

B.2.1.26

B.2.1.26 Religion in Libraries (NEW)

The First Amendment guarantees the right of individuals to believe and practice their religion or to practice no religion at all, and prohibits government from establishing or endorsing a religion or religions. Thus the freedom of, for and from religion, are similarly guaranteed. The First Amendment also guarantees the corollary right of individuals to receive information on religious topics. Libraries support this right by providing access to diverse religious thought without becoming a proponent of any of them. Adopted AC 2016

(See "Policy Reference File": Religion in American Libraries: An Interpretation of the *Library Bill of Rights*, 2015-2016 CD #19.9. Adopted June 28, 2016)

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NOTE TO THE READER:

At the 2016 ALA Annual Conference, upon recommendation by the ALA Intellectual Freedom Committee, the ALA Council adopted 2015-2016 ALA CD#19.9, Religion on American Libraries: An Interpretation of the *Library Bill of Rights*.

At the 2017 ALA Midwinter Meeting, upon recommendation by the ALA Policy Monitoring Committee, the ALA Council approved the insertion of the following abstract of the Religion in American Libraries: An Interpretation of the *Library Bill of Rights*, 2015-2016 CD #19.9, into the *ALA Policy Manual* as B.1.26:

“The First Amendment guarantees the right of individuals to believe and practice their religion or to practice no religion at all, and prohibits government from establishing or endorsing a religion or religions. Thus the freedom of, for and from religion, are similarly guaranteed. The First Amendment also guarantees the corollary right of individuals to receive information on religious topics. Libraries support this right by providing access to diverse religious thought without becoming a proponent of any of them.” Adopted June 2016

(See “Policy Reference File”: Religion in American Libraries: An Interpretation of the *Library Bill of Rights*, 2015-2016 CD #19.9)

Religion in American Libraries: An Interpretation of the Library Bill of Rights

The courts have consistently held that for the freedom of the press and speech guaranteed by the First Amendment to the United States Constitution to be fully meaningful, people must also have the right to receive information: that is, to read, view, hear or access what they choose. In addition, the First Amendment guarantees the right of individuals to believe and practice their religion or practice no religion at all (the “free exercise” clause) and prohibits government from establishing or endorsing a religion or religions (the “establishment” clause). Thus the freedom of, for and from religion, are similarly guaranteed.

In most cases involving religion and libraries, these latter freedoms of, for and from religion are not at issue. Rather, the constitutional principles at stake are usually freedom of expression and the corollary freedom to access the expression of others. For instance, most challenges to materials with religious content potentially infringe on the rights of other persons to access constitutionally protected speech rather than limiting the challenger’s own beliefs or the practice of his or her own religion.

For the purpose of this interpretation “religion” refers to all that touches on the infinite, a supreme deity or deities or one’s understanding of the ultimate meaning or purposes of life. It includes formal organized systems of belief and practice and informal individual spiritualities. It also refers to adherents of older religions, newer religions, and no religion. 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, especially those associated with religious institutions, should apply these guidelines as appropriate in relation to their institutional mission.

Librarians have a professional responsibility to be inclusive rather than exclusive in collection development. Libraries serve all members of their communities and within their budgetary constraints should address all information concerns of all members—including their religious information needs. Collections should reflect those needs by providing access to diverse religious thought without becoming a proponent of any of them. Articles I and II of the Library Bill of Rights are clearly inclusive regarding audience (“all people of the community the library serves”) and materials (“all points of view on current and historical issues”). This includes both fiction and non-fiction materials regardless of format.

Collection development and materials selection should be done according to standards set forth in library policy that incorporates professional standards established in the Library Bill of Rights and Code of Ethics of the American Library Association and that are tailored to the community that the library serves. These may include but are not limited to contemporary significance or permanent value, community interest and/or demand, artistic and literary excellence, cost and format. The policy may include a reference to the role of the library as a limited public forum providing access to the marketplace of ideas. For example, it may state that the library provides

unfettered access to different points of views and ideas. Above all, collection development should be content-neutral, assuring that the library reflects a diversity of ideas including controversial or unorthodox points of view.

