WORKPLACE SPEECH IN LIBRARIES
by Kathleen de la Peña McCook

Once the idea of inequality is allowed to take root, a veritable forest of ritualized gestures and phrases springs up to reinforce it. The notion that some bow and others are bowed to comes to seem natural; the cool touch of the floor against our forehead begins to feel right: from classroom to corporate cubicle to the halls of Congress, deferential way leads on to deferential way, and at the end of the road, as Tocqueville foresaw, stands a baaa-ing polity “reduced to nothing better than a flock of timid and industrious animals, of which the government is the shepherd.”

From “Democracy and Deference” by Mark Slouka
Harpers, June 2008

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.
—Article 19, Universal Declaration of Human Rights

Fear of speaking out at work is a manifestation of larger political and social forces than simply a dysfunctional administration at one’s place of work. If we assess our working life as part of a system we will begin to see where repression comes from and we can begin to develop a philosophical, ethical and political framework to overcome fear. Certain kinds of governments unleash and empower the petty dictator within some bureaucrats. Without a larger world view than our cubicle in our office in our building we can easily be made to feel threatened, marginalized or isolated when we speak up for what we deem is right action. And there is nothing good about being threatened, marginalized or isolated. But some of us take stands that make us so. Why some will advocate for values like Article 19 of the Universal Declaration of Human Rights (cited above) and others will not, is likely due to a lack of focus in LIS education on ethical issues and by the profession at large. This is why “Inside Talk: Freedom of Speech in the aLibrary Workplace,” sponsored by the Advisory Committee on Intellectual Freedom of the Canadian Library Association is of such importance.

Librarianship had a recent case (1999) of a major workplace speech controversy when Sanford Berman was to be given a reprimand and demotion at the Hennepin County Library following his speaking out
against the library’s cataloging policy (Berry). Berman’s efforts to stand for workplace speech have been discussed by Carney in his article on democratic communication in the library workplace:

On January 18, 1999, Sanford Berman sent three of his superiors a memo expressing his opinion on proposed changes regarding the cataloguing of library materials. Berman’s superiors responded to his seemingly harmless memo with a written reprimand, accusing him of unprofessional behavior, stating “You have the right as a citizen to express your opinion. You may not initiate discussion of that opinion on work time nor route that opinion to staff at work” and that “...further counterproductive behavior” would result in “... further discipline.”

Berman resigned.

In spring 2005 Berman put forth the proposition in the *Journal of Information Ethics* that ALA adopt a policy on workplace speech. With some modification from Berman’s proposal, a resolution “Resolution on Workplace Speech” was passed in June 2005 and a policy incorporated in the *ALA Policy Manual*.

54.21 Workplace Speech – Libraries should encourage discussion among library workers, including library administrators, of non-confidential professional and policy matters about the operation of the library and matters of public concern within the framework of applicable laws. (See Current Reference File: Resolution on Workplace Speech, 2004–2005 ALA CD#38.1)

I offer my recent experiences to demonstrate how daily work in the 21st century is a constant effort to be true to values of human rights and social justice and the many ways that workplace speech can be repressed. I write from the point of view of a citizen of the United States and an employee of the state of Florida. I tell you at the outset that I speak only for myself and not my university. My name is Kathleen de la Peña McCook and I am a professor of library and information science at the University of South Florida (USF) in Tampa. I am also an active member of the union, the United Faculty of Florida (UFF).

The case of Sami al-Arian

The University of South Florida (USF) employed Dr. Sami al-Arian as a computer engineering professor. Outside of work Dr. al-Arian was very active in, and very outspoken on, a number of pro-Palestinian and Islamic issues. On December 19, 2001, the university president announced Professor Al-Arian’s imminent termination. Since this termination involved Professor Al-Arian’s due process and academic freedom and tenure rights, my union, the United Faculty of Florida (UFF) quickly became involved.
Over holiday break in 2001-2002 we organized a mailing and protest of the university’s labor action. The UFF defends the contract by which professors at USF are hired, and any violation of the contract threatens the entire faculty at USF. During 2002, and into 2003, UFF assisted Al-Arian in his confrontation with the USF Board of Trustees. On February 20, 2003 Dr. al-Arian was arrested for allegedly supporting terrorism. Although acquitted of most of the charges, Dr. al-Arian remains in jail (see United Faculty of Florida; Free Sami al-Arian).

