

How Do You Manage? Case Study: Seal of Disapproval

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30 October 2015

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At the Walker Public Library, librarians face a crisis that threatens to undermine the core values of their profession. This situation arose after a member of the library's comptroller's office publicly criticized the city in a newspaper editorial over plans that the city intended to employ at the library. According to other members of the comptroller's office, this information released to the press was considered "sensitive." In response, the city government, which operates the library, implemented a new rule requiring supervisor approval for every piece of writing by municipal employees, including library staff and directors that would be published or discussed with the general public. The city required approval not only for discussion of large scale plans involving the library's operations but also for researched-based writings for journals, such as *Library Journal*. Close monitoring, such as this, might be acceptable at private places of employment, but it is not acceptable for a public facility. Librarians have a responsibility to oppose any form of censorship imposed by the government, desiring openness. Governmental operations, with the exception of top-secret military affairs, require transparency in order to foster and promote the democratic spirit that exists in the United States of America (American Library Association, 2004).

Municipal employees that work in the library are public servants. For public servants to be potentially denied their First Constitutional Amendment rights of free speech and press by having to seek approval for their work is unacceptable. The Bill of Rights was established to protect Americans from such governmental intrusion. The city's usurpation of power is not only unconstitutional but is also a violation of intellectual freedom and needs to be challenged by librarians. There are many possible courses of action and reactions to this issue. One course of action is to attend meetings held by the city government to voice concerns in a public forum. As an American citizen, a second option is to contact state and/or U.S. Congressmen to file a grievance.

Pursuing a legal challenge is a simultaneous option that may be employed. A third option is to gather enough signatures for a political referendum that could specifically ban the library from imposing such a dictatorial position of limiting free speech. Participating in civil disobedience also remains an option for librarians. While taking action is necessary, however, it may not be an action that will be supported by all librarians. Some librarians might choose the option of least resistance and remain silent on the issue out of fear of losing their jobs.

As was the case at Walker Public Library, censorship imposed on librarians caused them to become enraged. While that is a natural initial reaction, it is important in the aftermath of such a controversial mandate to remain levelheaded. Complaints about governmental action must come from individuals who employ facts and reason against a seemingly tyrannical decree. Unchecked emotion from librarians could result in a loss of necessary judgment to challenge an unfair policy. As a collective group, the first course of action should be to register to speak at a city council meeting. In this public forum, speakers will go on the record in opposition to the city's mandate for municipal employees. If additional municipal groups are present at the meeting, it could expand into a larger support base to challenge the city's policy. The library group should explain at a city council meeting that employees need clear explanations over what "sensitive" documents should not be revealed to the public and trust that public servants will carry out their duties in a professional manner. If "sensitive" information was released, it is possible that members of the comptroller's office were not clear over the definition of "sensitive." There should also be a public understanding of the types of documents that the library is classifying in such a way so that a Freedom of Information Act request can be submitted in case such information is needed for public use. The city council should be given at least two-to-four weeks to respond to such public

comments in order to give them adequate time to seek clarification on policies and to resolve any inconsistencies behind the scenes without facing embarrassment.

If the city council still has not resolved the issue in a satisfactory manner after one month, or after it appears that the council is no longer investigating the matter, then the next step is to send letters and make phone calls to both state and United States Congressmen. Librarians should not fear expressing their voice as there are whistleblower protection laws that protect workers against retribution. The more librarians who participate in such a campaign, the more effective it may be. Involving the American Library Association (ALA) may be beneficial at this juncture. The ALA, like all Americans know that Congressmen works for their constituents, which includes librarians; consequently, Congressmen will likely develop a response to a librarians' grievance and help to resolve their concerns in an amicable and judicious manner. The greater the collective voice from librarians, the greater the chance that Congressmen take the issue seriously and give it due diligence. The city government cannot establish a policy forbidding American citizens from writing to their state and federal government, so librarians should not be concerned with violating the city's directive. As a group, librarians, in association with the ALA should stand tall and contact the American Civil Liberties Union (ACLU) to discuss the steps they have taken to resolve the issue and request mediation from the group, which was established to protect Americans from governmental violations of civil liberties. The ACLU has legal counsel that it may consult with and pursue a remedy if it perceives that a Constitutional violation exists.

In order to completely squash the city's requirement that librarians' speech and press be monitored, librarians hold it within their right to organize a political referendum that would expressly prohibit the city from monitoring the speech of librarians. Americans are very protective over and value their right to free speech. While free speech does not apply towards private

employment, it does apply to public employment. The ability to petition the government is a fundamental right of the American republic. If city, state, and/or federal officials have ignored the cries for action from the library community, librarians may turn their attention to the people. With enough time and voter education, librarians would likely obtain the necessary signatures to add their referendum to the next election ballot.

The measures discussed in this essay would likely achieve success. However, in the unlikely event that special interest groups became involved to defeat a librarian-initiated referendum, librarians could employ civil disobedience and selectively violate the city's mandate when it is in the public interest. Some might see this method as self-defeating or unethical; however, it is the responsibility of librarians to fight censorship in order to maintain America's democracy. Could knowingly violating the city's policy result in trouble for a librarian? Without a doubt! However, civil disobedience is embodied in American history from the American Revolution to the turbulent 1960s with Vietnam protests and the Civil Rights Movement. It continues to be embodied in American life with the recent Black Lives Matter protests. Civil disobedience should not be employed for trivial matters; it must be exercised cautiously so as to offer the appearance of responding to a perceived ethical violation. Disagreeing with a supervisor by itself is not reason to promote civil disobedience. This option has its consequences, which can involve legal problems and/or loss of employment for the agitator, so the individual must be prepared to deal with the consequences. If an employee considers that they have been wrongfully terminated based upon an illegal governmental act, there is always the possibility of pursuing legal action against the city, which can lead to change on its own. Promoting change is not always easy, but with enough support from enough people, injustice can be corrected.

While librarians value and desire to protect intellectual freedom, there may be a real fear from some librarians of losing their jobs if they chose to take action. For them, following orders is the option of least resistance, and it is the one that provides the greatest safety net in terms of employment. In this approach, the employee does not question policies and carries out their duties as instructed. The individual does not have to make it their business to investigate or complain about the effects of policies; instead, the library's strategic plan could list governmental policies as "obstacles" to meeting the vision and mission of the library. While the position of such librarians is understandable, it is necessary to oppose any form of governmental censorship before it has the opportunity to take away the liberties that are enjoyed by American citizens.

Taking no action permanently is not an acceptable response to the city's declarative that required supervisor approval for any speeches or writings, regardless of their content. However, it must be understood by all sides that the city's order was likely an emotional response by city officials who felt slighted and/or embarrassed by a municipal employee. City officials likely do not want a protracted legal battle on their hands that would cast the city in a negative light for an issue that is a clear violation of the Constitution. While there may be a great outrage over the imposition of a policy requiring oversight of writing and speech, sometimes the best reaction is not to overreact. The best course of action is to allow for a two week cooling off period after the policy is implemented before registering to speak at a city council meeting over the issue. Two weeks' time is enough time for officials to realize that they made a mistake by implementing the policy. Since the Constitutional violation is evident, a united librarian group at a city council meeting would command attention and likely result in an article in the local newspaper from journalists who share the same values and ethics as librarians, but who work for private employers. Not overreacting and

stating the perceived injustice is the best course of action. However, if the best course of action does not work, other, more powerful options remain.

References

American Library Association. (2004, June 2004). Core values of librarianship. Retrieved from <http://www.ala.org/advocacy/intfreedom/statementspols/corevalues>