

## Libraries: The Information Commons of Civil Society

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*“For the first two-thirds of the twentieth century a powerful tide bore Americans into ever deeper engagement in the life of their communities, but a few decades ago—silently, without warning—that tide reversed and we were overtaken by a treacherous rip current. Without at first noticing, we have been pulled apart from one another and from our communities over the last third of the century.”*

(Putnam, 2000, p. 27)

Over the last third of the 20<sup>th</sup> century, many Americans stopped voting, curtailed their work with political parties and service organizations, and attended fewer community meetings and political events. They even diminished their pleasurable get togethers, with fewer people entertaining friends at home. Americans were also less public spirited, giving fewer dollars to charities. Scholars, journalists, politicians, and citizens lament that our civic culture cannot be reclaimed without a sustained, broad-based social movement to restore civic virtue and democratic participation in our society. Many believe that America needs to rebuild its social capital, a term coming into widespread use as a result of the writings of Robert Putnam and defined by Miklos Marschall, Former Executive Director of CIVICUS: World Alliance for Citizen Participation, as the “values and social networks that enable coordination and cooperation within society...the relationship between people and organizations, which form the glue that strengthens civil society.” Putnam demonstrates that increased social capital stimulates higher productivity, reduces depression, lowers disease rates, reduces crime, increases test scores, and spurs more responsive government. When communities focus on social-capital building activities, they rekindle civic engagement, promote greater citizen participation, and encourage increased involvement in community problem-solving and decision-making.

In this essay, I discuss the importance of social capital as a catalyst to rekindle civil society as well as the key role of the library as an information commons for engaging citizens and encouraging participation in community life. For more than two centuries, libraries have served communities in the United States and abroad as information commons. In that role, they have helped promote an informed citizenry, offering safe spaces for deliberation and exchange of a wide spectrum of ideas. For a democracy of the digital age to flourish, citizens need free and open access to ideas more than ever. The salient tension of our times stems from those barriers that deny citizens their full information rights. In the conclusion of this essay, I suggest an action agenda aimed at ensuring that everyone has the opportunity to participate in a digital age democracy.

### **Social Capital and Civil Society**

To Vaclav Havel, “Civil Society...means a society that makes room for the richest possible self-structuring and the richest possible participation in public life.” Civil society began to blossom in Havel’s Czech Republic over the last two decades. But in America, the associations and activities that create the glue that strengthens civil society, notably described by Alexis de Tocqueville in *Democracy in America* (1990) in 1835, have ensured a structure and climate for more than two centuries of active citizen participation in our democratic system. By the late 20<sup>th</sup> Century, however, journalists, political scientists, philanthropists, and citizens alike were documenting a declining public sphere, diminishing civic engagement, and eroding social capital. In response, social scientists have proposed new models to invigorate a weakened democracy and to encourage more active citizen involvement with governance. Among the most prominent voices is that of Benjamin Barber, who prescribes “strong democracy” as a remedy to incivility and apathy, where “active citizens govern themselves in the only form that is genuinely and completely democratic” (1984, p. 148). Barber claims that “community grows out of participation and at the same time makes participation possible,” and that “strong democracy is the politics of amateurs, where every [person] is compelled to encounter every other [person] without the intermediary of expertise” (1984, p. 152). From his perspective, “citizens are neighbors bound together neither by blood nor by contract but by their common concerns and common participation in the search for common solutions to common conflicts” (1984, p. 219). In a later work, Barber calls for “a place for us in civil society, a place really for *us*, for what we share and who, in sharing we become. That place must be democratic: both public *and* free” (1998, p. 38). David Mathews applies practical techniques to this active citizenship model, engaging lay citizens in deliberation about issues of common concern. As president of the Kettering Foundation, he has developed a national network for civic forums, teaching citizens to frame issues, make choices, find common ground and act in their community’s best interest (1984; 1999; Mathews & McAfee, 2001). James Fishkin has also helped pioneer this framework for citizen deliberation (1995; 1997), joined by Daniel Yankelovich and his colleagues at Public Agenda (1991; 1999). Harry Boyte, another political scientist instrumental in developing theories of active citizenship, has advanced new models for reinvigorating communities through the creation of free spaces or commons for public discourse and deliberation (Boyte, 1980; 1989; Boyte et al, 1986; Boyte & Evans, 1986; Boyte & Kari, 1996). These civil society theorists were joined by a rash of other scholars in the last decade of the 20<sup>th</sup> and into the early years of the 21<sup>st</sup> century (Edwards, et al, 2001; Ehrenberg, 1999; Elkin & Soltan, 1999; McConnell, 1999; Seligman, 1992; Verba et al, 1995)--scholars who have documented and debated the state of civil society, both in the United States and abroad; most notable is Robert Putnam, whose provocative article and bestselling book *Bowling Alone* (1995; 2000) and his Saguaro Seminar (December 2000), has popularized the importance of reviving community by rebuilding social capital and increasing civic engagement.

