
Intellectual Freedom and Technology: Deja Vu?

C. James Schmidt

The French have a cliché which, roughly translated, says "the more things change, the more they remain the same." The impact of technology on intellectual freedom presents the appearance of new issues, but the underlying reality is susceptible to the application of enduring and established principles. Among the challenges to intellectual freedom presented by technology, four will be discussed in this essay: privacy; transborder dataflow; value-added, e.g., "sensitive but unclassified" information; and document destruction/alteration.

Privacy

The technological capability to store and to access information has long been recognized as having a potential for violating individual privacy rights.¹ Library policies for example, even before widespread automation, have acknowledged the importance of protecting the patron's identity and have been designed so as to resist disclosure except upon presentation of subpoena from a court of competent jurisdiction.

Privacy as a right is not explicitly protected either in the U.S. Constitution or in the first ten amendments to it. Nor was the federal government the leader in acknowledging and protecting the right to privacy.² It was not until 1965 in *Griswold vs. Connecticut* (381 U.S. 479) that the Supreme Court found a constitutional basis for privacy as a right.

The potential of technology to encroach upon individual intellectual freedom by violating privacy stems from intrusion rather than exclusion, that is, from inappropriate interdiction into a person's private affairs or through disclosure of embarrassing facts.³ Intrusion is thus in contrast to many other forms of encroachment on intellectual freedom stemming from exclusions or limits on access to or contents of information.

Transborder Data Flow

If the technological threats to intellectual freedom on the privacy front are "intrusive", a different kind of intrusion is being resisted by the barriers imposed on the flow of data across national borders. Such barriers are motivated by protectionism—of national security, of domestic resources, of economic development, and, to a lesser degree, of personal privacy.⁴ Restrictions on transborder data flow have been imposed by the United States as well as by other nations. In the domestic cases, restrictions have been imposed by prohibiting the importation of materials—exclusion; for example, the denial of a permit to certain foreign films as educational materials and the insistence that these films be labelled "propaganda".⁵ Exclusion of ideas from outside the United States has also taken the form of refusing visas to foreign scholars and other visitors.⁶ The United States has also prohibited the exportation of ideas, using licensing as a process whereby otherwise unclassified information and technology based thereon were denied export permits.⁷

Information altered or deleted is information denied.

In other nations barriers to transborder data flow have been erected not only out of fear for national security but also out of concern for economic development. Signals don't recognize national borders. Hence, some nations may feel some threat of subversion from foreign information—broadcasts or data. Additionally, many of the less economically developed nations impede the international flow of data in order to protect the development of their indigenous information economies. When motivated by nationalistic concerns for economic development, barriers to transborder data flow are as likely to be manifested by tariffs as by prohibitions.

Restrictions Based on Value-Added

A third technological threat to intellectual

C. James Schmidt is Vice President and Director of The Research Libraries Group, Inc., Stanford, California, and Chairman of ALA/IFC.

freedom is seen in attempts to monitor the users of and restrict access to "sensitive but unclassified" information.⁵ Motivating these attempts is a belief that the ability of technology to bring together (i.e., retrieve) disparate information sources on the same subject makes for a "whole greater than the sum of its parts". An earlier instance of this concern involved attempts to join the publication by *Progressive* of instructions for building an atomic bomb which were taken from unclassified documents available in any depository library. It follows therefore that computerized literature searches, like readers of *Progressive*, should be monitored! Although National Security Decision Directive 145 has been rescinded, efforts by its supporters continue, focusing on amendments to House Bill 145, a bill which would place federal responsibility for computer security in the National Bureau of Standards rather than with a defense or military agency e.g. the National Security Agency. House Bill 145 would also establish an advisory board on computer security and privacy consisting of government and private industry representatives.

Document Destruction/Alteration

The ease with which text can be created using technology is the same ease with which text—written or spoken—can be erased or modified. The threat to intellectual freedom from this technology is one of exclusion, that is of denial of existence (e.g., the famous missing 18 minutes from a Presidential tape) or the unavailability of a variant version. We have learned through the recent Iran-Contra hearings of the ease with which technology (more than shredders) can alter or delete messages. Information altered or deleted is information denied.

In this context, one can speculate, unhappily, about the future of textual scholarship. Would it have been possible, were it desirable, to produce an unexpurgated version of a Twain (*Mysterious Stranger*) or Hawthorne (*Scarlet Letter*) or Dreiser (*Sister Carrie*) novel had any of these been written using word processing? How will future study past through literature of any written or recorded word?

Information Policy

A frequent response to concerns about the impacts of technology on information and hence intellectual freedom is to bemoan the absence of "information policy" and to advocate that such policy be developed. Unfortunately it is frequently the case that existing policies of governments,

companies, and other organizations already *are* adequate but ignored rather than missing. Even in instances where existing policies have not contemplated current or prospective technologies, the principles upon which the policies were based have continuing value and application.