The al-Arian case illuminated for me the intense fear that workers experience regarding their employment. During my union’s defense of Dr. al-Arian we had members resign because they were either afraid to be part of his defense or because they felt he should be terminated. The union never took a position on Dr. al-Arian’s guilt or innocence, simply on his right to due process. Florida is a so-called “right to work” state which means that although all are covered by the collective bargaining unit, paying dues is not required. When I recruit for union membership (only about one-third of the USF faculty are paying members) I am often told that there is “fear” of reprisal for union membership and that supervisors might not support tenure for those belonging to the union. In truth the union protects workers, but so much disinformation has been spread that some faculty express anxiety.

The al-Arian case was a direct result of the attacks of September 11, 2001 because Dr. al-Arian appeared on a TV talk show—The O’Reilly Factor—and his exercise of free speech stirred up much public concern. Jeb Bush, then governor of Florida (1998-2006) issued a press release calling for Dr. al-Arian’s termination. Jeb Bush had dismantled the entire state university system and replaced it with trustees appointed by him who were inclined to follow his directives. (It took the union several years to be re-established, but this did happen after much intense effort).

*Florida Librarians and the Very Petty Governor Jeb Bush*

Open speech in Florida’s public institutions had slowly shut down under Governor Jeb Bush since the 2000 presidential election in which Florida played such a central role for his brother’s eventual selection to the presidency by the U.S. Supreme Court. In 2002 librarians invited Professor Lance deHaven-Smith, a widely published and quoted professor of public administration at Florida State University to speak to a state library program on trends in Florida politics. However, prior to his presentation at the library program deHaven-Smith wrote in a column:

One must assume that this is why Florida Republicans have become so aggressive in punishing their critics, insisting on total loyalty from professional staff, drastically reducing civil service protections, and interjecting politics into the administration of Florida’s public universities...It also explains their actions in blocking and disrupting...
the proper execution of Florida election laws in the disputed 2000 presidential election.

And then deHaven-Smith followed these comments on Sept. 2, 2002 with a guest column saying that Al Gore got the most votes in Florida two years ago and would have been declared the winner if the state had been allowed to recount all uncounted ballots. Three days later, as Martin Dykman reported in the *St. Petersburg Times*, deHaven-Smith got word that *he was out as a luncheon speaker at the state library conference*. A consultant at the Bureau of Library Development explained that “preparing for our transition” to the governor’s office “is making folks sensitive to anything which may be construed as inappropriate. This has had an impact on the Conference agenda . . .”

Librarians in the state of Florida were put on notice that crossing the governor would have repercussions. On January 21, 2003 Jeb Bush announced plans to dismantle the State Library of Florida. The sudden “retirement” of long-time State Librarian Barratt Wilkins, the appointment of a successor, Judi Ring, without a search, and the Governor’s peculiar statements in his inaugural address:

...we can embed in society a sense of caring that makes government less necessary. There would be no greater tribute to our maturity as a society than if we can make these buildings around us empty of workers; silent monuments to the time when government played a larger role than it deserved or could adequately fill,” seem to have been the result of his displeasure at librarian advocacy (Dillinger & McCook).

The Florida Library Association (FLA) issued a resolution on February 21, 2003 against the planned elimination of the Division of Library and Information Services and the dispersal of the State Library collection. A coalition was formed and public support generated to defeat Jeb Bush’s plans. Standing together librarians were able to reverse Bush with support of the legislature. However, at the end of his term in 2006 Jeb Bush took a final petty action and cut nearly $6 million in library support. There was payback for standing up to his wishes.