### **The Information Commons**

Information is essential to civic participation, and also encourages the development of civil society. When people are better informed, they are more likely to participate in

policy discussions where they can communicate their ideas and concerns freely. Most importantly, citizens need civic commons where they can speak freely, discern different perspectives, share similar interests and concerns, and pursue what they believe is in their and the public's interest. Effective citizen action is possible when citizens develop the skills to gain access to information of all kinds and to put such information to effective use. Members of the community must have the real and virtual spaces to exchange ideas -- ideas fundamental to democratic participation and civil society. Ultimately, discourse among informed citizens assures civil society; and civil society provides the social capital necessary to achieve sovereignty of the people, by the people, and for the people.

Many of the theorists who focus their scholarship on new forms of citizen participation have recognized the importance of an information commons to bolster civic engagement. Boyte devotes a chapter of his book, *Commonwealth* (1989), to the information age, elaborating the importance of schooling citizens in democracy by informing them about issues and utilizing public spaces to listen, negotiate, exchange, act and hold officials accountable. Likewise, Hardt and Negro elaborate on the importance of the information commons to the evolution of the postmodern state and the emergence of new social movements in their book *Empire* (2000). With the rise of the Internet, commentators who focus on civil society in the digital age have identified the electronic information commons as underpinning equitable participation in a cyberdemocracy (Grossman, 1995; Tsagarousianou, et al, 1998; Wilhelm, 2000). Since 2000, civic-minded organizations have convened conferences and launched projects to design information commons for the digital age. Harry Boyte's Center for Democracy and Citizenship at the University of Minnesota hosted a New Information Commons Conference where participants from organizations such as the Project for Public Spaces and Libraries for the Future sketched out a plan for building new spaces by citizens in partnership with community organizations (Friedland & Boyte, 2000). About the same time, the New America Foundation launched its Information Commons Project directed by David Bollier, a prolific writer who focuses on intellectual property issues (Bollier, 2001). Bollier has also recently co-founded Public Knowledge, a non-profit that will represent the public interest in intellectual property law and Internet policies. In the fall of 2001, the American Library Association sponsored a conference on the Information Commons, with commissioned papers on information equity, copyright and fair use, and public access, immediately followed by a similar meeting held at Duke University Law School's Center for the Public Domain, with papers on copyright and the information commons. Over just a two-year period, the role of the information commons has assumed a new dimension in the 21<sup>st</sup> Century.

### **Libraries as Information Commons**

Libraries provide the real and virtual spaces in communities for free and open exchange of ideas fundamental to democratic participation and civil society. In almost every school, college, and community, libraries in the western world make knowledge and information available to all. They are the place where people can find differing opinions on controversial questions and dissent from current orthodoxy. Even beyond the United States, Canada, Europe, and in emerging democracies, libraries serve as the source—often the sole source—for the pursuit of independent thought, critical attitudes, and in-

depth information. And in so doing, they guard against the tyranny of ignorance, the Achilles heel of every democracy.

As community forums, many libraries present thoughtful, engaging, and enlightening programs about problems facing our democratic way of life--programs that have a vast potential to renew communities and encourage active citizenship. From librarians, we can learn how to identify and evaluate information that is essential for making decisions that affect the way we live, work, learn and govern ourselves. Libraries are ideally suited to play a critical role in rekindling civic spirit by providing not only information, but also expanded opportunities for dialogue and deliberation that we need to make decisions about common concerns.

America's libraries, at the heart of every community, stand in defense of freedom. Benjamin Franklin founded the first lending subscription library even before he helped form the new republic. Franklin, James Madison and Thomas Jefferson were among the nation's founders who believed that a free society must insure the preservation and provision of accessible knowledge for all its citizens. When they turned their attention to designing a government capable of preserving freedom for the citizenry, they looked to an institution with the potential for realizing their ideal. For if an informed public is the very foundation of American democracy, then America's libraries are the cornerstone of that democracy. As Madison eloquently stated, "Knowledge will forever govern ignorance and that people who mean to be their own governors must arm themselves with the power that knowledge gives. A popular government without popular information or means of acquiring it is but a prologue to a farce or tragedy or perhaps both."

Benjamin Franklin's novel idea of sharing information resources was a radical one. In the rest of the civilized world, libraries were the property of the ruling classes and religion. American democracy was founded on the principles of freedom of information and the public's right to know. America's libraries ensure the freedom of speech, the freedom to read, the freedom to view. The mission of libraries is to provide the resources the public needs to be well informed and to participate fully in every aspect of the information society. In many parts of the world, countries have adopted this centuries-old American tradition.

As libraries serve to prepare citizens for a lifetime of civic participation, they also encourage the development of civil society. They provide the information and the opportunities for dialogue that the public needs to make decisions about common concerns. As community forums, they encourage active citizenship and renew communities. Libraries build social capital and encourage civic engagement by developing community partnerships, facilitating local dialogue, and disseminating local data.

