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## Freedom Fighter

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# Freedom Fighter

Picture this: You go into the local library, drop off the kids at story hour and browse the Internet while you wait. You follow a couple of leads, track a few sources, read some international takes on American foreign policy. Later that day the FBI pays a visit to your local librarian to check what you read. You are now part of a secret investigation pertaining to “the enforcement of federal laws,” none of which you have violated. Unlikely? Carolyn Additon Anthony '71 doesn't think so.

PHOTO BY CHRIS VOLK

By Ru Freeman

Carolyn Additon Anthony '71 commits herself each day to opposing the USA PATRIOT (Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism) Act. Anthony has stated her case on both CNN and PBS, has been featured in *Time* magazine and was quoted in the *Chicago Tribune*, *The Guardian*, *The Observer*, *Liberation of France* and on German radio. This fall the National Film Board of Canada asked her to appear in a documentary.

So who is the person garnering all this press? A Bush administration foe from the Left? A civil libertarian from the Right? Neither. Carolyn Anthony is a librarian.

As director of the Skokie, Ill., Public Library, Anthony has attracted international attention in the civil-rights debate that has spread like wildfire since the Patriot Act was enacted barely eight weeks after 9/11.

This isn't as unlikely as it might seem at first glance: it is librarians who have emerged as some of the most strident critics of what they see as the Patriot Act's significant infringements on civil rights. And Anthony is, by all accounts, a dynamo.

Her library in Skokie was one of the first to post signs informing people of the Patriot Act and the inability of the library to protect the personal information of its patrons. Anthony also had software installed in the library that purges all records of the previous Internet user when a new person logs on. That step caught the attention of *The New York Times*, which ran a story about Anthony and her concerns. She's been on the phone and on the road ever since.

Named Illinois Librarian of the Year for 2003, Anthony travels throughout the state to deliver speeches and attend forums, take part in debates and make presentations. She recently participated in a panel discussion of the First Amendment sponsored in part



by the International Press Club of Chicago.

She may be in demand, but critics of the act are hardly in short supply.

The Patriot Act met with immediate outcry from several quarters, including lawmakers on both sides of the Congressional aisle, the far Right within the American Civil Liberties Union and a host of groups bent on defending the Bill of Rights and the Constitution. As of this writing, more than 200 cities (including Waterville), towns and counties and three states had passed resolutions opposing the Patriot Act. Among the opposition leaders is the American Library Association, which issued a resolution opposing the act as "a present danger to the constitutional rights and privacy rights of library users." Attorney General John Ashcroft said the ALA and others were fueling "baseless hysteria" by so vehemently criticizing the new law.

The attorney general and other proponents of the act say extraordinary times require extraordinary measures. Most Americans are willing to make allowances

that will help the government prevent terrorism, the law's backers maintain.

In fact, four important members of the Senate Judiciary Committee recently voiced qualified support of portions of the new law. While predicting that the "shroud of secrecy" surrounding the act would doom its chances of reauthorization, at the first oversight hearings on the measures Sen. Joseph R. Biden (D-Del.) called criticism of the act "ill-informed and overblown." Despite her office receiving 21,434 letters opposing the new law, Sen. Diane Feinstein (D-Calif.) made a strong defense of the act, saying there is "substantial uncertainty and some ignorance" regarding the way the act works. Sen. Russell Feingold (D-Wis.), the only senator to vote against the Patriot Act, said he supports a majority of its provisions and the rest are "fixable," a sentiment that has caused him and some of his liberal colleagues to join forces with conservatives in promoting changes to the act.

Even the ACLU does not support repealing all of the anti-terrorism

In September 2003, protesters gathered in lower Manhattan, below, during an appearance by United States Attorney General John Ashcroft at Federal Hall. Ashcroft promoted the USA Patriot Act to law enforcement personnel, left, while protesters shouted slogans.



measures. Its legislative counsel, Timothy Edgar, has said that would be a “crazy idea . . . there are reasonable things in the Patriot Act,” among them a provision requiring periodic reports on the impact of the law on civil liberties.

Anthony’s camp, however, charges that the measure was a too-hasty response on the part of the Bush administration to the national tragedy and warns that the next potential iteration of the law, “The Domestic Security Enhancement Act of 2003,” commonly known as Patriot II, would be even more draconian. That bill has not been introduced (a leaked version sparked widespread opposition), but parts of it have surfaced in various pieces of legislation still in process.

In the meantime, Anthony points to a section of the existing 265-page Patriot Act that permits the FBI to examine library records. Her protest, she says, springs from

the ethical foundations of a profession based on access to information. A strong believer in the value of an informed electorate and the need to preserve the library as a community space and forum, she feels the new law violates core principles of librarianship. “As librarians,” Anthony said, “we had to balance our civic duty to comply with the law while preserving the role of the library as a conduit of information, bearing in mind the importance of upholding constitutional rights to privacy.”