Conclusion

We therefore honor principles which are centuries old in our development and maintenance of library collections and services, principles which assure individual access to information, which protect privacy, which resist governmental monitoring, and which assure the availability of a recorded tradition from one generation to succeeding ones. Through all, we recognize that eternal vigilance is indeed the price of intellectual freedom.

**... eternal vigilance is indeed
the price of intellectual freedom.**

References

1. See for example: Alan F. Westin, *Privacy and Freedom*. (New York: Atheneum, 1967); *Personal Privacy in an Information Society* (Washington, D.C.: GPO, 1977).
2. See David J. Seipp, *The Right to Privacy in American History* (Cambridge, Mass: Harvard University Program on Information Resource Policy, 1978).
3. William L. Prosser, "Privacy," *California Law Review* 48 (August, 1960): 389.
4. See M. E. L. Jacob and D. L. Rings, "National and International Information Policies," *Library Trends* 35 (Summer, 1986): 144-147; *Transborder Data Flow Policies* (New York: Unipub, n.d.).
5. Bullfrog Films vs Wick, 646 Fed. Supp. 492 (x 1986).
6. Steve Kemper, "Do Not Enter," *Boston Globe Magazine* (February 7, 1985): 10; see also *Kleindienst v. Mandel*, 408 U.S. 753 (1972).
7. 50 App. U.S.C.A. Section 204(s) 1,2,3,5.
8. National Security Decision Directive (NSDD) 145 (September 18, 1984) and National Telecommunications and Information Systems Security Policy (NTISSP) #2 (October 29, 1986 a.k.a. Poindexter memorandum).



NEW FALL 1987

New Reference Works

BARNHART DICTIONARY OF ETYMOLOGY

Edited by Robert K. Barnhart
Fall 1987 1,200 pp. approx. ISBN 0-8242-0745-9
\$59 tent. U.S. and Canada, \$69 tent. other countries.

This new reference work provides etymologies for a core vocabulary of over 25,000 words, including a vast amount of new information about the development of English.

THE FLANNEL BOARD STORYTELLING BOOK

by Judy Sierra Ready 204 pp. ISBN 0-8242-0747-5
\$28 U.S. and Canada, \$32 other countries.

This complete guide to flannel board storytelling offers 36 stories, poems, and songs adapted and retold for use with flannel boards.

NOBEL PRIZE WINNERS

Fall 1987 1,120 pp. approx. ISBN 0-8242-0756-4
\$90 tent. U.S. and Canada, \$100 tent. other countries.

Nobel Prize Winners provides brief, incisive sketches of the 566 winners of the Nobel Prize through 1986.

PRESENTING READER'S THEATER Plays and Poems to Read Aloud

By Caroline Feller Bauer Ready 250pp.
ISBN 0-8242-0748-3
\$35 U.S. and Canada, \$40 other countries.

Bauer offers 56 short plays and poems in dramatic form that most 7 to 12-year olds will be able to read aloud, showing youngsters that reading can be fun.

SEARS LIST OF SUBJECT HEADINGS: CANADIAN COMPANION, 3rd Edition

Compiled by Ken Haycock and Lynne Lighthall Ready 72pp.
ISBN 0-8242-0754-8 \$15 U.S. and Canada, \$18 other countries.

Revised and updated to supplement the 13th Edition of *Sears List of Subject Headings*, (1986) this 3rd edition fills the need for a supplementary list of subject headings that pertain specifically to Canadian topics.

SENIOR HIGH SCHOOL LIBRARY CATALOG, 13th Edition

Fall 1987 1,200 pp. approx. \$90 tent. U.S. and Canada, \$100 tent. other countries.
This five-year service is an annotated list of some 5,000 of the best currently-in-print fiction and non-fiction works written for secondary school students (grades 9-12). This new 13th edition provides a practical tool for collection development, cataloging, and classification.

SPEECHES OF THE AMERICAN PRESIDENTS

Compiled by Janet Podell and Steven Anzovin
Fall 1987 600 pp. approx. \$50 tent. U.S. and Canada, \$60 tent. other countries.

Selecting 225 notable speeches made by presidents from Washington to Reagan, this new book records the history of American presidential rhetoric.

WORLD FILM DIRECTORS, Volume 1

Edited by John Wakeman Fall 1987 1,200 pp. approx. ISBN 0-8242-0757-2
\$90 tent. U.S. and Canada, \$100 tent. other countries. (Volume 2 coming in 1988.)

Volume 1 of this two volume biographical dictionary provides 212 in-depth profiles of film directors from around the world.

To Order Call Toll-Free: 1-800-367-6770 In New York State call 1-800-462-6060; In Canada call collect 212-588-8400.