As I look back at Florida during the Jeb Bush years it was like Portugal in the late 1930s under António de Oliveira Salazar in the days leading up to total control. It is through reading and literature that we can gain the best understanding of how a government sets the tone for repression that eventually becomes fear to speak at work. This does not usually happen all at once. I recommend to you *Pereira Declares* by Antonio Tabucchi in which the protagonist, a journalist in Lisbon (1938), slowly realizes that by acceding to government censors in the choice of books he reviews that his culture is being compromised:
Well then, said the editor-in-chief, I really didn’t expect this latest thing. What latest thing?, asked Pereira. That panegyric on France, said the editor-in-chief, has caused a lot of offence in high places. What panegyric on France? asked Pereira totally bewildered. Come now Pereira! exclaimed the editor-in-chief, you published a story by Alphonse Daudet about the Franco-Prussian War which ended with the phrase, “Vive la France!” [p. 109]

War in Iraq – Discussion Curtailed Among LIS Students:
“Befehl ist Befehl” [Orders are orders]

In February 2003 students at the University of South Florida School of Library and Information Science (SLIS) were discussing the possibility of war in Iraq on “ALIS” (Association of Library and Information Science), the School’s electronic discussion board. Without notice the director of the SLIS shut down the discussion board and restarted it with a moderator as censor designated to read the posts and delete those deemed controversial (no notice or criteria provided to members). Prior to this the discussion board had been completely without moderation. I filed a grievance under the contract of my union—the United Faculty of Florida—and the shutdown and censorship of the discussion list was deemed to be a violation of academic freedom. It was restored but marginalized. There was no more school promotion of the discussion list as a vehicle for student information.

However, although individual colleagues noted their sympathy I was also shunned to some extent and viewed as belligerent for fighting the shutdown. I asked the person directed to moderate the list why s/he had done so and got a shrug. We must all recognize that “Befehl ist Befehl” is not a new defense. Stand up and be ready to be alone.

[Again, I commend to you, “Democracy and Deference” by Mark Slouka in Harpers June 2008. He states – “What we require most in America today are bad soldiers: stubborn, independent-minded men and women, reluctant to give orders and loath to receive them, loyal not to authority, nor to any specific company or team, but to the ideals of open debate, equality, honesty, and fairness.”]

Gay Pride in Hillsborough County, Florida (Tampa)

In June 2005, a student at the School of Library and Information Science at the University of South Florida created a display of young adult books on gay themes and set it up at a branch of the Hillsborough County Public Library in Tampa. The display upset a parent who protested to the county’s governing board. When this occurred three of us on the School of Library and Information Science faculty worked to develop a support group and made efforts to challenge the Hillsborough county commission’s vote.
We lost. I was most amazed, frankly, about the little support we received from the larger library community in spite of the protection of such a display under the American Library Association policy, “Access to Library Resources and Services Regardless of Sex, Gender, Identity or Sexual Orientation.” Only a few students and one brave school library media specialist spoke up in public forums. A read-in was sponsored to discuss the books banned from display and support was small. The conservative tone of the employing county seemed to have had power over many librarians’ inclination to speak in support.

Later that summer of 2005 the American Library Association Council adopted the resolution on Workplace Speech which could be applied to the Hillsborough County incidents: “Libraries should encourage discussion among library workers, including library administrators, on non-confidential professional and policy matters about the operation of the library and matters of public concern within the framework of applicable laws.” As noted above this resolution was incorporated into the ALA Policy Manual as Policy 54.21 “Workplace Speech.”

As Linda B. Alexander discussed in American Libraries, the Hillsborough County gay pride ban shows why the resolution on workplace speech is crucial. County employees, specifically librarians, were afraid to speak up against the ban on Gay Pride because of a rule that county employees are not allowed to share information with the media about their opinions of events in the workplace. This is counter to the ALA resolution, which asserts that “library staffs are uniquely positioned to provide guidance on library policy issues that is informed by their experience and education.” When librarians were not allowed to speak out to defend their First Amendment rights, the public could only assume that librarians were not solidly against the commission’s action nor solidly for the cause of intellectual freedom. Although this was not the case, Hillsborough County public librarians remained tight-lipped due to fear of reprisal.