Ever since their proliferation in the 19<sup>th</sup> century, American libraries have played a key role in educating immigrants for citizenship. They have also supported education by providing resources for curriculum-based and lifelong learning. As the new millenium unfolds, a number of librarians have published new texts underscoring the key role that

libraries play in building civil society, paralleling the surge of social science scholarship cited previously in this article. Redmond Kathleen Molz and Phyllis Dain, faculty members at Columbia University, present a new history of the public library as a civic space, updated for the information age (1999); Kathleen de la Pena McCook, a professor at the University of South Florida, spells out the key role libraries play in community building (2000); and Ronald McCabe, a public library director in Wisconsin, provides an historic and theoretical framework for understanding the ways in which libraries enhance citizen involvement in renewing and strengthening communities (2001). The author, when millennial president of the American Library Association, chose the theme of libraries: the cornerstone of democracy, which serves as the subject of a published collection of essays on equitable access and the public's right to know (Kranich, 2001).

Today, libraries throughout the United States, Canada, Europe, Australia, and beyond, are undertaking a vast array of innovative, creative programs that support civil society and build social capital in their communities. They are: convening groups to consider local issues and teach civic skills; building community information literacy partnerships; coordinating local literacy training; hosting community-wide reading programs in cities like Chicago, Rochester, Seattle, Syracuse and Buffalo; creating digital neighborhood directories that link residents and services; and partnering with local museums and public broadcasting stations. These collaborative efforts increase social capital--the glue that bonds people together and enables them to build bridges to others.

According to Putnam, "Just as one cannot restart a heart with one's remote control, one cannot jump-start republican citizenship without direct, face-to-face participation. Citizenship is not a spectator sport" (2000, p. 341). The challenge for the information age is to find new ways to engage citizens to participate in democracy and renew communities. Working closely with a rich and diverse array of citizens, libraries are a key institution that can help communities rekindle civil society and expand public participation in our democracy.

For centuries, libraries have served as the Information Commons in communities across America. They have offered free and open spaces to all—for amateurs and experts alike. They embody many of the ideals of the public sphere envisioned by Jurgen Habermas (1991; see also Calhoun, 1992). They are inclusive--offering universal service--and they encourage public participation and deliberation. In the digital age, libraries throughout the world serve communities as information commons within the public sphere--commons that promotes economic well being, global understanding, the advancement of learning, information literacy, digital inclusion, and public participation in the democratic process—essential ingredients of a civil society.

### **Libraries in the Digital Age**

At the dawn of the information age, libraries are experiencing new vigor at the same time as they are helping rekindle civil society. Online or in person, today's libraries are more popular than ever. Polls estimate that more than 2/3 of the public uses America's libraries every year. During the 2000 election, people across the country voted loudly and clearly to pass 92% of the bond issues proposed to build and refurbish neighborhoods libraries. From 1995-2000,

communities in the U.S. spent more than \$3 billion to update public libraries with both eye-catching architecture and high-speed, high-tech hardware. Nearly every library now offers free public access to the Internet and over half offer classes that teach residents to utilize electronic information successfully. During this same period, demand for reference librarians soared by 56%, reflecting public thirst for guidance in navigating a bewildering sea of resources. Worldwide, libraries are enjoying a renaissance, even as commercial entities like super bookstores, blockbuster video outlets, and the Internet abound. In fact, users of these services often overlap.

Why are America's 115,000 public, school, academic and special libraries gaining in popularity? Libraries are the only place where an information commons is freely available for everyone in every community. Libraries provide communities with precise, replicable discovery tools and materials on every subject from all perspectives in a full range of formats and languages. Users can readily identify and link to these resources from home, work, or their local libraries and then borrow or copy them. Libraries also archive and preserve older titles. Best of all, professional librarians provide personalized help and training—in some cases 24 hours a day, seven days a week. One innovative way libraries are cooperating around the world is the project undertaken by the Library of Congress, the British Library and the National Library of Australia to provide round-the-clock reference service to English-speakers wherever they reside.

Thanks to technology and world-wide collaboration, many of today's libraries have migrated from a state of scarcity to a state of abundance, transcending their geographic, legal and political boundaries, with librarians serving as knowledge navigators and learning facilitators. What began in the 1950's as the automation of materials processing led to the deployment of computerized databases for locating information in the 1970's. More recently, libraries have offered direct public access to the Internet, supplemented by purchased commercial databases, plus unique local collections converted to digital formats, thereby creating digital libraries available anywhere, anytime. This capacity to deliver information directly and just-in-time to users helps connect collections and reference services directly to a population with an insatiable demand for information access. Over the years ahead, libraries will share more and more resources, offering seamless access to a rich collection of valuable, interesting resources. Experts will guide users precisely to the materials that meet their particular needs. It will no longer matter where digital content resides. All kinds of libraries, government, and cultural institutions will work together with commercial and non-profit producers to create, convert, index, archive, preserve, and make accessible digital resources. Several proposals to create national digital collections of cultural resources to enhance civil society have surfaced in recent years. One, the Digital Promise Project, recommends setting aside revenues from the sale of the spectrum to finance digitization to enhance learning, encourage an informed citizenry, and make available the best of America's cultural resources (Grossman & Minow, 2001). In the future, such projects will foster the creation of "just-in-time" virtual communities with such benefits as equitable access, reduced barriers of distance, timeliness, shared resources, and content delivery.

