

DRAFT: Politics in Libraries: An Interpretation of the Library Bill of Rights

The First Amendment to the United States Constitution states that “Congress shall make no law . . . abridging the freedom of speech, or of the press...” When proposed and adopted, there was little doubt in anyone’s mind, least of all in the minds of the founders, that political speech was the first and foremost type of speech deserving protection. Over the last two centuries, these liberties of speech and of the press have expanded to include almost all forms of self-expression in a multitude of forms and formats.

As society’s institution for the collection, retention and dissemination of information on all topics of interest to all of its members, libraries naturally collect, retain and share information on political topics of historical, contemporary and future interest. The Library Bill of Rights specifically states that “all people” and “all points of view” should be included. There are no limiting qualifiers of viewpoint or origin. Thus there is no justification for the exclusion of opinions deemed to be unpopular or offensive by some segments of society no matter how vocal or influential their opponents may be at any particular time in any particular place.

Associate Justice William J. Brennan, Jr. observed in *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), “[There exists a] profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials.” Therefore, libraries should collect, maintain and provide access to as wide a selection of materials reflecting as wide a diversity of views on political topics as possible within their budgetary constraints and local community needs.

Such a “balanced” collection need not and cannot contain an equal number of resources representing every possible viewpoint on every issue. However, it should, at a minimum, include the variety of views that will inevitably surround any issue.

In addition to providing materials and library-sponsored programs, libraries may also choose to designate specific meeting space as a limited public forum for the exchange of information, for use by other community organizations or groups. Such a decision is a matter of local choice, but one that many libraries make in the interest of supporting civic engagement. If the library has designated a space for community use, it must make that space equitably available to all community organizations and groups regardless of their views or affiliations¹. Libraries should rely on appropriate time, place and manner regulations to guarantee equitable access and to avoid misuse of library space. These may include regulations governing the frequency and length of meetings and penalties on disruptive behavior². Similar regulations should be established if library space is made available for public exhibits or the public distribution of literature.

Because the robust exchange of ideas and opinions is fundamental to a healthy democracy, providing free, unfettered access to those ideas and opinions is an essential characteristic of American libraries .

Therefore, political literature and discourse in designated forums in libraries should be encouraged rather than ignored or avoided due to fear of causing offense or provoking community controversy.

Special limitations may apply to workplace speech (including political advocacy) by library employees. See "[Questions and Answers on Speech in the Workplace: An Explanatory Statement of the ALA Code of Ethics](#)." When libraries are used as polling places, state statute or local ordinance may mandate temporary time, place and manner restrictions on the political expression of members of the public and/or poll workers and library employees while polling places are open.

While this interpretation is most clearly applicable to public libraries, it should in most cases also be appropriate for school and academic libraries. Private libraries including those associated with religious institutions should apply these guidelines as appropriate in relation to their institutional mission.

1. "[Meeting Rooms: An Interpretation of the Library Bill of Rights](#)," Adopted July 2, 1991, by the ALA Council.
2. "[Guidelines for the Development of Policies and Procedures Regarding User Behavior and Library Usage](#)," Adopted January 24, 1993, by the Intellectual Freedom Committee; revised November 17, 2000; revised January 19, 2005