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Bulletin

of
**THE RHODE ISLAND
LIBRARY ASSOCIATION**

VOL. 46, NO. 1

OCTOBER, 1973

WHAT WE DO TODAY IS RATHER OMINOUS AS RESPECTS LIBRARIANS. THE NET NOW DESIGNED BY THE COURT IS SO FINELY MESHED THAT TAKEN LITERALLY IT COULD RESULT IN RAIDS ON LIBRARIES. LIBRARIES, I HAD ALWAYS ASSUMED, WERE SACROSANCT, REPRESENTING EVERY PART OF THE SPECTRUM. IF WHAT IS OFFENSIVE TO THE MOST INFLUENTIAL PERSON OR GROUP IN A COMMUNITY CAN BE PURGED FROM A LIBRARY, THE LIBRARY SYSTEM WOULD BE DESTROYED. THE RAIDS THEMSELVES ARE NOT NECESSARY, THE THREAT IS ENOUGH TO BEGIN THE INEVITABLE DRIFT TOWARDS SELF-CENSORSHIP.

Justice Douglas

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President's Message

The best way to arrive to an appreciation of other people's efforts is to take over their tasks. Having put this issue of the Bulletin together myself, I am quite aware of the fine work Janet Hampton and her staff did last year, as well as what was done by all our editors in the past. Many hours of work goes into each issue.

Maybe I shouldn't go into the amount of work involved too heavily, as we are looking for an editor. However, with some reorganization - for example having a business manager and a circulation manager - much of the work load can be taken from the editor, leaving that person free to worry only about content.

Communication is such an important aspect of life today, and the editor of the Bulletin needs the cooperation of everyone. Articles, news notes, ideas and art material are much appreciated. Please send along anything of interest - we don't send rejection slips.

Most important of all, anyone interested in working on the Bulletin please contact me. With a creative and energetic staff, I think we can have a useful publication.

A list of the members of our current Executive Board is on the inside front cover of this issue. If any of us can be of assistance, do not hesitate to call. Especially important, remember if a censorship problem should arise at any time, contact the chairperson of the Professional Committee or myself. The Association will do whatever possible to help.

Paul F. Crane

Here we go again...

On June 21, 1973, in five opinions delivered by Chief Justice Burger and concurred in by Justices White, Blackmun, Powell and Rehnquist, the United States Supreme Court changed First Amendment law regarding works with sexual content. Justice Brennan issued dissents concurred in by Justices Stewart and Marshall. Justice Douglas, who remains steadfast in his total opposition to governmental censorship filed separate dissents.

In setting forth new standards, which will inevitably become known as the Miller guidelines, the Court said:

The basic guidelines for the trier of fact must be: (a) whether "the average person, applying contemporary community standards" would find that the work, taken as a whole, appeals to the prurient interest, (b) whether the work depicts or describes, in a way patently offensive, sexual conduct specifically defined by the applicable state law, and (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value. We do not adopt as a constitutional standard the "utterly without redeeming social value" test of Memoirs v. Massachusetts..... (Miller v. California)

These new guidelines effect the following changes in First Amendment interpretation. (1) Works which, while having some redeeming social value, but which do not, taken as a whole, have "serious literary, artistic, political or scientific value" are subject to censorship; (2) the determination of the seriousness of the value of a work is to be made by the jury on the basis of "contemporary community standards" applied by the "average person" are not those of the national community but rather those of any local subdivision of government which chooses to adopt

obscenity legislation; (4) there is no need for any evidence or showing of proof supporting the claimed obscenity of a work, other than a presentation of the work itself; (5) the obscenity of a work is an issue of fact for the jury and hence not an appealable issue; and (6) while a person may possess in the privacy of his own home material deemed to be obscene, he may not purchase, acquire, or import such material from any source.

INVOLVEMENT OF LIBRARIES

Yes, libraries are involved. Justice Douglas recognized the library position in his Paris v. Slaton opinion:

What we do today is rather ominous as respects librarians. The net now designed by the Court is so finely meshed that taken literally it could result in raids on libraries. Libraries, I had always assumed, were sacrosanct, representing every part of the spectrum. If what is offensive to the most influential person or group in a community can be purged from a library, the library system would be destroyed. The raids themselves are not necessary, the threat is enough to begin the inevitable drift towards self-censorship.

As librarians, we are responsible for the quality of our library's collection, and we may expect to be held accountable for its relevance to the communities we serve. But, are we also to be held accountable for the use made by an individual patron of library material having sexual content? The Court's decision implies that there is a legal difference between a scientific use and a recreational use.



This is just one of the points raised by the American Library Association in its petition to the Supreme Court for a rehearing of its June 21 decisions. The A.L.A. raised the following questions as well:

Must every work having sexual content acquired by a library be reviewed to determine whether, taken as a whole, it has serious literary, artistic, political or scientific value? If this is required, may the librarian reviewing the book be liable to criminal prosecution as well as fine or imprisonment if a jury ultimately determines that the work is obscene under contemporary community standards?

