was appointed to the Library Board by the county supervisor for her district (Kathy, personal communication, April 26, 2017). Also at the social institution level of analysis, the media played a role in the case, as well as multiple political activist groups, including Mainstream Loudoun, People For the American Way (PFAW) and the American Civil Liberties Union (ACLU).

At the social system level of analysis, information regarding the community's views and beliefs were revealed. For example, in regards to community views on the Library Board's Internet policy, Ruth, a leader in the group Mainstream Loudoun, stated, "We persisted, and we actually did have most of the community behind us (Ruth, personal communication, April 20,

2017).

Using Shoemaker and Vos's (2009) gatekeeping levels of analysis as a framework, court documents, newspaper articles, as well as interview transcripts were analyzed for information regarding the gatekeeping structure of the library, such as the decision-makers and pressures present during the events of each case. This analysis can bring more understanding to censorship attempts in public libraries.

### ***Sund v. City of Wichita Falls, Texas (2000)***

In *Sund v. City of Wichita Falls, Texas* (2000), two children's books, *Heather Has Two Mommies* (Newman, 1989) and *Daddy's Roommate* (Willhoite, 1990), were challenged at the public library in Wichita Falls, Texas, by residents who were members of a church that disagreed with the books' depiction of homosexuality. Both books are targeted toward young children and portray children who have gay and lesbian parents. The two books have been "endorsed by educators, psychologists, and librarians" (*Sund v. City of Wichita Falls, Texas*, 2000, at 532). Linda Hughes, the Library Administrator of the Wichita Falls Public Library, stated that *Heather Has Two Mommies* and *Daddy's Roommate* are "a wonderful way to explain to children that you may live in a different lifestyle, but the important thing is people love you" (*Sund v. City of Wichita Falls, Texas*, 2000, at 532).<sup>14</sup>

### **Case Background**

In September 1997, the Wichita Falls Public Library purchased two copies of *Heather Has Two Mommies* and two copies of *Daddy's Roommate* in accordance with its Collection Development Policy. According to the Court's memorandum opinion, "the Library's Collection Manager had received more than four requests that the titles be considered for purchase—and

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<sup>14</sup> This sentiment is supported by research, which shows that carefully selected books can help children know that they are loved and not alone during difficult life situations (Rozalski, Stewart, & Miller, 2010).

there had been multiple Inter-Library Loan requests for the Books. Before the purchase, both the Collection Manager and Library Administrator, Linda Hughes, had checked professional reviewing publications and recommended bibliographies of youth materials for titles on the subject of homosexual parents” (*Sund v. City of Wichita Falls, Texas*, 2000, at 532).

The initial challenge of the books was led by Reverend Robert Jeffress, pastor of the 8,400-member First Baptist Church in Wichita Falls. A church member checked out the books and brought them to Reverend Jeffress, who said he would not return them and then sent a check for \$54 to the library to pay for the books under the condition that the library not use it to purchase any replacement copies (*Sund v. City of Wichita Falls, Texas*, 2000). *The Dallas Morning News* quoted Reverend Jeffress as saying, “We wanted to highlight the problem in our community...I really hope people will look at the book and see what their tax dollars are supporting?” (AP, 1998, p. 39A).

Word of the challenge reached local news, and within days, sympathizers had donated 15 copies of the challenged books. According to Library Administrator Linda Hughes, “I’ve been getting them in the mail and through the drop box...Most of them are brand-new” (AP, 1998, p. 39A). In addition, the library had 10 holds on each one of the books (AP, 1998). Both Mr. Jeffress and Ms. Hughes received support, with Mr. Jeffress claiming his mail was “100 percent in support of what we are doing” (AP, 1998, p. 39A). On the other hand, Ms. Hughes received about 35 letters, “about 9-to-1 in favor of keeping the books” AP, 1998, p. 39A).

According to the May 1998 article from *The Dallas Morning News*, “The Wichita Falls library board of directors will meet next week and may recommend whether to keep the books on the shelves. But the final decision rests with Ms. Hughes, who said she hasn’t made up her mind” (AP, 1998, p. 39A). The Library Advisory Board, a “nine-member advisory board that issues

non-binding recommendations to the Library on circulation and collection issues” (*Sund v. City of Wichita Falls, Texas*, 2000, at 533), met and agreed to reconsider the appropriateness of the two books. In June 1998, “the Advisory Board recommended that both *Heather* and *Daddy's Roommate* remain in the children's areas of the Library. Then, Library Administrator Linda Hughes placed both Books in the Youth Non-Fiction section of the Library, an area that targets juveniles ages 9 through 13” (*Sund v. City of Wichita Falls, Texas*, 2000, at 533).

Reverend Jeffress and others who wanted the book banned next turned to the Wichita Falls City Council, who initially rejected the censorship attempts. However, the City Council eventually folded, and on February 16, 1999, by a vote of four to three, passed a resolution, known as the Altman Resolution, with the primary purpose of limiting access to the two books by patrons of the library. According to the resolution, if the library received a petition with at least 300 signatures, they were forced to remove the books from the children’s section (*Sund v. City of Wichita Falls, Texas*, 2000). According to the Court’s memorandum opinion:

On July 15, 1999, Linda Hughes, the Library Administrator, received petitions with over 300 signatures for the removal of *Heather Has Two Mommies* and *Daddy’s Roommate* from the children’s areas of the Library. On the same day, Linda Hughes—as required by the Altman Resolution—removed all copies of the two Books from the Youth Non-Fiction section of the Library, and placed them in the adult section. (*Sund v. City of Wichita Falls, Texas*, 2000, at 535)

## **The Case**

After the removal of the two books from the Youth Non-Fiction section of the Wichita Falls Public Library due to the Altman Resolution, a group of Wichita Falls residents filed a suit against the City Manager of Wichita Falls as well as the Library Administrator, Linda Hughes



(*Sund v. City of Wichita Falls, Texas*, 2000). While Linda Hughes was listed as a defendant in the case in her official capacity as Library Administrator, in oral arguments she “testified strongly on behalf of the Plaintiffs in opposition to the censorship of the two Books” (*Sund v. City of Wichita Falls, Texas*, 2000, at 536). According to the Court’s memorandum opinion, Ms. Hughes:

is the heroine of this unfortunate story of the censorship of two children's Books — and the unconstitutional interference with her ability to perform her duties in running the Library as a trained, skilled, and very competent professional...In her experience as a Librarian at the City of Wichita Falls, Linda Hughes knows that there has never been another occasion where the City Council issued a resolution that gave her instructions on how to do her job as a professional librarian. Nor is Linda Hughes familiar with any other situation in other communities in which a city council or governing body directed the librarian to follow a petition process like the Altman Resolution in the removal of books from the children's sections of libraries. (*Sund v. City of Wichita Falls, Texas*, 2000, at 541-543)

Linda Hughes directed Wichita Falls Public Library in accordance with the American Library Association's *Library Bill of Rights* and the *Freedom to Read Statement*. In addition, there was a welcome statement to the Wichita Falls Public Library stated on the library’s website which indicated that “the Library is the resource center for the city of Wichita Falls” (*Sund v. City of Wichita Falls, Texas*, 2000, at 542).