Is the pressure to get along more important than Human Rights? I know that by standing up to the County Commission and going to Library Board meetings to protest this action that I have lost the friendship of library administrators in Hillsborough. On a personal basis this makes me very sad. However, I think that Human Rights are more important than caving to a Board of County Commissioners that does not believe in Human Rights for everyone. I am very proud of the Florida Library Association Boycott of Hillsborough County. The state library association did the right thing.

Bart Birdsall, a Hillsborough County School Library Media Specialist spoke up bravely in defense of intellectual freedom in this case and was honored by Library Journal as a “mover and shaker” in 2006. Birdsall sent emails from his home account to the Hillsborough county library director, protesting censorship of Gay Pride, and was warned by the school board to keep his political opinions away from work. Two days later, Bart Birdsall stood with a bullhorn in front of the public library where a county
commission meeting was underway, reading aloud from books taken off the display. Birdsall said, “My freedom of speech means more to me than any job…and some gay teen may be watching. I will stand here and read for her or him, so she/he sees an adult who stands firm and isn’t afraid to be openly gay.”

While the end result was a county-wide ban on the use of any county facilities to celebrate Gay Pride in spite of community comment and protest (the ban remains in effect at this writing in April 2008), there has been a statewide conversation about workplace speech. Gay and lesbian people have been denied the right to celebrate Gay Pride Month using Hillsborough county resources, but the state library association took a stand. This action was recognized by Toni Samek in her book, Librarianship and Human Rights.

When library administrators follow the will of anti-free speech politicians, the people lose. Carney has observed that when library workers stand up the people gain voice:

When the library worker is unable to challenge these practices, factors, and limitations, the defense of universal intellectual freedom and freedom of expression is inhibited as the voices that wield more power are allowed to dominate the dialogue of human communication. Challenging the hierarchical organizational structure that is common to the library as a place of work may then be looked upon as a first step toward the development of an egalitarian free speech situation, where intellectual freedom actually exists along side real social and economic equality.

Standing up for Unions in the LIS Curriculum

Recognition of the increasingly repressive 21st century academic environment in the United States is important in the context of this CLA program on workplace speech. While we might think that all LIS faculty are proponents of workplace speech, it seems that some side with administrations without a second thought and thus against unions. Some who teach future librarians seem to assume all graduates will be administrators and exercise self-censorship as regards analysis of unionization.

Library educators who belong to the Association for Library and Information Science Education (ALISE) lost when it comes to debating issues about unionization on their discussion list—a flaccid public sphere. ALISE has long had one central discussion list called JESSE. JESSE is moderated and censored. Last summer I had been writing about the Vancouver Public Library strike at the blog, Union Librarian. Over 800 library workers had been on strike for pay equity in Vancouver (Galanopoulos). A simple post to the discussion list about the strike was ruled unacceptable by the moderator of JESSE. Discussion off the JESSE list found a number of professors felt the censored nature of the JESSE list went against the values that ought to
inform the teaching of librarianship. A habit of reflection would require that educators have the opportunity to carry on discussions in an uncensored fashion about issues that affect the profession.

How can students learn to stand for their public when professors will not stand for them? If the JESSE list moderator would not allow discussion of a strike of library workers in Vancouver, then we see that workplace speech is an issue that needs attention in the academy as well as the local library.

LIS educators must reflect on the nature of discourse in our own discipline if we are to be effective advocates for intellectual freedom. Additionally, LIS educators should consider themselves as part of the university community at large and take into consideration the American Association of University Professors 2007 report Freedom in the Classroom, which concludes:

We ought to learn from history that the vitality of institutions of higher learning has been damaged far more by efforts to correct abuses of freedom than by those alleged abuses. We ought to learn from history that education cannot possibly thrive in an atmosphere of state-encouraged suspicion and surveillance.

The adoption of the “Position Statement on Information Ethics in LIS Education” by ALISE is a step forward in guaranteeing that these issues, including workplace speech, will be addressed in programs of LIS education. I am most grateful to my colleagues here today who persisted in passage.