New Videos

AMERICAN STORYTELLING™ SERIES

A Story-Tel™ Enterprises Production
Volumes 9-12 Spring 1988; Volumes 13-16 Fall 1988
Approx. 30 minutes each. Color /VHS/Hi-Fi with Viewer's Guide
\$99 each U.S. and Canada, \$109 each other countries.

Hailed by *Booklist* as "a wonderful showcase for classroom enrichment and public library circulation," the *American Storytelling Series* will add 8 all-new videos in 1988, featuring some of America's finest storytellers, including Jackie Torrence and Brenda Wong Aoki.

SPECIAL OFFER! Order a set of 4 Volumes (Vols. 9-12 or 13-16 only) and pay only \$349 U.S. and Canada, \$389 other countries, a savings of \$47!

BASIC BOOK REPAIR WITH JANE GREENFIELD

Fall 1987 Approx. 30 minutes Color/VHS/Hi-Fi with Viewer's Guide
\$89 U.S. and Canada, \$99 other countries.

Designed for those who want to keep books, pamphlets, maps, documents and other printed materials in optimum condition, this video demonstrates easy repair techniques.

HOW TO USE THE READERS' GUIDE VIDEO

Ready 20 minutes Color/VHS/Hi-Fi, with Viewer's Guide
\$49 U.S. and Canada, \$59 other countries with *Readers' Guide* or *Abridged Readers' Guide* subscription. (\$69/\$79 without).

This new video makes teaching the use of *Readers' Guide* and *Abridged Readers' Guide* easy and enjoyable.

MAKING FRIENDS

Organizing Your Library's Friends Group

Fall 1987 Approx. 20 minutes Color/VHS/Hi-Fi with Viewer's Guide
and ALA's *Friends of Libraries Sourcebook* and *Resource Packet*.
\$59 U.S. and Canada, \$69 other countries.

This new video explains what a Friends of the Library group is, and shows how to go about setting up a Friends group that can benefit your library.

New From Online Services

WILSONDISC™

Now, search 14 WILSONDISC databases on compact disc and online—all for one affordable price. Each database is available on a separate disc, updated and cumulated quarterly.

Demonstration Disc Available

Containing 6 months of indexing from 16 databases, this demo disc is available for only \$99, applicable to your first invoice for an annual database subscription.

WILSONLINE® WORKSTATION

Offering all the hardware needed to use WILSONDISC, WILSONLINE, and WILSEARCH, this package includes the new IBM Personal System/2 Model 30, Philips CD player and peripherals. At \$4,695, the Workstation package includes free installation, a day of training, and a full year of IBM on-site maintenance or component replacement.

Available only in the U.S. and Puerto Rico.

WILSEARCH® Now on Apple® and IBM®

The WILSEARCH end-user software package is now available for use with the Apple IIe as well as IBM and IBM compatible computers.



THE H.W. WILSON COMPANY

950 UNIVERSITY AVENUE, BRONX, N.Y. 10452

**NOMINATION FOR THE 1988 ROTHROCK AWARD
SOUTHEASTERN LIBRARY ASSOCIATION**

Award: Interest on the \$10,000 endowment of Mary U. Rothrock and Honorary Membership in the Southeastern Library Association.

Purpose: To recognize outstanding contributions to librarianship in the Southeast. This is the highest honor bestowed by SELA on leaders in the library field.

Guidelines:

1. Age and years of service are not a deciding factor in the selection. Those librarians early in their careers or of many years service who have made an exceptional contribution to the field may be considered.
2. The award will be made to no more than one person in a biennium, and an award may be omitted if no suitable nomination is received.
3. Service in one or more states of those served by the Southeastern Library Association will qualify a person for nomination.
4. Please send your nominee's name, along with a narrative of his or her professional and association activities, civic organizations, writings, editorial contributions, single events or other honors received. Additional documentation may be requested in the case of finalists.

Those making nomination must be members of SELA, but the nominee need not be.

Send all Nominations accompanied by a copy of this form to:

Dean Burgess: Chair
Rothrock Awards Committee of the Southeastern Library Association
Portsmouth Public Library
601 Court Street
Portsmouth, VA 23704

NOMINATIONS MUST BE RECEIVED BY JANUARY 2, 1988 (Please type or print carefully)

Person nominated _____
(First Name) (Middle Name or Initial) (Last Name)

States in which the nominee has served _____

SELA member making the nomination _____ (Signature)

Address of the member making the nomination

Address of the nominee (if known)

Name _____

Name _____

Street _____

Street _____

City, State, and Zip Code _____

City, State and Zip Code _____

Please print or type the reason for this nomination on an attached sheet. Copies of biographical data, articles about the nominee or other documents in support of a nomination are welcomed.