Acting in accordance with the *Library Bill of Rights* as well as the library’s welcome statement, Linda Hughes admitted that:

moving these two children's Books — *Heather Has Two Mommies* and *Daddy's Roommate* — out of the children's section to the adult section will, in fact, result in an abridgment of freedom of expression and free access to ideas by limiting access to the Books. She also admits that children will not be able to access these Books as readily browsing through the collection as they would if the Books were in the target area of access for children. (*Sund v. City of Wichita Falls, Texas*, 2000, at 542)

According to the Court's memorandum opinion, on September 20, 2000, the District Court ruled that the Altman Resolution:

both on its face and as applied to the removal of *Heather Has Two Mommies* and *Daddy's Roommate* from the children's area of the Library to the adult section, violates Plaintiffs' federal and state constitutional rights to receive information. The Resolution and the Book removals burden fully-protected speech on the basis of content and viewpoint and they therefore cannot stand. (*Sund v. City of Wichita Falls, Texas*, 2000, at 547)

### **Results of Content Analysis and Interviews**

For the case *Sund v. City of Wichita Falls, Texas*, the Court's opinion (*Sund v. City of Wichita Falls, Texas*, 2000), a newspaper article covering the case and published in the *Dallas Morning News* (AP, 1998), as well as the transcripts of the participant interviews were analyzed. The researcher highlighted passages relevant to the gatekeeping structure of the library, such as the decision-makers and pressures present during the events of each case. The researcher highlighted passages using the framework of Shoemaker and Vos's (2009) gatekeeping levels of analysis presented in Chapters 3 and 4. These five levels of analysis include Individuals, Communication Routines, Organizations, Social Institutions, and Social Systems (Shoemaker & Vos, 2009).

***Individual Level:***

The individual level of analysis pertains to issues regarding an individual’s personal views and beliefs. For the case *Sund v. City of Wichita Falls, Texas* (2000), analysis of the documents and participant interviews revealed that many individuals attempted to censor the books at issue in the case due to personal views and beliefs. “These individuals...objected to the perceived messages of *Heather and Daddy's Roommate* on religious grounds” (*Sund v. City of Wichita Falls, Texas*, 2000, at 533). With the censorship attempts stemming from personal religious beliefs, the censorship attempts existed at the individual level of analysis. In addition, these personal religious beliefs of individuals acted as negative forces working to limit access to information.

One of the most notable individuals who attempted to censor the books was Reverend Robert Jeffress, pastor of First Baptist Church in Wichita Falls. “Reverend Jeffress wanted to keep *Heather and Daddy's Roommate* out of the hands of members of his congregation —and anyone else in the community —because he objected vehemently to the perceived ‘homosexual message’ of the Books” (*Sund v. City of Wichita Falls, Texas*, 2000, at 533).

According to Marie, one of the plaintiffs in the case, Reverend Jeffress “took it on as his personal mission in life to try and destroy the community. First of all, Wichita Falls is not very ‘out’ to begin with, but he made it his duty to preach every Sunday against LGBTQ people” (Marie, personal communication, April 14, 2017).

Sandra, an administrator at the library at the time of the case, also recalled this about Reverend Jeffress, stating, “The minister has a morning show on Sundays, and he preached a sermon on this whole thing” (Sandra, personal communication, April 19, 2017). The pressure Reverend Jeffress placed on the library to censor the books acted as a negative force, and,

stemming from his personal views and beliefs, his censorship attempts existed at the individual level of analysis.

***Communication Routines Level:***

The communication routines level of analysis pertains to routinized, repeated practices, such as repeated patterns of behavior. At the communication routines level of analysis, one repeated routine regarding the library that was revealed in the findings was that, regarding the books *Heather Has Two Mommies* and *Daddy's Roommate*, people would come to the library specifically looking for those particular books, as opposed to library visitors happening upon them while browsing in the library. According to Sandra, an administrator at the library at the time of the case, “They were asked for frequently. As far as being widely checked out like *Curious George* or something, no, they weren’t. Usually, it was a targeted thing. They knew what they were looking for when they came for those particular books” (Sandra, personal communication, April 19, 2017).

Marie, a plaintiff in the case, backed this up and stated in her interview, “They were books on the shelf that probably very few people came across. I mean, they’re so many books in the library. When I go in there, I don’t look at every single one of them. I’m basically looking for what I need or what I was in there for” (Marie, personal communication, April 14, 2017).

This practice of people coming to the library and specifically asking for the books at issue in the case, *Heather Has Two Mommies* and *Daddy's Roommate*, was a repeated pattern at Wichita Falls Public Library, and it became a “routine” for the library at the communication routines level of analysis.

### ***Organizational Level:***

At the organizational level of analysis, analysis of the documents and participant interviews revealed information regarding the library's decision-making process and the gates and gatekeepers present in that process. At Wichita Falls Public Library, in regards to book ordering decisions, there was a team of librarians that, acting as gatekeepers, would order for the collection. According to Sandra, an administrator at the library at the time of the case, "Each librarian had a section of books that they ordered for. Usually, if their minor degree was in history they might order in history and biography. If it was English, they might order for the literature or children's departments. We tried to get it so that it was spread out" (Sandra, personal communication, April 19, 2017).

As far as complaints regarding books the library had in its collection, according to Sandra, they were fairly rare (Sandra, personal communication, April 19, 2017). As far as the process regarding complaints, Sandra stated:

There was a rather lengthy questionnaire that you fill out for requesting a book to be reconsidered. There's about 30 or 40 questions on it they have to fill out. The reason that we do that is, when I took Collection Development in college, my professor said if they were really serious about their complaint, they will fill out a lengthy form. If they just thought this is irritating to me, but this is really not that important, they take one look at the form and won't ever fill it out. (Sandra, personal communication, April 19, 2017)

Findings also revealed that the library in the case, Wichita Falls Public Library, had other gatekeepers present in its decision-making process, including a Library Advisory Board as well as a Library Administrator. The Library Advisory Board was "a nine-member advisory board that issues non-binding recommendations to the Library on circulation and collection issues"

(*Sund v. City of Wichita Falls, Texas*, 2000, at 533). While the Board issued non-binding recommendations, the actual decision-making was left to the Library Administrator. Regarding the attempts to censor *Heather Has Two Mommies* and *Daddy's Roommate*, the *Dallas Morning News* wrote, "The Wichita Falls library board of directors will meet next week and may recommend whether to keep the books on the shelves. But the final decision rests with Ms. Hughes, who said she hasn't made up her mind" (AP, 1998, p. 39A).