Technological solutions to accomplish many of these goals have existed for years. As early as the 1930's, H. G. Wells wrote about the capacity of technology—albeit microform technology-

-to replicate every published book for use by every community (1933). Subsequent efforts to distribute enormous collections of microfilm increased the holdings of many libraries. Yet, these materials are rarely used today; their format irritates researchers. Today's electronic technologies have an even greater capacity to convert and distribute all the world's resources. But numerous impediments to equitable access face communities as they struggle to realize the true potential and power of the 21<sup>st</sup>-Century information society.

### **The Tendencies and Tensions of Public Access**

Access to information is fragile. All sorts of barriers can restrict the public's access to ideas. Best known are blatant book banning attempts. But every link in the information chain can either strengthen or weaken public access. The chain begins with information creators. Without doubt, the elite are far more likely to assume this role than those who are less advantaged. The marketplace for ideas is another key link in determining which voices will be heard—and which will be heard the loudest. But after the sale of an idea, information and knowledge are not used up or consumed like other commodities, even though many producers would prefer them to behave that way. They still have many chances to influence thought when they are collected, archived and preserved for future generations. Among the various barriers to sustained public access are classification, copyright or other licensing restrictions, funding, filtering and other censoring actions. Any of these actions can limit the public's access to critical information and the opportunity to participate in civil society.

As the information revolution has changed the way we live, learn, work, and govern, we simply cannot assume that libraries and other cultural institutions are capable of ensuring equitable access to all the resources and points of view that we desire. Access to abundance does not ensure access to diversity. Instead, we now have access to more and more of the same ideas, with alternatives marginalized more and more by such forces as corporate profiteering, political expediency, and the whimsy of the marketplace. The promise of new technologies is imperiled by powerful political and economic forces. Schement and Curtis argue that the tendencies and tensions of the information society stem directly from the organizing principles of industrialization and the realities of capitalism (1995). These tensions confront the public as citizens struggle to reclaim the public sphere and their information rights in the digital age. Attempts to restrict the public's right to know and unfettered public access to information keep accelerating. Now more than ever we face serious threats to public access and the free flow of ideas. What is at stake is not only the basic and fundamental role of libraries as the information commons in our communities, but also the public's access to information and knowledge—the basic underpinnings of democracy.

### **The Information Rich and the Information Poor**

The Internet promises to bridge the gap between the information haves and have-nots in our society. No longer divided by geographic, linguistic, or economic barriers, electronic information can span boundaries and reach into any neighborhood with just the click of a mouse. Truly, the dream of an equitable information society offers new hope for rekindling the democratic principles put forth by the founding fathers in the U.S. Constitution and by the authors of Article 19 of the International Declaration of Human Rights. Even if an American

household cannot afford nor chooses not to connect to the Internet, families have the option of logging on at a library or school. Under the universal service provisions of the U.S. Telecommunications Act of 1996, nearly every community is now connected, thus ensuring an on-ramp to the information superhighway and an opportunity for all Americans to participate in their communities' economic, educational, social, political, and leisure activities.

The Clinton Administration drew the nation's attention to the "digital divide" and the gap between the information rich and poor in America. Recent research indicates that, despite a significant increase in computer ownership and overall usage, many low income, minority, disabled, rural, elderly, and inner city groups are falling behind in their ownership of computers and access to telecommunications networks (The Benton Foundation, 1998; Novak & Hoffman, 1998; U. S. National Telecommunications and Information Administration, 1995-2002). Beyond the purchase of hardware and connectivity to the Internet, librarians and other public interest groups have stepped into this gap to ensure public access to a broad array of information resources, promoting literacy in the twenty-first century, and reducing barriers to intellectual freedom and fair use throughout the world. Particularly impressive is the work undertaken in this area beyond the U.S. by the International Federation of Library Associations (IFLA) through its Committees on Freedom of Access to Information and Free Expression (FAIFE) and Copyright and Other Legal Matters (IFLA/FAIFE, 2001).