The selection, shelving and labeling (especially the use of religious symbols in labeling) of religious fiction are particularly sensitive. Nevertheless, excluding religious fiction would be a violation of the Library Bill of Rights: "Materials should not be excluded because of origin, background, or views of those contributing to their creation." Librarians should distinguish between providing access to religious fiction and the appearance of supporting or endorsing a particular religious point of view. Religious content is no more or less protected than any other type of speech. While libraries and librarians should respect the diverse religious traditions of their communities, libraries exist to serve the information needs of all users in their communities.

Library policy should be applied equally to shelving of religious books, to storage or display of religious objects, or to access to religious Web sites as they would be to any other shelving, storage, display, or Web access. Privileging one religious tradition over others could violate the establishment clause of the First Amendment. Placing specific materials according to religious point of view or status within a given faith community rather than according to the cataloging system used in the library can make it difficult for users to locate such materials. It could be a violation of the Library Bill of Rights to give special treatment to a specific sacred text or object or to limit access to such a text or object. On the other hand, it is appropriate to add additional titles or versions of a text or objects to the collection to meet community needs or interest but not to remove or sequester them. The scriptures or religious materials of all religions should be treated respectfully and equitably.

If a library sets aside tables or shelves for specialized materials or purposes such as atlases, directories, college guides, dictionaries or local history, it would be appropriate to set aside shelving for scripture, as long as all scriptures are treated equally, including texts that occupy a similar status among other groups (e.g., *The Humanist Manifesto II*).

Regarding meeting rooms, courts have consistently held that libraries may not exclude religious groups from their meeting rooms solely because the group is religious in character or because the meeting may include religious activities. Many precedents exist for the use of public facilities (e.g., school auditoriums or park pavilions) by all types of community groups, including religious groups. Courts that have considered the question have consistently held that libraries are limited public forums for the receipt of information. In turn libraries may designate areas within their facilities as limited public forums for use by the community for the exchange of information and may create rules for their use. No court has ever ruled that a library must exclude religious groups. The safest course of action is to provide the same access and apply the same rules of use to all community groups. As with collections, these rules should be content-neutral and address only behavioral restrictions (time, place and manner). Consistency is crucial: all groups should be treated the same and subject to the same rules, such as rental fees, frequency restrictions, noise policies or food bans.

With regard to displays, libraries are not required to open display or exhibit space to community groups. If libraries choose to open their exhibit and display space to community groups, space

should be provided on an equitable basis to all groups that request it, regardless of the beliefs or affiliations of individuals or groups requesting their use. A library may wish to consider the amount of such space and its location when deciding whether to open it to community groups. Article II of the Library Bill of Rights states, “Materials should not be excluded because of the origin, background, or views of those contributing to their creation” and “Materials should not be proscribed or removed because of partisan or doctrinal disapproval.” For additional details, see “Exhibit Spaces and Bulletin Boards: An Interpretation of the Library Bill of Rights.”

If a library provides space for community groups to distribute literature to the public, religious groups should be allowed to do so on an equitable basis with all groups that use the distribution space, regardless of the beliefs or affiliations of individuals or groups distributing such literature. Policies covering the number of individual items of literature, the size and definition of such items and the length of time that items will be left out for distribution should be considered.

The religious views that patrons and employees bring with them into the library are more community relations and employment issues rather than intellectual freedom issues and are addressed in the Intellectual Freedom Committee’s “Religion in American Libraries: Questions and Answers.”

<http://www.ala.org/advocacy/intfreedom/librarybill/interpretations/meetingrooms/religion-q-a>

Precisely because religion is such a sensitive and sometimes controversial concern of library users, it should be accorded the full protections promised to its myriad forms by the First Amendment of the United States Constitution and the American Library Association’s Library Bill of Rights.