Where a library, for example a state or regional library, serves more than one community having varying laws on obscenity, what contemporary community standard is to be applied?

May the unilateral decision of a library not to acquire a work on the ground that it is obscene be challenged by an author or publisher on the ground that such determination constitutes state action in violation of their First Amendment rights?

REACTION IN RHODE ISLAND

Reaction in Rhode Island to the Court's ruling has covered a wide range. Attorney General Richard Israel is reported to have commented, "The fun and games are over." In an interview reported in the July 25 issue of Cranston Today, Israel said he intends "to generally apply a statewide standard whether the material comes from Newport or Providence or Cranston. I think the variances will be slight in the state."

The same article continues, "The Attorney General did say, however, that 'as a practical matter' the community standards should be based on the county system and the grand jury."

Apparently Mr. Israel's action did not satisfy some town officials. In Cranston the City Solicitor was asked to draw up guidelines, and in Johnston a Board of Entertainment Standards has been formed.

At this writing, the Attorney General is about to bring charges against four films shown recently at the Palace Cinema in West Warwick. Israel appears to be unsure of his ground and is thus moving cautiously. We have heard of no action taken against any Rhode Island library as a result of the Supreme Court's ruling.

ACTION BY RILA

The Association expressed its regret over the Supreme Court's decision in a letter to the Providence Evening Bulletin. The letter which was published July 9 mentioned the inhibitive effect of the Court's action and the danger of self-censorship by librarians. A similar statement was released to the Providence Visitor for a survey article that paper carried in its June 29 issue. In the Visitor article, the association went on record as wishing to participate if statewide standards are to be written.

RILA is also on record as opposing the establishment of the Board of Entertainment Standards in Johnston. In a letter to the Town Council of Johnston, President Paul F. Crane said that while the intentions of the Town Council may be good, this association "opposes any repression of the freedoms granted to citizens by the First Amendment of the United States Constitution." The letter goes on further to say "that any one person or group of persons can set themselves up as the arbiter of morals for a community, and tell other adults what they may read or see is a situation that has been consistently rejected by the American people."

The ALA has given the highest priority to its petition for a rehearing of the June 21 Supreme Court decisions and to a program of education for librarians and the general public. Information from ALA and developments in our state will be reported in future issues of the RILA Bulletin.

Written and edited from several ALA releases by Robert C. Maier, Chairman RILA Intellectual Freedom Comm.



Faculty Status...

The Committee on Academic Status of the Association of College and Research Libraries is seeking endorsements for the "Joint Statement on Faculty Status of College and University Librarians!" This statement was drafted by the Joint Committee on College Library Problems, a national committee representing the Association of College and Research Libraries, the Association of American Colleges, and the American Association of University Professors.

State library associations have been asked to endorse this statement in order to help advance the academic status of college and university librarians. The joint statement is a means to achieve broadly based support for academic status, an issue which the membership of ACRL considers to be of major importance. A motion to endorse this statement will be made at the business meeting of the RILA fall conference in Newport.

STATEMENT:

As the primary means through which students and faculty gain access to the storehouse of organized knowledge, the college and university library performs a unique and indispensable function in the educational process. This function will grow in importance as students assume greater responsibility for their own intellectual and social development. Indeed all members of the academic community are likely to become increasingly dependent on skilled professional guidance in the acquisition and use of library resources as the forms and numbers of these resources multiply, scholarly materials appear in more languages,

bibliographical systems become more complicated, and library technology grows increasingly sophisticated. The librarian who provides such guidance plays a major role in the learning process.

The character and quality of an institution of higher learning are shaped in large measure by the nature of its library holdings and the ease and imagination with which those resources are made accessible to members of the academic community. Consequently, all members of the faculty should take an active interest in the operation and development of the library. Because the scope and character of library resources should be taken into account in such important academic decisions as curricular planning and faculty appointments, librarians should have a voice in the development of the institution's educational policy.

Librarians perform a teaching and research role inasmuch as they instruct students formally and informally and advise and assist faculty in their scholarly pursuits. Librarians are also themselves involved in the research function; many conduct research in their own professional interests and in the discharge of their duties.

Where the role of college and university librarians, as described in the preceding paragraph, requires them to function essentially as part of the faculty, this functional identity should be recognized by granting of faculty status. Neither administrative responsibilities nor professional degrees, titles, or skills, per se, qualify members of the academic community for faculty status. The function of the librarian as participant in the processes of teaching and research is the essential criterion of faculty status.

College and university librarians share the professional concerns of faculty members. Academic freedom, for example, is indispensable to librarians, because they are trustees of knowledge with the responsibility of insuring the availability of information and ideas, no matter how controversial, so that teachers may freely teach and students may freely learn. Moreover, as members of the academic community, librarians should have latitude in the exercise of their professional judgment within the library, a share in shaping policy within the institution, and adequate opportunities for professional development and appropriate reward.