### **The Digital Content Divide**

Into the milieu of this new century comes the Internet with affordable and accessible content--content that was previously unavailable to many communities, both in the United States and abroad. Access to an abundance of information does not necessarily mean access to a diversity of sources. Cyberspace is sparse when it comes to local information, particularly for rural communities and those living at or near the poverty level. The vast majority of Internet sites are designed for people with average or advanced literacy levels. For the more than 20 percent of Americans whose reading levels limit them to poverty wages and for the 30 million Americans speaking a language other than English, few Websites are readily comprehended (The Children's Partnership, 2000). Residents in countries where English is not spoken are at even more of a disadvantage. Furthermore, ethnic and racial minorities are unlikely to find content about the uniqueness of their cultures. The Children's Partnership recently estimated that at least 50 million Americans--roughly 20 percent--face a content-related barrier that stood between them and the benefits of the Internet. That same study also indicates that adults want practical information focusing on local community, information at a basic literacy level, content for non-English speakers, and racial and ethnic cultural information. In addition, the study found that Internet use among low-income Americans was for self-improvement, whether for online courses, job search, or other information. In short, the poor and marginalized individuals seek information that helps them with their day-to-day problems and enables them to participate as members of their democratic community.

An information commons is well suited to meet the needs of populations cited by the Children's Partnership. Libraries and other community institutions can target websites and digitize materials of interest to special populations crucial to ensuring widespread participation in the information society. They can also create sites that are easy to navigate, translated into languages spoken by residents, and responsive to local needs. Information equity, a

community priority, requires local organizations and institutions to join forces to bridge the digital content divide.

### **Information Literacy in a Highly Mediated World**

The public needs sophisticated information literacy skills to succeed in the twenty-first century and to fulfill their roles as engaged citizens. Even those already proficient at finding, evaluating and applying information to solve daily problems can be overwhelmed by the proliferation of information and the difficulty of sorting through it. To cope successfully, citizens must be able to identify, evaluate, apply and communicate information efficiently, effectively, and responsibly. They will have to become information literate to flourish in the workplace as well as to carry out the day-to-day activities of citizens in a developed, democratic society. Many libraries now work in collaboration with community and education groups to identify information needs, initiate a dialogue aimed at encouraging a more information-literate populace, and facilitate the development of skills to utilize information strategically. Granted, the need for information literacy skills has been around for generations; nevertheless, the dawning of the information age forces the development of broader information skills if people are to separate the wheat from the chaff, the true from the untrue, the rumor from the real.

Registrations now exceed 560,000 per year at the U.S. Library of Congress Copyright Office. New book titles published annually in the United States have jumped more than 30 percent since 1990. Worldwide, publishing output has reached close to 1,000,000 titles annually. More than 100,000 U.S. and 10,000 United Nations documents enter circulation annually, along with untold numbers of state, local and international documents. Even more astounding is the exponential growth of the World Wide Web. A February 1999 study reported in *Nature* concluded there were about 800 million publicly available Web pages, with about 15 trillion bytes of textual information and 180 million images weighing in at about three trillion bytes of data. The rapid growth of the Web is estimated to double in size every year, though some sources estimate this level of growth every six months (Lawrence & Giles, 1998; 1999).

Yet, much of the information available over the Internet is either erroneous or tailors its information to advocate a position; there is no validation like peer review to guide users. Much of the "good" information is licensed and restricted to those who have invested and contracted for access. Not surprisingly, the complexity of finding, evaluating, and utilizing information in the electronic age has become a major challenge for the 60 percent of the American workforce that engages in some information-related activity. Librarians, teachers and other professionals are needed more than ever to ensure that the public has the information literacy skills it needs to live, learn, work, and govern in the digital age. In the contemporary environment of rapid technological change and proliferating information resources, communities face diverse, abundant information choices. The uncertain quality and expanding quantity of information pose large challenges for society. The sheer abundance of information will not in itself create a more informed citizenry without a complementary cluster of abilities necessary to use information effectively. Every community must promote the development of information-literate citizens, beginning at the elementary school level, progressing through high school and college, and commencing with adults through partnerships with community organizations (American Association of School Librarians, 1998; American Library Association, 1989; 2000;

Association of College and Research Libraries, Instruction Task Force, 2000; see also Marcoux, 2001).

### **The Electoral Process**

For years in the United States, the public has registered to vote and cast election ballots in libraries, schools and community centers. Citizens attend local forums with candidates to learn more about their positions and voting records. They monitor the work of both elected and appointed officials through the reports housed in depositories of government information, where they also gather data for taking positions on various issues facing their communities. During campaign seasons, citizens find voter guides and other relevant information about elections and referenda in libraries and other community organizations and they engage with authors who write about political issues at locally-sponsored events. They also seek local information about deadlines for voter registration, locations of polling places, and valuable electronic links to high-quality electoral information in print as well as on the web.

One key way libraries and other civic organizations support democratic action and citizen participation is through the development of electronic web sites that guide users to valid and reliable information that informs their choices about candidates and issues. Publicly-accessible sites offer a comprehensive map of civic issues and the electoral process including links to: political history sites, political search engines, candidates' voting records, campaign finance information, past election results and speeches, political statistics, media coverage, advocacy and lobby groups, and political party platforms and conventions. Information must be available in a variety of media ranging from books and magazines to videos, audio recordings, and electronic resources that inform the public about the political process, resources that can be used either in libraries and community centers or outside with community groups and school children. Community and non-partisan groups must collaborate to promote greater political participation in the digital age in conjunction with such groups as the League of Women Voters and a newer electronic organization -- Project Vote Smart, which offers electronic access to candidate and voting information (Kranich, May 2000; August 2000).