Regarding the Library Board, Sandra, an administrator at the library at the time of the case, stated:

The Board itself, on collection, doesn't really get involved. They did get involved in the censorship issue. They wanted the books on the shelf where they were. It was a unanimous vote. There were nine members on the Board, and all nine of them voted to keep the books where they are. The Board was disappointed with the City Council and the City Manager. They were adamant that the books should stay there. On the Board, we had a former librarian, we had a nurse, we had a psychologist, a businessman, retired military, people throughout the community that were interested in the library and seeing it grow. Some people think, "Oh you got a bunch of librarians out there and that's why they voted for it." No, they came from all facets of the community. (Sandra, personal communication, April 19, 2017)

Regarding the censorship attempts targeting the two books, the Library Administrator Linda Hughes went with the Board's recommendation. "In June 1998, after careful consideration, the Advisory Board recommended that both *Heather* and *Daddy's Roommate* remain in the children's areas of the Library. Then, Library Administrator Linda Hughes placed

both Books in the Youth Non-Fiction section of the Library, an area that targets juveniles ages 9 through 13” (*Sund v. City of Wichita Falls, Texas*, 2000, at 533).

When speaking of Linda Hughes, the Library Administrator, Marie, a plaintiff from the case, stated, “She had been there for many years. I think she was well respected in the community. She had a very good reputation leading the library, having it be a very good public space with very good public offerings. I don’t think there was ever any doubt in that she was capable and thoughtful of her duty and her job” (Marie, personal communication, April 14, 2017).

Also at the organizational level of analysis, as with the case *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b), analysis of the documents for the case *Sund v. City of Wichita Falls, Texas* (2000) revealed that the library had policies in place that acted as gates, controlling what was allowed in the library’s collection and what was not. In September 1997, the Wichita Falls Public Library purchased two copies of *Heather Has Two Mommies* and two copies of *Daddy's Roommate*, “in accordance with the Library's Collection Development Policy. That is, the Library's Collection Manager had received more than four requests that the titles be considered for purchase—and there had been multiple Inter-Library Loan requests for the Books” (*Sund v. City of Wichita Falls, Texas*, 2000, at 532). According to the *Dallas Morning News*, “The policy calls for obtaining more copies when six or more people are waiting for a book” (AP, 1998, p. 39A).

In regards to the library’s Collection Development Policy, Sandra, an administrator at the library at the time of the case, stated:

I wrote the policy myself when I was Collection Development Librarian. I was horrified that they didn’t have one. My boss at the time was a new head of the library, and one of

the first things she told me to do was to write the policy. So, I got a lot of help from the Texas Library Association and some of the bigger libraries in the area, Fort Worth, Dallas, Amarillo, and they all gave me ideas about what should go into it. At the time, there was a system of libraries within Texas, it was broken into 5 or 6 different systems. And there was a group of libraries in our area, and the libraries in our system gave us extra help. So, I had a lot of help, and we wrote this policy and the Library Board approved it. I took it to the City Manager, he went through it, and he approved it. So it was an accepted policy. (Sandra, personal communication, April 19, 2017)

In regards to access to the library's Collection Development Policy, Sandra said, "All the members of the Library Board had it. It was at the Reference desk, and you could get a copy at the Circulation desk. You could also get a digital copy. When we were able to get it up on our website, it was up on the website" (Sandra, personal communication, April 19, 2017).

Along with library policy, another situation that can also occur at the organizational level of analysis is librarians making decisions out of fear for his or her job. When asked if she was ever concerned about losing her job as a result of the case, Sandra, an administrator at the library at the time of the case, stated, "If it meant I lost my job, I lost my job. You either believe in the Constitution and the freedom of information or you don't. I know other librarians have. Especially in Texas, it seems there are a lot of librarians that have been fired for various books" (Sandra, personal communication, April 19, 2017).

Findings from the analysis of the documents as well as participant interviews revealed information regarding the gates and gatekeepers present in the library's decision-making process. Information regarding the library's policy and how it acted as a gate in terms of what was and



what was not allowed in the library's collection was also revealed. These findings existed at the organizational level of analysis.

***Social Institution Level:***

As with the case *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b), analysis of the documents and participant interviews regarding the case *Sund v. City of Wichita Falls, Texas* (2000) revealed government involvement in library decision-making to be present at the social institution level. This can be seen through the involvement of the City Council and their passage of the "Altman Resolution."

According to Sandra, an administrator at the library at the time of the case, Reverend Robert Jeffress, "raised cane with City Hall. So, it got brought up by this Council person. There were two members of the Council that belonged to that church, and they decided that they would pass this ordinance forcing me to remove books that this pastor disagreed with, or that anybody disagreed with" (Sandra, personal communication, April 19, 2017). This interference in library decisions by the City Council acted as a negative force, and was also an external force coming from outside the library organization.

On February 16, 1999, the City Council of Wichita Falls, "by a four to three vote, passed Resolution 16-99, which became known as the 'Altman Resolution'" (*Sund v. City of Wichita Falls, Texas*, 2000, at 533). The Resolution was, passed "with the primary purpose of limiting access to the two Books by patrons of the Library" (*Sund v. City of Wichita Falls, Texas*, 2000, at 533). Acting as a gate, the Altman Resolution interfered in deciding what was allowed in the library's collection and what was not. Under the Altman Resolution:

a book must be removed from the children's area of the Library to the adult areas if, in the opinion of 300 petitioners--who may or may not have minor children--the book is "of a

nature that it is most appropriately read with parental approval and/or supervision.” Once petitions with 300 signatures by Library patrons are filed with the Library Administrator, the Altman Resolution requires her to remove targeted books from the children's area within 24 hours. (*Sund v. City of Wichita Falls, Texas*, 2000, at 534)

In addition, the Altman Resolution:

effectively contains no right of review or appeal. After receiving a removal petition, the Library Administrator has 30 days to request that the City Manager seek a waiver from the City Council. However, the City Manager has complete discretion to deny the Administrator's request, and there is no right to appeal the City Manager's refusal to submit a waiver request to the City Council. Similarly, the Altman Resolution provides no right to appeal the City Council's rejection of a waiver request. (*Sund v. City of Wichita Falls, Texas*, 2000, at 535)

Essentially, the Altman Resolution permitted, “300 adults who have library cards--out of a total of over 100,000 residents in Wichita Falls--to censor any children's books to which they object” (*Sund v. City of Wichita Falls, Texas*, 2000, at 534). In other words, under the Altman Resolution, under 0.3 percent of the city’s population could decide to censor a book.