Critics say the law also dramatically expands the ability of states and the federal government to conduct surveillance of American citizens and permanent residents as well as legal and illegal immigrants, eliminates some government accountability, authorizes the FBI to search your house without your knowledge, does not limit itself to terrorist activity and, moreover,

shrouds itself and its work in a cloak of secrecy that is anathema to the foundation of governance and civic participation.

Proponents say those who have committed no crimes needn’t fear. Not so, say Anthony and others who oppose the act. They note that searches can take place without notice to the target, with or without a warrant or a criminal subpoena and without demonstrating probable cause.

**A**nthony’s protest and that of others in her profession may surprise those who still hold to the stereotype of the librarian as the silence-enforcing keeper of card catalogues and rubber stamps. But it came as no surprise in Skokie, where Anthony arrived in 1985, picked from a pool of 200 applicants. “She said she saw libraries becoming focal points in communities, not merely to lend books but to provide vital access to information,” said Skokie Mayor George Van Dusen.

For Anthony and Skokie—a multicultural community that is home to more than 70 nationalities—this was in character. This is a library that recently sponsored a lecture series that included presentations on the Japanese-American internment during World War II and on the ongoing controversies at the Guantanamo Detention Center. Indeed, Anthony has been a leader in promoting diversity, and information is clearly her tool of choice. For instance, Anthony helped research and edit the first two of a planned five-book series on the multicultural history of Skokie to be given to all Skokie children in second through fifth grades.

Anthony’s current political activism evolved throughout a career that began at Harvard’s Widener Library. She moved to libraries in Baltimore, where she and her colleagues, faced with the aftermath of the race riots of 1969, took to the streets to address the needs of their community. They engaged the city’s

disenfranchised by turning libraries into sources of information and referrals. And it was here that Anthony met the person who helped set her sights on the kind of leadership position that allows her to affect community and national policies today.

Charles Robinson '50, then director of the Baltimore County Public Library, recognized Anthony's potential and encouraged her to apply for the directorship of the Skokie Public Library. "I looked at her and decided that she must be a director," he said. "I am not surprised that she's leading the charge in Illinois and nationally. She's a thinking, determined woman. A Quaker."

Anthony's Quakerism pervades her life. She mentions it often and regards it as a strong motivation for her work. "As a Quaker these things become integrated. If you respect other people, you tend to see that everybody should be assured of protection," she said.

With her move to Skokie in 1985, Anthony took on not merely the mantle

of library director but also community guardian. So much so that Mayor Van Dusen proclaimed October 16, 2003, Carolyn Anthony Day, recognizing her many state and national achievements over 18 years at her post, including her work as president of the Illinois Library Association, her chairmanship of the Illinois State Library Advisory Committee and her membership on the Council of the national body, the American Library Association. The proclamation also mentions a few sundry successes, among them her election as the first female president of the Rotary Club of Skokie, which she joined soon after it began to admit women, and her help in founding an annual Skokie Festival of Cultures, a reaction to concern on the part of some residents that the city was becoming too diverse.

Anthony's fans are many in this town of nearly 64,000 people. John Wozniak, current president of the library board and former dean at Loyola University, jokes that he is "about ready to canonize

her." Illinois Congresswoman Janice Schakowsky, a Democrat, has a framed copy of the Skokie Public Library's Patriot Act warning sign hanging on her office wall. Schakowsky describes Anthony as a "true patriot."

Yet there are those, like Attorney General Ashcroft, who consider Anthony's work and the efforts of like-minded groups to be an overreaction. Shouldn't we be willing, they ask, to tolerate a few small modifications in the conduct of our life if that can assist the government to prevent terrorism and protect the people?

Anthony maintains that existing criminal statutes provide law enforcement officials with the legal grounds to conduct investigations. In the case of Oklahoma City bomber Timothy McVeigh, for instance, library records were used to build the prosecution's case, and access to those records was gained through due process. The difference, according to Anthony, is that the pre-Patriot laws required a burden of proof and guaranteed the checks and

## Pondering the Patriot Act

Is the USA Patriot Act a reasonable response to extraordinary times or a profound threat to our freedoms? Here is a selection of views from the Colby community:

**Jack Sisson '06:** "The negatives are a small price to pay for a country that is dealing with terrorism. Federal agents need adequate tools to deal with the new and evolving tactics that terrorist groups employ. I don't know what the effect of Patriot Act II will be, but I wouldn't be concerned if library records could be accessed without a warrant."

**Emily Posner '04:** "Social movements based on questioning those in power are being stifled, and eventually that may make America more like a dictatorship. It erodes possibilities to engage our democracy because we can't build communities when we are scared of each other."

**Steve Bogden '05,** co-president of the Colby Republicans and member of the ACLU: "Diverse sections of the American polity are interested in preserving rights and will protect us from government excesses. Civil liberties are flexible during times of war—there's

historical precedent for that—but I think the act was a mistake. When the exportation of American ideology by a process of inspiration discredits Islamic fundamentalism, the future will be free from terrorism and the act will be rescinded."