In March 2000, the Democratic Party of the state of Arizona pioneered a new frontier in America's oldest ritual. Over four days, members of the party cast ballots for their party's presidential candidate, many of them doing so electronically through the medium of the Internet. Total voter turnout increased from 13,000 in the primary of 1996 to 89,000 (even though only one candidate remained on the ballot); 40% cast Internet ballots. In Arizona, a major concern of the Democratic Party and voting rights advocates was the potential for excluding voters who lacked computer access. To ensure that as many eligible Democrats could vote, twenty-five Arizona public libraries served as polling places for electronic voting—a contemporary use of the information commons as civic spaces. “We think that there is something wonderfully symbolic about public libraries being used as polling places,” said GladysAnn Wells, State Librarian. “Libraries have always been places where everyone in a community can find common ground, so it is logical that libraries would be places where people without computers could come to vote.” Judy Register, Scottsdale City Librarian, added that, “Libraries are determined to

play a leading role in helping people bridge the so-called 'digital divide'. Now, helping bridge this 'electoral divide' is a great use of the technology available in public libraries in Arizona."

### **Community Networks**

Comparable to libraries, community networks, such as freenets, create channels of communication for public dialogue. The movement toward community networks reflects the desire for a democratic institution capable of recognizing the centrality of information access and communication to modern life. Working closely with a broad array of community partners, the conceptualization of these networks derives directly from the model of the public library. Community networks offer many of the services provided by libraries, including training, e-mail, web page development, and small business assistance. They also focus users on local assets and services, pulling together essential information and communication resources that might otherwise be difficult to identify or locate. Of special interest here, they offer opportunities for community institutions to collaborate and build partnerships in support of local history projects, civic education programs, and community enterprises, such as information and referral services, that might be overlooked by the commercial sector. Finally, community networks offer an exceptional opportunity to forge new roles locally for libraries, other public, educational, and cultural institutions and organizations in the digital age (Durrance, et al, 2001; Durrance & Pettigrew, February 1, 2000; Schuler, 1997; 1996).

### **Government Information**

Over the last decade, the persistent voice of librarians and public interest groups and the promise of new technologies have improved access to government information. The result has been the promotion of the public's right to know along with the advancement of citizens' involvement in governance. A 15-year struggle to promote equal, ready and equitable access to government information culminated in the 1990's passage of the GPO Access Act, the Electronic Freedom of Information Act, and other statutes that strengthen public access in the digital age. Still these victories are incomplete. Even though the public has benefited from ever-more direct access to government records and documents, more and more data is slipping into private hands, getting classified under the guise of national security, or exempted from release under the Freedom of Information Act. Furthermore, a proposal before Congress to ensure permanent public access to electronic government documents has gone unheeded as links to important documents disappear unnoticed. So, while public access to government information produced at taxpayer expense is more freely available than ever before, the threat to public access persists. Even more vulnerable, state, local, and foreign electronic government information rarely falls under depository and other open access statutes. Attempts to implement electronic government statutes could improve access, but may rely on the private sector for dissemination, resulting in higher prices, limited dissemination, and escape from the public domain. A civil society must be a transparent society with equal, ready and equitable access to government information if citizens are to trust, oversee, evaluate, and interact with public officials (Davis & Sigman, 2000; Heanue, 2001; Hernon et al, 1996; see also American Library Association, Washington Office Website on Access to Government Information and OMB Watch, Website).

### **Copyright and Fair Use**

Against the promise of easy access to networked electronic information looms new technological protection measures. The ubiquity of digital information, the widespread use of networks, and the proliferation of the World Wide Web create new tensions in the intellectual property arena. The ease with which data may be copied impels information producers to seek ways of protecting their investments. Their intentions are perfectly understandable. Unfortunately, measures proposed to protect creators endanger users' fair-use rights to view, reproduce and quote limited amounts of copyrighted materials. This high-stakes international policy debate might well result in a pay-per-view, or--even more chilling--a pay-per-slice digital information economy where only those willing and able to pay can access electronic information. With librarians in the vanguard, the delicate balance between creators' and users' rights to information has been carefully negotiated for print materials over the past century. In the information age, however, the balance has tilted toward intellectual property owners. Should this imbalance persist, it will endanger free speech, the advancement of learning and research, the information commons, and the rekindling of civil society.