According to Sandra, an administrator at the library at the time of the case, when the Altman Resolution passed, “The City Manager and Assistant City Manager were both supportive [of the library]. They felt that the City Council was trying to micromanage the department. It rather bothered them. They are servants of the public themselves” (Sandra, personal communication, April 19, 2017).

When asked if she was ever concerned about the library losing public funding, Sandra said, “Not really, because we had some really strong supporters. Even if I lost my job, the

supporters were still going to be there pushing for library funding. We had a brand new library we had just moved in to. It was the pride of the city at the time. So, I didn't see the pulling of funding in the future. I wasn't worried about that" (Sandra, personal communication, April 19, 2017).

Along with government involvement, analysis of the documents and participant interviews also revealed that a number of special interest groups acted as negative forces and attempted to censor the two books at issue in the case. According to the Court's memorandum opinion:

in May 1998, a number of individuals and special interest groups began attempts to censor the Books—which they considered to be offensive and objectionable. These individuals and groups, many of whom objected to the perceived messages of *Heather and Daddy's Roommate* on religious grounds, felt as if they were waging a “moral battle” against the Books. (*Sund v. City of Wichita Falls, Texas*, 2000, at 533)

Like the censorship attempts coming from Reverend Jeffress's church, a religious institution, these censorship attempts of the books from special interest groups existed at the social institution level, as these special interest groups were working to promote certain religious beliefs, with each being an “establishment, organization, or association, instituted for the promotion of some object” (“Institution,” 1989).

As far as groups getting involved that were against the censorship of the books, the American Library Association and Texas Library Association were both notified and took action. According to Sandra, an administrator at the library at the time of the case, when the Altman Resolution was proposed:

That's when I started letting American Library Association know what the problem was, what I was facing, and the Texas Library Association also. That's what you need to do immediately. Contact the ALA's Freedom of Information Office, and also your state organization. Let them know what's going on so you've got people to give you advice and to have your back. It's important to get others involved so you're not standing there in the arena by yourself. (Sandra, personal communication, April 19, 2017)

Sandra continued, "I alerted ALA and the Texas Library Association about the situation, they alerted ACLU. And when the ordinance was passed, very narrowly, immediately ACLU got involved. They brought the suit against us (Sandra, personal communication, April 19, 2017). So, the ACLU was involved in *Sund v. City of Wichita Falls, Texas* (2000), just as they had been involved in *Mainstream Loudon v. Board of Trustees of Loudoun* (1998b).

Another example of an activist group that was against the censorship of the books in *Sund v. City of Wichita Falls, Texas* (2000) was PFLAG, formerly known as Parents, Families and Friends of Lesbians and Gays. Founded in 1972, PFLAG is the nation's largest LGBTQ family and ally organization (PFLAG, 2017). According to Marie, a plaintiff in the case, she contacted the head of the PFLAG chapter in Wichita Falls, and she was very helpful with contacting people and gathering support for their case (Marie, personal communication, April 14, 2017).

Along with the local government and activist groups, the media also played a role in the case at the social institution level of analysis. According to Sandra, an administrator at the library at the time of the case, "The newspaper also jumped on it. They were very much in the corner of the library. There was a lot of public outcry about, 'How dare he! Next thing we'll be taking the Bible off the shelves.'" (Sandra, personal communication, April 19, 2017).

Sandra also stated that, regarding the petition to remove the books required by the Altman Resolution, “The newspaper printed every single name that signed the petition turned in. They got it from the City Clerk because it was a matter of public record; and they printed them all. It took two or three pages in the paper, but they printed every single one of them” (Sandra, personal communication, April 19, 2017).

Content analysis of the documents as well as participant interviews revealed that the local government of Wichita Falls, several activist groups, as well as the media were all examples of powerful institutions that played a role in the case at the social institution level of analysis.

***Social System Level:***

At the social system level of analysis lies the views and beliefs of the community, as well as society’s views as a whole. In regards to the community’s views on the books at issue in the case, findings revealed that both sides of the issue received support, with Reverend Robert Jeffress being in support of censoring the books, and Linda Hughes, the Library Administrator, being against it. The *Dallas Morning News* wrote, “Both sides say they've received a groundswell of support. Mr. Jeffress said his mail is ‘100 percent in support of what we are doing.’ Ms. Hughes, the library administrator, said she has received about 35 letters, ‘about 9-to-1 in favor of keeping the books’” (AP, 1998, p. 39A).

In addition to the letters, after the news of the story broke, the library also received multiple copies of the books as donations from community members. According to Marie, a plaintiff in the case, “Myself and many other people actually went and purchased those two books and donated them to the library. So, I think they got quite the influx of books to replace the ones the pastor had stolen” (Marie, personal communication, April 14, 2017).

Marie went on to say that, “There were a lot people that were very much against the censoring of books, and there were a lot of people who were, well, these shouldn’t be in our libraries; it’s ruining our children” (Marie, personal communication, April 14, 2017). While analysis revealed mixed views to be present within the community, these findings regarding the community’s views and beliefs acting as external forces attempting to influence the library’s decision existed at the social system level of analysis.

**Summary of Results**

For the case *Sund v. City of Wichita Falls, Texas* (2000), content analysis of court documents and newspaper articles covering the case as well as participant interviews revealed information regarding the cases in terms of Shoemaker and Vos’s (2009) gatekeeping levels of analysis. The number of passages highlighted for each of the five levels was tallied for the documents analyzed during the content analysis, as well as the transcripts of participant interviews that were analyzed. The results are summarized in Table 5.2.

**Table 5.2. *Sund v. City of Wichita Falls, Texas* Results Summary.**

<b>Gatekeeping Level of Analysis</b>	<b>Document Tally</b>	<b>Interview Tally</b>
<b>Individual</b>	6	6
<b>Communication Routines</b>	1	2
<b>Organizational</b>	6	6
<b>Social Institution</b>	11	10
<b>Social System</b>	2	2

At the individual level of analysis, information regarding the personal views and beliefs of individuals were revealed. One predominant example of this mentioned throughout the court documents as well as the participant interviews was the example of Reverend Robert Jeffress and how his censorship attempts regarding the two books *Heather Has Two Mommies* and *Daddy’s Roommate* stemmed from his personal religious beliefs and views on homosexuality.

At the communication routines level of analysis, it was found that regarding the books *Heather Has Two Mommies* and *Daddy's Roommate*, people would come to the library specifically looking for those particular books, as opposed to library visitors happening upon them while browsing in the library. (Sandra, personal communication, April 19, 2017). This practice of people coming to the library and specifically asking for the books was a repeated pattern at Wichita Falls Public Library, and it became a “routine” for the library at the communication routines level of analysis.