Disappointment and Hope

In the United States it has been very difficult to speak out on war, peace, science or education since the selection of George W. Bush in 2000. Speaking out on things big and small has been a challenge if one has an opinion that differs from or disproves current U.S. government policy. So, gradually if the political environment remains toxic the whistleblower is moved from the status of truth-seeker to pariah as was reporter Dan Rather (Blumenthal). In my own case I was banned from the Higher Education Service Learning Discussion by the U.S. government because I pointed out a case of disinformation even though I was an early adopter of the service learning model in LIS. (Criticizing Bush Administration Policies is not Allowed; McCook, 2008).

It has been difficult not be disappointed as those in charge—in the workplace, in professional associations, in local government, in state government and in federal government—gradually drift to accede to the dictates of those in power. The ALA has given Laura Bush accolades and publicity in spite of her censoring anti-war poets and her support of the USAPATRIOT Act (Progressive Librarians Guild, Leaving the American Library Association Conference Early).

I always wondered, in the Dominican Republic, “How could it have happened to a whole country? It was a whole country, and then it was just one man.” You think of Nazi Germany and wonder, “How could you have let that happen?” It’s isolated incidents. You think, “It’s just because that book was problematic,” or “It’s just because that person was troublesome,” and then one day you wake up, and the shelves are empty of many books. Or, a whole group of people are gone, because they didn’t belong. Suddenly, you live in a world that you allowed to happen. (Saldaña).

So, we let it happen that ALA gives awards to the wife of a man who has condoned torture and the erosion of civil liberties. We let it happen that the LIS professional association will not allow discussion of unions on the professors’ discussion list. We let it happen that a county commission orders a library system to end the celebration of Gay Pride while teen suicide is a pressing social problem. And worse, because people won’t like us if we bring these up things, we seldom do.

If you are here in this audience then you are concerned about the erosion of freedom. This gives us all hope that together we will seek to understand and there will be many of us who will take from what we know of literature and poetry and share it and then elect the governmental bodies that will free democracy.

I recommend to you one final book, *Distant Star* by Roberto Bolaño. In part it entails a look at the horror men do to each other and the guilt that those who survive it feel. If we are afraid to criticize the smallest thing, then we learn through a book like *Distant Star* how violence and patriotism might converge if we do not stand up.

...and Carlos Wider wrote: *Death is cleansing*, but so unsteadily, given the adverse weather conditions, that very few spectators, who by now had started to get up from their seats and open their umbrellas, could understand what had been written. All that was left in the sky were dark shreds, cuneiform characters, hieroglyphics, a child’s scribble. (p. 81)

*References*

American Association of University Professors. *Freedom in the Classroom* (September 11,


Progressive Librarian #31
Union Librarian. http://unionlibrarian.blogspot.com/
United Faculty of Florida. “The United Faculty of Florida defended the Due Process rights, and Academic Freedom & Tenure rights of USF Professor Sami Al-Arian. “http://w3.usf.edu/~uff/AlArian/

*Footnote*

**French**

Tout individu a droit à la liberté d’opinion et d’expression, ce qui implique le droit de ne pas être inquiété pour ses opinions et celui de chercher, de recevoir et de répandre, sans considérations de frontières, les informations et les idées par quelque moyen d’expression que ce soit – Article 19 - Déclaration universelle des droits de l’homme.

**Spanish**

Todo individuo tiene derecho a la libertad de opinión y de expresión; este derecho incluye el no ser molestado a causa de sus opiniones, el de investigar y recibir informaciones y opiniones, y el de difundirlas, sin limitación de fronteras, por cualquier medio de expresión. –Artículo 19 - Declaración Universal de Derechos Humanos

This paper was delivered at the conference program “Inside Talk: Freedom of Speech in the Library Workplace.” Convened by Toni Samek for the Advisory Committee on Intellectual Freedom, Canadian Library Association, Vancouver, BC, April 25, 2008.