One statute in particular that places new limits on the public's access to information in the U.S. is the Digital Millennium Copyright Act of 1998, which criminalizes illegal use of digital materials for the first time and places additional limits on the rights of electronic information users. As a consequence, the widespread deployment of pay-per-view systems could effectively reduce libraries and other repositories of valuable knowledge to mere marketing platforms for content distributors. Fair use for electronic publications barely survived in this legislation as new restrictions were imposed on unauthorized access to technologically restricted work. The act prohibits the "circumvention" of any effective "technological protection measure" (TPMs) used by a copyright holder to restrict access to its material unless adverse affects on the fair use of any class of work can be demonstrated. Thus, the burden of proof rests with those seeking open access and the free flow of information.

Numerous attempts to regulate and restrict public access to information under the umbrella of intellectual property protection persist in Congress and in international tribunals. One in particular, a proposal to copyright databases in the U.S., will safeguard investment rather than creativity for information companies and overturn over two-hundred years of information policy that has consistently supported unfettered access to factual information. Such an act will allow a producer or publisher unprecedented control over the uses of information, including factual information as well as government works. Even though the Supreme Court has held that constitutional copyright principles prohibit ownership of facts or works of the federal government and current copyright law already protects database companies, some producers continue to press hard for this over-broad protectionist legislation. Should they succeed, they will accomplish a radical departure from the current intellectual property framework that protects expression--not investment—and thereby endanger the doctrine of fair use. If these special interests prevail, a digital economy will emerge where the free flow of ideas is limited to the obsolescent world of print and photocopy machines, and where citizen discourse is relegated to the back seat of democracy (Bollier, 2001; 2001; 2002; National Research Council, 2000; Vaidhyanathan, 2001; 2001; see also American Library Association, Washington Office Website on Copyright). Equally disturbing, precedents such as these set the tone for similar policy development in the European Union and through the World International Property Organization (WIPO).

### **Universal Service and Filtering**

Since the early decades of the twentieth century, Americans have held the belief that maximum access to public information sources and channels of communication is necessary for political, economic, and social participation in a vigorous civil society. Everyone must have access to information and communication networks in order to participate in democracy. Under the universal service provisions of the U.S. Telecommunications Act of 1996 (Section 254), the Federal Communications Commission has authorized a program to ensure equitable access to telecommunications technologies by offering schools and libraries discounted rates that were once reserved for only the largest corporate customers. In this way, schools and libraries may be connected as a first step toward widespread public access. Known as the E-rate, over \$2 billion in discounts and grants is now earmarked annually for distribution from fees collected by long distance phone carriers. In addition, the E-rate helps bridge the digital divide by expanding access and connectivity to needy communities (EdLiNC, 2000; McClure & Bertot, 2000; Urban Institute, 2000; see also American Library Association, Washington Office Website on the Digital Divide). Still, it took some horse trading to gain acceptance for the E-rate. Telecommunications companies agreed to this amendment to the 1996 Telecommunications Act in return for deregulation of their markets. Even so, several of the major carriers who benefited most from deregulation have tried to sabotage this program through court challenges and by highlighting the universal service charge on consumer bills without explanation, thereby inciting the anger of their enormous customer base.

Where corporate attempts to stop the flow of subsidies to schools and libraries ended, Congress has added its own twists. A law passed in December 2000, the Children's Internet Protection Act (CIPA), requires local schools and libraries to install filters to protect both children and adults from viewing obscenity and child pornography in order to receive E-rate and other federal subsidies. Both the American Library Association (ALA) and the American Civil Liberties Union (ACLU) have brought suits to challenge the constitutionality of this law (ALA & ACLU, 2001; see also American Library Association. Office of Intellectual Freedom Website on CIPA). Attempts to tie federal funding to content restrictions raise serious constitutional questions similar to those brought forward in *ACLU v. Reno*, which succeeded in challenging the constitutionality of the Communications Decency Act. CIPA will impose federal regulations over local, community control of information access. First Amendment protections must extend to the digital sphere if we are to ensure open dialogue across the full spectrum of opinion in the information age.

Many states have proposed and some have passed similar laws to restrict Internet access in schools and libraries by mandating a filtering requirement in order for these institutions to receive state and local funding. Unfortunately, filters do more harm than good; they sweep too broadly, blocking only some of the sites with indecent materials while restricting access to legal and useful resources. Users complain that filters block such home pages as the Super Bowl XXX, the Mars Exploration site (MARSEXPL), swan migration in Alma, Wis (swANALma), *Mother Jones* magazine, the National Rifle Association, the Quakers, 30 Congressional candidates, House Majority Leader Dick Armey, the American Association of University Women, Beanie Babies, and millions of other sites of legitimate interest. Filtering systems have trouble distinguishing between

users who are six and sixteen years old; they apply the common denominator of the youngest users at the expense of all others. Furthermore, filters are not effective in blocking much material that some consider undesirable for children; they give parents a false sense of security leading them to believe that their children are protected from harm. Most importantly, they do not take the place of preferred routes that include the development of community-based Internet Access Policies, user education programs, links to great sites (white/green lists), and safety guidelines.