At the organizational level of analysis, it was found that a team of librarians acted as gatekeepers and would make the selection decisions regarding the library’s collection. There was also a collection development policy in place that worked as a gate and guided selection decisions. Regarding all major library decisions, there was a library board, referred to as an Advisory Board, which would issue recommendations to the library on important library matters. However, the key gatekeeper in all decision-making was the director, referred to as the Library Administrator, and the final decision on all library matters rested with her (AP, 1998).

At the social institution level of analysis, government involvement in library decisions was demonstrated through the City Council passing an ordinance forcing the Library Administrator to remove books that people disagreed with (*Sund v. City of Wichita Falls, Texas*, 2000). Also at the social institution level of analysis, the media played a role in the case, with the local newspaper printing the names of every person that signed the petition to censor the books. In addition, there were multiple political activist groups, including PFLAG and the American Civil Liberties Union (ACLU) that played a role in the case, whether in an official or unofficial capacity.

At the social system level of analysis, information regarding the community's views and beliefs on the censorship of the books *Heather Has Two Mommies* and *Daddy's Roommate* were revealed. According to findings, both sides on the issue received support. On one side of the issue, Reverend Jeffress received letters of support from members of the community in support of the censorship. On the other side of the issue, many members of the community who were against the censorship purchased new copies of the books and donated them to the library (AP, 1998).

Using Shoemaker and Vos's (2009) gatekeeping levels of analysis as a framework, court documents, newspaper articles, as well as interview transcripts were analyzed for information regarding the gatekeeping structure of the library, such as the decision-makers and pressures present during the events of each case. This analysis can bring more understanding to censorship attempts in public libraries.

### **Summary**

Results from the content analysis of court documents and newspaper articles covering the cases as well as the series of interviews with individuals involved in the cases informed RQ1 by revealing the gatekeeping structure present at the public libraries from the two court cases being analyzed. Findings revealed the key decision-makers, or gatekeepers, can be different at different libraries. A library's main decision-maker can be a library director, like in *Sund v. City of Wichita Falls, Texas* (2000), or a library board, like in *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b). In addition, findings revealed that government involvement in library decision-making was a part of the gatekeeping structure at both of the libraries from the cases analyzed.



Results also informed RQ2 by revealing factors that eventually led to the librarians from the cases to engage in censorship activities. Findings revealed that the power and authority, or lack thereof, of the librarians from the cases led the librarians to engage in censorship activities. These findings showed that censorship by librarians could in some situations be out of their control.

The results from this study will help librarians and information professionals to better understand the act of censorship in public libraries. Chapter 6 will apply the results found from this study to Kurt Lewin's gatekeeping theory using Shoemaker and Vos's (2009) gatekeeping levels of analysis and discuss how the knowledge gained from this study can impact censorship in public libraries in the future.

## CHAPTER 6

### DISCUSSION

The application of Kurt Lewin's (1947) gatekeeping theory as a lens to identify the different pressures and constraints that are at issue in decisions regarding challenges and censorship attempts is strategic in improving understanding of censorship in libraries, particularly in the cases where the library professional reactively committed acts of censorship due to pressures at the gates and the actions of the gatekeepers. This study sought to identify the gatekeeping structures present within censorship attempts in public libraries, specifically those that contribute to conditions that impact librarians' behavior to censor rather than prevent censorship, a critical more of the profession. Data gathered through the case study addressed the following research questions:

RQ1: How does gatekeeping theory explain censorship attempts in public libraries?

RQ2: What factors allow librarians to engage in censorship activities?

In order to inform the research questions guiding this study, the researcher utilized a case study approach, including a qualitative content analysis of court documents and newspaper articles covering the cases, followed by a series of interviews. This approach was used to analyze two federal court cases dealing with challenges and censorship attempts in public libraries where librarians were instructed by their governing bodies and reactively acted as censors.

Through an in-depth case study of two federal court cases dealing with challenges and censorship attempts in public libraries, this study seeks to use gatekeeping theory as a model in order to understand the different gates and various forces present at the gates in the decision-making process regarding censorship attempts. In regards to RQ1, findings revealed that Kurt Lewin's (1947) gatekeeping theory explains in more complexity the decision-makers as well as the different pressures and constraints that are at issue in decisions regarding challenges and censorship attempts that occur in public libraries. In addition, in regards to RQ2, findings also revealed that factors such as power and authority can lead librarians to engage in censorship activities as a reaction to instructions from their governing bodies.

This chapter will discuss the implications that the results found from this study have for Lewin's (1947) gatekeeping theory. Following will be a discussion on how the knowledge gained from this study can impact censorship in public libraries and inform librarians, information professionals, as well as library and information science (LIS) education in the future.

### **Implications for Theory**

Results from the study have implications regarding Lewin's (1947) gatekeeping theory and its application to censorship in libraries. In relation to RQ1, findings from the study revealed information regarding the gatekeeping structure at both of the public libraries from the two court cases being analyzed, and how the gatekeeping structure at the library influenced decision-making regarding censorship attempts. Knowing who the decision-makers, or gatekeepers, are in the decision-making process, whether it is library boards, library directors, or public officials, is crucial to the understanding of censorship in public libraries.

Key to the findings of the study was how gatekeeping was impacted by the organizational structure of the library. In *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), the Library Board served as the main decision-maker regarding policy-making for the library, whereas the director, referred to as the Director of Library Services, was over the day-to-day matters of the library. The Director of Library Services was actually a contract employee hired by the Library Board. So, findings revealed the Library Board to be the key gatekeeper regarding library decisions. At issue in the case was the Library Board's policy regarding the use of Internet filters. The policy acted as a gate, controlling what information library users had access to via the Internet and what information they did not.

In *Sund v. City of Wichita Falls, Texas* (2000), the director, referred to as the Library Administrator, was the main decision-maker regarding library policy and the implementation of that policy, and a Library Advisory Board existed to provide non-binding recommendations. So, in a situation opposite to the one in Loudoun County, the key gatekeeper at the Wichita Falls Public Library was the Library Administrator. The Library Advisory Board could make recommendations, but the Library Administrator held the power to make all library decisions.

These findings are not just applicable to librarianship, but other fields such as mass communications as well. Organizations such as news websites, television news networks, and newspapers also have organizational structures that decide what information goes out to the public and what does not. Although his theoretical model dealt with food dissemination among families, Lewin (1947) himself recognized the connection to information dissemination. While he overlooked libraries as disseminators of information to the public, he did refer to mass communication and stated that gatekeeping, "holds not only for food channels but also for the

traveling of a news item through certain communication channels in a group...” (Lewin, 1947, p. 145).