Faculty status entails for librarians the same rights and responsibilities as for other members of the faculty. They should have corresponding entitlement to rank, promotion, tenure, compensation, leaves and research funds. They must go through the same process of evaluation and meet the same standards as other faculty members.

On some campuses, adequate procedures for extending faculty status to librarians have already been worked out. These procedures vary from campus to campus because of institutional differences. In the development of such procedures, it is essential that the general faculty or its delegated agent determine the specific steps by which any professional position is to be accorded faculty rank and status. In any case, academic positions which are to be accorded faculty rank and status should be approved by the senate or the faculty at large before submission to the president and to the governing board for approval.

With respect to library governance, it is to be presumed that the governing board, the administrative officers, the library faculty, and representatives of the general faculty, will share

in the determination of library policies that affect the general interests of the institution and its educational program. In matters of internal governance, the library will operate like other academic units with respect to decisions relating to appointments, promotions, tenure, and conditions of service.

1 Cf 1940 Statement of Principles on Academic Freedom and Tenure; 1958 Statement on Procedural Standards in Faculty Dismissal Proceedings; 1972 Statement on Leaves of Absence.


2 Cf 1966 Statement on Government of Colleges and Universities, formulated by the American Council on Education, American Association of University Professors, and Association of Governing Boards of Universities and Colleges.

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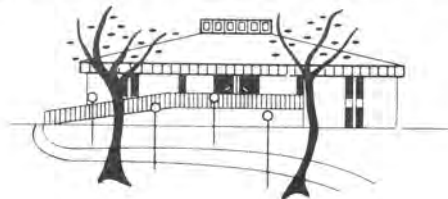
Newport will once again be the scene of the Rhode Island Library Association's Fall Conference. To be held on November 1 and 2, at the Viking Hotel and Motor Lodge, the program reflects months of work and dedication by the Conference Committee under the direction of Roberta Cairns.

After investigation of other possible locations, it was decided that Newport was best suited to supply the space necessary to accommodate the meeting. The Viking has a new convention center with almost unlimited space for exhibits, and can provide sufficient meeting and dining rooms as well.

Also, important in a two day meeting, Newport provides shops, restaurants and evening entertainment to please most tastes. The beauty and charm of the "city by the Sea" should be at its best during the fall season.

Programs with descriptions of the conference should be in the mail shortly - a broad range of meetings dealing with library functions on a practical level is planned. Hopefully, the two day meeting allows more people to participate and the meeting should be well attended.

Accommodations are available for those who wish at the Viking. All conventioners will be roomed in the new motor lodge. Arrangements should be made directly with the Viking Hotel, Newport. The special rates are \$19.00 single and \$24.00 double. It is suggested that a deposit (\$10.00) accompany reservations for confirmation.



Notes...

Interesting but disappointing dollar signs... President Nixon has impounded much of the money contained in Congress continuing resolution funding libraries. The Rhode Island picture looks like this:

	1974 appropriation	1974 allocation	1974 impding
LSCA			
Title I	364,662	211,186	153,476
Title II	119,346	0	119,346
Title III	42,796	0	42,796
ESEA			
Title II	400,615	64,544	336,071

Hope is not lost, however, as court action by several states and groups is under way. The President hasn't done too well in Court to date.

The new NELA councillor from R.I. is Earleen McCarthy of the Lincoln Public Library. She has also been asked to serve on the N.E. Regional Planning Commission. Association thanks to Shirley Waters, outgoing Councillor.

An all day workshop conducted by Change Agents will be held at Roger Williams College on Saturday, November 24, 9AM to 5PM. Dealing with Communication skills and organizational change, the enrollment will be limited to forty people. More details will be forthcoming. Ardis Moorehead (521-7722) and Charles Waddington (863-2162) are the people to contact.

* * * * *

Applications are available for the J. Morris Jones-World Book Encyclopedia - Goals Award from the Executive Director, American Library Association, 50 E. Huron St., Chicago Ill., 60611. Applications must be submitted by Midwinter Meeting, 1974.

* * * * *

The National Registry for Librarians, which provides placement services throughout the year as well as at ALA meetings has moved to this address: 40 West Adams St., Chicago, Ill. 60603

* * * * *

New England Archivists to Meet

Town and city clerks, archivists, records managers, librarians, and historians will meet on October 26 and 27 in Providence, R.I. The New England Archivists, organized to encourage those working with archives and records to meet and exchange information, is holding its second meeting at Providence College. The program will include workshops on state and local records, archival terminology and bibliography, and the preservation and classification of photographs. Anyone interested in attending can contact Nancy E. Peace, Librarian, The Rhode Island Historical Society Library, 121 Hope Street, Providence, R.I. 02906, or call (401) 331-0448.

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