The extraordinary benefits of Internet access are too often overshadowed by controversies fueled by groups who stoke imagined fears about the power of images and words in an effort to control access to information. According to a recent study by the National Coalition Against Censorship, “the evidence of harm from Internet access at public institutions is at best equivocal, and the blunt-edged approach advocated by pro-censorship advocates ignores the individualized need of children and their parents. Fortunately, most libraries have found ways of balancing the interests of all parties effectively, without censorship. . .”(1999). Surely, those relying on public institutions for connectivity deserve access rights equivalent to those enjoyed by consumers who can afford access at home, and should not be subjected to yet another digital content divide (Kranich, June 2001, Fall 2001; see also American Library Association, Office of Intellectual Freedom Website; Freedom to Read Foundation Website).

### **The Tide of the Information Age**

The emergence of personal computers and telecommunications technologies over the last 20 years has transformed information creation, transport, and dissemination industries from independent operators mostly involved with infrastructure to a highly-integrated, multinational private sphere of mega companies looking to optimize profits and dominate access to homes and businesses. Throughout the world, a period of deregulation and privatization has shifted the information policymaking arena to the private sector where questions of the public interest are harder to raise.

What is at stake is not only the availability and affordability of information essential to the public interest, but also the very basis upon which citizen’s information needs are met. As communications and media industry giants stake their claims in cyberspace, the public interest must not be overlooked. The new information infrastructure must ensure free spaces that are filled by educational and research institutions, libraries, non-profits, and governmental organizations charged with promoting and fulfilling public policy goals. The new information commons must constitute a public sphere of free speech and open intellectual discourse that enhances democracy.

### **An Action Agenda for a 21<sup>st</sup>-Century Information Commons**

Everyone must have the opportunity to participate in a digital age democracy. Citizens need safe gathering places where they can share interests and concerns, find information essential to civic involvement, and connect with fellow citizens. If the public's right to know is to be protected within a free-market global information infrastructure, citizens must stand up and speak out to promote an information commons in the public interest. As Brian McConnell, former president of the Independent Sector warns, “The greatest dangers to civil society and

democracy arise from neglect by the very citizens who expect privileges and rights without exercising responsibility to protect them” (McConnell, 1999, p. 125).

Librarians are well positioned to lead the charge to ensure that citizens can exercise their 21<sup>st</sup> century information rights. Why? Because librarians are committed to ensuring the free flow of information in our society and understand what is at stake. And they represent more than half of the country's adults as well as three-quarters of its children who use libraries every year. They have extensive experience working with community groups in building social capital, strengthening civil society, and championing the public's information rights. Furthermore, librarians preserve the community's historic, cultural, political and social record and provide free spaces for reflection and deliberation by local citizens.

Librarians must pick up the gauntlet and join forces with computer professionals, educators, cultural organizations, journalists, public officials, public interest groups, and the general public to ensure that everyone has access to a free and open information commons. Neutrality will not work; the stakes are very high--namely, our democratic way of life that depends upon an informed electorate. Working together in communities throughout the world, we must recognize the importance of an information commons to the advancement of civil society. We must be well informed about the issues and the players on all sides. We must undertake research that demonstrates the contributions of public access to the advancement of science and the arts. We must map public opinion. We must compile anecdotes about the positive effects of access to information and the negative impact when access is denied. We must articulate the positive economic value of the social outcomes of the commons and how it outweighs the negative impacts on the market.

We must enter the struggle adequately armed. We must identify individuals and groups with common concerns, looking far beyond the normal sources for allies. We must build coalitions to promote public access, to extend our reach, to increase our strength and influence, and to galvanize grass roots action. We must seek opportunities to testify at relevant hearings and forums and urge that public interest representatives be named to various task forces and advisory councils on information issues at the local, national, and international levels. We must support growth, connectivity, and digitization by local libraries, schools and other cultural organizations and make their valuable resources readily available over the network.

We must focus more attention to the importance of the information commons and attempts to erode the public sphere. We must collect data about "Where's the harm?"; assemble facts and document the case; make the issues local; and use good examples, anecdotes, and stories. We must tell the story about why access to information helps and how the lack of it hurts.

We must take every opportunity to educate the public. We must develop a public awareness action plan that mobilizes support, holds politicians accountable for their views, and encourages community involvement. In order to connect with citizens, we

can circulate petitions and launch letter-writing campaigns; distribute flyers, buttons, and banners; develop a recognizable logo; organize special celebration days and events; sponsor lectures and events; mount exhibits; and commemorate Freedom of Information Day with award ceremonies and other events. We must also find citizens who will speak out about their concerns and communicate them to policy makers. And finally, we must establish local freenets and other communication vehicles to share community concerns, information, events, and opportunities.

Without a technologically sophisticated information commons in every community, the gulf between the information rich and the information poor will widen. If we are to revive communities and restore civic virtue and democratic participation, we must advocate for a public sphere with a rich, vibrant information commons—a commons where citizens are free to engage in civic life. Otherwise, we will endanger our most precious assets in a democratic society—our rights of free speech, inquiry and self governance.

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