Findings from the study also addressed RQ2 and what factors allow librarians to engage in censorship activities. In both cases, findings revealed that power and authority were factors that played a large role in the censorship that occurred. The *Oxford English Dictionary* defines power as the “capacity to direct or influence the behaviour of others” (“Power,” 1989). It also defines authority as the “power or right to give orders, make decisions, and enforce obedience” (“Authority,” 1989). Findings from the study were revealing in regards to who had the power and authority to enact policy and make other library decisions, whether this be the library board, library director, or public officials.

In *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), the Library Board had the power to make library policy, and they enacted a policy regarding the use of Internet filters, a form of censorship. Although he was against the policy, the Director of Library Services had Internet filters installed on the library computers, as it was a requirement of his job to abide by all policies enacted by the Library Board. So, in Loudoun County, the Library Board had the power and authority to create policy and order the Director to enforce all policies they approve. In addition, the Director of Library Services was an employee of the Library Board, and the Library Board had the power to hire and fire the Director.

It is a common practice for public libraries to function with a library board that makes policy and a library director that oversees the day-to-day matters of the library, as was the case in Loudoun County. However, findings from the study confirm the importance of library professionals having the power and authority to make library decisions, particularly when it comes to what materials and resources the library should offer access to. Library professionals

are trained in how to develop a well-balanced collection that meets the needs of the community they serve.

Issues of power and authority were also present in the case *Sund v. City of Wichita Falls, Texas* (2000). In this case, the Library Administrator was an employee of the city. At issue in the case was the City Council passing a city ordinance forcing the library to remove books that people disagreed with. While the Library Administrator was supposed to be the one holding the power to decide what books were included in the library's collection, findings revealed that the City Council used its power and authority to micromanage library decisions. These factors of power and authority were revealed to be factors that can allow librarians to engage in censorship activities.

These issues related to power and authority also raise questions regarding the ideal versus the reality when it comes to library decision-making. Sometimes, the way the decision-making process is ideally supposed to go and the way it unfolds in reality is not the same. For example, in *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), the ideal scenario would be that the Library Board would pass policies in agreement with the Director of Libraries Services who can then see that the policies are carried out. However, this was not reality when the Board passed a policy regarding Internet filters that the Director did not agree with.

In *Sund v. City of Wichita Falls, Texas* (2000), the director, referred to as the Library Administrator, was supposed to be the main decision-maker regarding library policy and the implementation of that policy. In an ideal situation, the Library Administrator would serve as the key gatekeeper and have the power to enforce library policy regarding selection decisions. However, in reality, this case became an example of how power can be subverted when the City

Council took the decision-making power away from the Library Administrator with the passage of a city ordinance.

While Lewin (1947) did not discuss power and authority in his model, a discussion of these crucial components of decision-making would have added to his ideas regarding gatekeeping theory. In order to make decisions, gatekeepers must have the power and authority to do so. In addition, power and authority can change, and gatekeepers can have their power and authority taken away from them, such as the Library Administrator in *Sund v. City of Wichita Falls, Texas* (2000).

In both cases analyzed for the current study, the power and authority of the librarian, or lack thereof, acted as a negative force, leading the librarian to reactively censor information. This concept of reactive censorship was also a key finding in regards to RQ2. While both court cases analyzed for the study featured a librarian engaging in activities that fall under the definition of censorship, findings showed that censorship by librarians could in some situations be out of their control. The actions of the librarians in the court cases analyzed were found to be reactive censorship, as the censorship was a reaction to instructions from their governing bodies. In *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), the censorship from the Director of Library Services by installing Internet filters stemmed from the authority of the Library Board to make policies the Director was required to enforce. In *Sund v. City of Wichita Falls, Texas* (2000), the censorship stemmed from the City Council passing a city ordinance forcing the library to remove books people did not agree with.

In both cases analyzed, it was the governing bodies, such as the library board or the city council, which proactively censored by taking actions such as passing a library policy or a city ordinance. These acts of censorship, such as the library policy or the city ordinance, acted as

constraints on the agency of the library professionals involved. The acts carried out by the library professionals in both cases could be considered reactive censorship, as they were reacting to instructions given to them from their governing bodies that were exercising power over them.

When censorship by a librarian does occur, it is important for the librarianship profession to understand that there may be more to the situation than meets the eye, and a librarian being put into a situation where their hands are tied and they are forced to censor does not necessarily mean that the librarian does not respect and believe in intellectual freedom and the values of the profession. This lesson was most notable in the interview with participant Michael, who stated:

When it was happening, a lot of librarians across the country were writing letters to *Library Journal*, saying, “Gosh, why would anyone want to work in a place like that?” The way the story was coming out, they didn’t realize how much the staff opposed censoring. Freedom of information and intellectual freedom, we were all in support of that. It was very tough on the staff, because it almost appeared that our colleagues turned their backs on us. (Michael, personal communication, May 8, 2017)

Results from the study have implications regarding Lewin’s (1947) gatekeeping theory and its application to censorship in libraries. Using gatekeeping theory as a lens enabled the researcher to view the phenomenon of censorship in more complexity by revealing the different decision-makers, pressures, and other forces at issue when a censorship attempt occurs. Results from the study also uncovered how factors such as power and authority can lead library professionals to reactively censor due to instructions from their governing bodies. Findings addressed the research questions of the study regarding how gatekeeping theory explains censorship attempts in public libraries, as well as what factors allow librarians to engage in censorship activities.



## **Implications for Practice and LIS Education**

The current study has many implications for practicing librarians and information professionals. Pressure from government officials arose as a predominant theme in the study's findings, which can be all too common, particularly in regards to public libraries. In one case, local government officials appointed members to the powerful and policy-making Library Board, who also had the power to hire and fire the director, referred to as the Director of Library Services (*Mainstream Loudoun v. Board of Trustees of the Loudoun County Library*, 1998b). In the other case, the City Council passed a city ordinance forcing the library to remove books that people disagreed with (*Sund v. City of Wichita Falls, Texas*, 2000).

With these findings, the importance of a thorough collection development policy is again reinforced. While librarians undergoing pressure from superiors to censor can oftentimes make them fearful for their jobs, a thorough collection development policy firmly adhered to can serve as job security for librarians. The current study also reinforces that librarians and information professionals should adhere to the ethical guidelines of the profession, such as the ALA's *Library Bill of Rights*, *Code of Ethics*, and *Freedom to Read Statement*, and can cite these guidelines when facing censorship challenges.

In addition, findings from the study demonstrate the importance of librarians working with their government officials to educate them on the need to provide information that represents, yet also challenges, the community's point of view. There is usually a minority thought present among citizens, and those citizens in the minority also have a right to information. Society can often stagnate without the pollination of new ideas that challenge the status quo.