**Susan Ellsworth '03,** who conducted research into the impact of the act on immigration procedures and is now interning with Human Rights Watch in Washington, D.C.: "In my interviews, many students were afraid to speak with me and most did not wish to go home during breaks for fear of losing their visas. There's a prevailing fear of arbitrary detention for un-American actions, the criteria for which one has no way of presupposing."

Harriet Sargent Wiswell and George C. Wiswell Jr. Associate Professor of American Constitutional Law **Joseph Reisert:** "Montesquieu said, 'Freedom consists in the opinion people have of their own security.' Fear robs people of their freedom, yet the question is whether we feel safer with the act than without it. The Justice Department has been less than cooperative under questioning, but what Congress passes, it can repeal. Academics can investigate the effects of the act so representatives may be better informed. I am worried about how the law impacts aliens,

balances that are the foundation of the American legal system and the presumption of innocence until proven guilty.

The independent courts that are intended to counteract abuse of the system are now written out of the process, she says. "Everything is done internally by the Justice Department and there are no protections for the person being investigated," Anthony said.

As a person well-versed in semantics, Anthony also is critical of the way in which the act is clothed in language that dissuades opposition. "To criticize it appears treasonous," she said, "and there are people who say we are not patriotic because we oppose the act." She notes that the Skokie Public Library, like many other libraries, has in fact taken precautions such as having users sign up for computer time, installing logins that permit registered patrons only and publicizing policies regarding appropriate Internet use in light of the potential for usage to be monitored. Anthony also reminds audiences at her

talks that librarians' opposition to this most recent legislation is based not only on the fact that historically, and by law, librarians are entrusted with the confidentiality of what people read but also on their memory of another shameful period of American history: the McCarthy Era. During that period, and during the 1980s under the Public Awareness Program, the FBI attempted to monitor reading habits. Then, as now, librarians came out in force.

Anthony's family—including her husband, William Anthony '71, a lecturer in the German department at Northwestern University and director of the study-abroad program there, and their two daughters—is solidly behind her fight for civil liberties, and they recount anecdotes they say show Carolyn's spirit and courage. William recalled a Quaker meeting the couple attended in 1978 in Dresden, in what was then East Germany, when Carolyn rose to her country's defense (in less-than-fluent German) by describing the American peace movement

to her suspicious hosts. "Despite my better language skills, it was she who had the courage of her convictions to actually give voice to what needed to be said," he said.

Carolyn Anthony says she is acutely aware of the nature of the opponent she has chosen to engage and that, in some ways, it would be easier to say nothing. "It is difficult to organize opposition when the assault [on civil liberties] is subtle and incremental," she said, "but it is vital. If you don't do it now, you will lose the ability to do it at all. It is like the way Nazism took over Germany. It was so subtle at first nobody noticed. People ask, why did we have slavery? Why did we accept Japanese internments? Why didn't we stop McCarthyism? Well, we are doing the same thing now if we remain silent in the face of immense injustice and the transformation of our country."

*See [www.epic.org/privacy/terrorism/usapatriot](http://www.epic.org/privacy/terrorism/usapatriot) for the complete text of the Patriot Act, bi-partisan analysis and links for further research.*

although it can be argued that we established a constitution to promote our own welfare and security, not that of others. . . . I do fear [the measures] may make too many people resent us and our government to justify any gain in security. I am grateful for the vigilance of fellow citizens who protest, file lawsuits, organize petitions, mobilize the electorate . . . doing that work to keep an eye on the government and to guard our liberties."

Associate Professor of History **Raffael Scheck**: "The Patriot Act cannot be compared to events in Germany under Hitler. I think it can be criticized for infractions on civil rights, but a comparison would frivolously belittle the extent of Nazi terror with its systematic and partially legalized torture and murder. The general direction of the act may not be incompatible with democracy and freedom, but individual provisions and their execution need to be analyzed with care."

Director of the Colby Libraries **Clem Guthro**: "International students are my concern. 'Mohammed' is more likely to be watched than 'Clem.' Colby has no sign posted informing students of the library's legal obligation to comply with the act. It's something to think about, and perhaps we should have a policy in conjunction with the administrative

vice president. With predominantly academic holdings, books are not the issue . . . we don't have a lot on how to build bombs! For Colby, the issue is Internet based. Yet the Internet has always been public. That the authorities are able to track people is a good thing, but what is being done is not good. The IP addresses, for instance, were established for one purpose, but now they are being used for another entirely. The Patriot Act went further than it needed to go."

Associate Dean of Students for International Affairs **Sue McDougal**: "There's a negative impact on foreign student enrollments. I don't know of any students being investigated, although I was contacted by the Department of Homeland Security (DHS) and given criteria by which to judge which students needed to be registered. Four were registered and will continue to be tracked by Immigration. Colby had a site visit from the federal government to institute an electronic system for data gathering called The Student and Exchange Visitor Information System. The government has direct access to that, so the College may not be aware of any investigations. Previously, officials had to request information from the College. Personally, I am skeptical about the intent of DHS. . . . They are spending a lot of time on legitimate people and not on those who are the real problem."