The current study also has implications for LIS education. The library material selection process is complicated, with many different gatekeepers and other forces at play. This process can be made even more complex when issues of censorship arise. The current study serves to inform LIS educators who teach collection development and the selection process. The inclusion of gatekeeping theory in the curriculum of collection development courses is informative for LIS students. Knowing the key gatekeepers and the different forces at play within the process can prepare LIS students to better understand the selection process in regard to the context of their community and also how to be prepared when they are faced with a censorship challenge in their own career.

In addition, if LIS students are made aware of the key gatekeepers and different forces at play, then when they become professional librarians they are equipped with the knowledge necessary to work with the library board, government officials, and others involved to preemptively avoid censorship challenges before they occur. For example, in *Mainstream Loudoun v. Board of Trustees of the Loudoun County Library* (1998b), the Internet policy that the Library Board ended up adopting after the judge declared their policy to be unconstitutional was the same policy the group Mainstream Loudoun had suggested to the Board prior to the case. If the Library Board could have worked with Mainstream Loudoun as well as the Director of Library Services to learn about Internet filters and how the information they filter is not just pornography but can also be valuable information, then perhaps the case could have been avoided. Findings from the study reinforce that LIS students should be educated on the ideals of intellectual freedom so that they can in turn educate the community, the library board, government officials, or others involved regarding issues of censorship.

## **Limitations and Future Research**

The researcher acknowledges that the current study faces some limitations. One limitation is that the study analyzed only two library censorship court cases specific to public libraries, and the results of the study cannot be generalized to all library censorship court cases taking place in other types of libraries or other communities. In addition, the study also utilized a small sampling of six participants, with some key players in the cases not available to participate due to scheduling conflicts, and some not responding to the invitation to participate.

Another limitation to the current study was that both court cases being analyzed occurred nearly 20 years ago, and findings from the series of interviews relied on participants' memories. Research on the relationship between time and memory supports that people remember details of an event with less accuracy as time passes since the occurrence of the event (Friedman, 1993; Friedman, 2004; Friedman & Wilkins 1985). Furthermore, the age of the cases also contributed to the unavailability of some court documents, such as case briefs, which contain more information not included in court opinions.

Future research on the topic should address censorship court cases taking place in public libraries in a variety of community types, such as urban public libraries and rural public libraries. In addition, expanding the study to include other types of libraries, such as school libraries, would also inform the literature and enlighten librarians and information professionals on how the act of censorship differs in other types of library institutions. Furthermore, future research should be conducted on more recent court cases so that more court documents, such as case briefs, would be available, and relying on the participants' memories would not be a limitation. Future research on the concept of reactive censorship and library professionals reactively censoring due to instructions from their governing bodies and how this raises issues regarding

effective power and authority of library professionals would also add to the literature on censorship.

### **Conclusion**

Foucault writes in his work *The History of Sexuality* (1978) how "...instances of muteness which, by dint of saying nothing, imposed silence. Censorship" (p. 17). Censorship has been, is, and will continue to be one of the single most important issues for librarians. This silencing has kept society from talking about many issues, particularly issues that some find controversial or uncomfortable to discuss. While some people may find it hard to allow these controversial materials to continue to take up residency in their libraries, it is not up to them to decide how people should live their lives or what they should read.

Even with the principles set forth in the *Library Bill of Rights*, many librarians are not always in a position to take a proactive stance in making sure the ALA's interpretations of these rights are as fully carried out as possible. Sometimes, this may be caused by an inability to affect change, whether because of legislation, political and social norms, or simple financial shortcomings. However, in some cases, this is due to a lack of awareness of the extent, exact nature, and possible solutions to the problems.

In order for librarians to remain both helpful and objective towards those who come to them seeking information, regardless of any personal views or beliefs, they must be fully educated about the best ways to serve their communities to the best of their ability. In addition, they must be able to work with community members, library board members, government officials, and others, and be able to educate them regarding issues of censorship. The librarian should not be passive, but rather an informed and knowledgeable professional who brings the principles of the profession to the table. By using Kurt Lewin's gatekeeping theory to identify

the different pressures and constraints that are at issue in decisions regarding challenges and censorship attempts, librarians and information professionals can avoid or strategically deal with pressures that lead to them committing acts of censorship and support library users with an open and positive information access experience.

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APPENDIX A:

IRB CERTIFICATION MATERIALS AND INFORMED CONSENT FORM

THE UNIVERSITY OF ALABAMA® | Office of the Vice President for  
Research & Economic Development  
Office for Research Compliance

April 6, 2017

Jennifer Steele  
School of Library & Information Studies  
College of Communication and Information Sciences  
The University of Alabama  
Box 870252

Re: IRB # 17-OR-127 "Censorship in Public Libraries: An Analysis Using Gatekeeping Theory"

Dear Ms. Steele:

The University of Alabama Institutional Review Board has granted approval for your proposed research. Your application has been given expedited approval according to 45 CFR part 46. Approval has been given under expedited review category 7 as outlined below:

*(7) Research on individual or group characteristics or behavior (including, but not limited to, research on perception, cognition, motivation, identity, language, communication, cultural beliefs or practices, and social behavior) or research employing survey, interview, oral history, focus group, program evaluation, human factors evaluation, or quality assurance methodologies.*

Your application will expire on April 5, 2018. If your research will continue beyond this date, complete the relevant portions of Continuing Review and Closure Form. If you wish to modify the application, complete the Modification of an Approved Protocol Form. When the study closes, complete the appropriate portions of FORM: Continuing Review and Closure.

Please use reproductions of the IRB approved informed stamped consent form to obtain consent from your participants.

Should you need to submit any further correspondence regarding this proposal, please include the above application number.

Good luck with your research.

Sincerely,

  
Carpantano T. Myles, MSM, CIM, CIP  
Director & Research Compliance Officer  
Office for Research Compliance

358 Rose Administration Building | Box 870127 | Tuscaloosa, AL 35487-0127  
205-348-8461 | Fax 205-348-7189 | Toll Free 1-877-870-3066

May 4, 2017

Jennifer Steele  
School of Library & Information Studies  
College of Communication and Information Sciences  
The University of Alabama  
Box 870252

Re: IRB # 17-OR-127-A "Censorship in Public Libraries: An Analysis Using Gatekeeping Theory"

Dear Ms. Steele:


The University of Alabama Institutional Review Board has reviewed the revision to your previously approved expedited protocol. The board has approved the change in your protocol.

Please remember that your protocol will expire on April 5, 2018.

Should you need to submit any further correspondence regarding this proposal, please include the assigned IRB application number.

Good luck with your research.

Sincerely,

  
Carpano T. Myles, MSM, CIM, CIP  
Director & Research Compliance Officer  
Office for Research Compliance



## **INFORMED CONSENT FORM**

### **CENSORSHIP IN PUBLIC LIBRARIES: AN ANALYSIS USING GATEKEEPING THEORY**

You are invited to participate in a study about censorship in public libraries. The study is being done to explore past censorship attempts in public libraries and your experience can help enlighten information on these past censorship attempts. The study is being conducted by Jennifer Steele. She is a Ph.D. candidate in the College of Communication and Information Sciences at The University of Alabama. Her advisor is Laurie Bonnici, Ph.D. Dr. Bonnici is a professor in the College of Communication and Information Sciences.

#### **Background Information:**

This study explores censorship in public libraries.

#### **Procedures:**

The interview will take place between only you and the researcher. The researcher will record the interview with an audio recorder so that she can transcribe later what was said in the interview. The researcher will ask you some questions about yourself and your past experiences with censorship in public libraries.

#### **Risks and Benefits:**

The study has few risks. Benefits include helping researchers understand and become more knowledgeable regarding censorship in public libraries.

#### **Confidentiality:**

The records of this study will be kept confidential to the extent allowed by law. Research records containing names will be stored in a locked office. Only the researcher will have access to these records. Publications of this study will not include any names or identifying information of the participants.

#### **Voluntary Nature of the Study:**

Participation in this study is voluntary. If you decide to participate, you can skip any question or stop the interview at any time.

#### **Contacts and Questions:**

The researcher conducting this study is Jennifer Steele. You may ask her any questions you have at any time. You may reach her by phone at [REDACTED], or by email at [jsteele1@crimson.ua.edu](mailto:jsteele1@crimson.ua.edu). You may contact her advisor, Laurie Bonnici, Ph.D. at The University of Alabama by phone at 205-348-8824, or by email at [lbonnici@ua.edu](mailto:lbonnici@ua.edu). If you have any questions or complaints about your rights as a research participant, you may call Ms. Tanta

UNIVERSITY OF ALABAMA IRB  
CONSENT FORM APPROVED: 4671  
EXPIRATION DATE: 4-5-19

Myles, the Director of the Office of Research Compliance at The University of Alabama, at 205-348-8461 or toll free at 1-877-820-3066. You may also ask questions, make a suggestion, or file complaints and concerns through the IRB Outreach Website at [http://osp.ua.edu/site/PRCO\\_Welcome.html](http://osp.ua.edu/site/PRCO_Welcome.html). After you participate, you are encouraged to complete the survey for research participants that is online there, or you may ask Jennifer Steele for a copy of it. You may also email the Office of Sponsored Programs at [participantoutreach@bama.ua.edu](mailto:participantoutreach@bama.ua.edu).

You will be given a copy of this form to keep for your records.

---

I understand that by signing this form, I acknowledge that I have read or listened to the above information. I am 19 years of age or over. I have asked questions if needed. I have had any questions answered. I consent to participate in the study.

\_\_\_\_\_ **Date** \_\_\_\_\_  
**Signature of Research Participant**

\_\_\_\_\_ **Date** \_\_\_\_\_  
**Signature of Researcher**

UNIVERSITY OF ALABAMA IRB  
CONSENT FORM APPROVED: 4-6-17  
EXPIRATION DATE: 4-5-18

### Audio Taping Consent

As mentioned above, the individual qualitative interview will be audio recorded for research purposes so that the researcher can transcribe later what was said in the interview. These tapes will be stored in a locked file cabinet in a locked room and only available to Jennifer Steele's research staff. We will only keep these tapes for no more than 3 months and will destroy them after they have been transcribed.

**I understand that part of my participation in this research study will be audiotaped and I give my permission to the research team to record the interview.**

- Yes**, my participation in *Censorship in Libraries: An Analysis Using Gatekeeping Theory* can be audiotaped.
- No**, I do not want my participation in *Censorship in Libraries: An Analysis Using Gatekeeping Theory* to be audiotaped.

UNIVERSITY OF ALABAMA IRB  
CONSENT FORM APPROVED: 4-6-17  
EXPIRATION DATE: 4-5-18

APPENDIX B:  
STUDY PARTICIPANT INVITATION



**Research Volunteers Needed**

You are invited to participate in a study about censorship in public libraries. The study is being conducted by Jennifer Steele. She is a Ph.D. candidate in the College of Communication and Information Sciences at The University of Alabama. Her advisor is Laurie Bonnici, Ph.D. Dr. Bonnici is a professor in the College of Communication and Information Sciences.

Participation in the study involves an interview with the researcher regarding your connection to a court case dealing with public library censorship. The study is being done to explore past censorship attempts in public libraries and your experience can help enlighten information on these past censorship attempts.

Participation in this study is voluntary. If you decide to participate, you can skip any question or stop the interview at any time. The identity of all study participants will be kept confidential.

If you are interested in participating, please contact Jennifer Steele by email at [jsteele1@crimson.ua.edu](mailto:jsteele1@crimson.ua.edu), or by phone at [REDACTED]. Thank you for your consideration!

!

## APPENDIX C:

### GUIDED INTERVIEW QUESTIONS

#### Introductory Questions:

1. What is your name?
2. a. What was your position with the public library at the time of the case? OR  
b. How were you connected with the public library at the time of the case?
3. How long had you been working for the library at the time of the case (if applicable)?
4. What was your experience with libraries (either as a professional or as a patron) prior to the case?
5. What is the highest degree you hold? Do you have an MLS?
6. How did you become involved in the case?

#### Guided Questions:

1. What can you tell me about the collection development policy of the library at the time of the case? What type of policy was in place? How was it being followed?
2. To your knowledge, who was making decisions regarding what materials should be included in the library? What type of role did these individuals play in the decision process?
3. In making the selection decisions, what was the process like? Was there a team of librarians making the decisions, or was it a single individual, etc. (if applicable)?
4. How involved was the library board with library collection decisions? If they were involved, in what ways?
5. How involved was the local government with library collection decisions? If they were involved, in what ways?
6. a. What can you tell me about the community's Internet usage at the public library? Did patrons typically use Internet for short periods of time to send a quick email or quickly look something up, or did patrons like to use the Internet for longer periods to do more in-depth research or for other personal use? How was this affected by the Internet use policy that was at issue in the case? OR  
b. What can you tell me about usage of LGBTQ materials at the public library? Were the LGBTQ materials the library carried regularly checked out? How did the lawsuit affect the usage of these materials? What can you tell me about the community's collective view on LGBTQ issues? Was there a need for these materials in the community?
7. Did the library often receive complaints from parents or others regarding library resources (books, Internet, etc.)? If so, what can you tell me about the circumstances surrounding the complaints?

8. At the time of the case, were you ever concerned for your job with the library (if applicable)?
9. At the time of the case, were you ever concerned about the library losing public funding (if applicable)?

Concluding Questions:

1. Is there anything else that we haven't discussed that you would like to share with me?
2. Is there anyone else involved the case that you think would be beneficial for me to talk to?