Ten Years Later: Information and Policy in the Aftermath of 9/11

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ABSTRACT
The theme of this year’s ASIS&T conference inspires us to examine our past, present, and future as a discipline. This panel adopts a similar lens but focuses specifically on the decade that has passed since the events of 9/11 and the subsequent legislative and policy impacts on information. The aim is to provide information professionals and scholars with an open forum to critically reflect on the post 9/11 legislation, policies, and practices and how these have affected access to information and informational activities more generally, including the production, management, and diffusion of public information. With an eye toward the future, we examine the extent to which the discourses and practices of the past decade have contributed to shaping and reshaping our information environment, how the information field has responded in the ten years since this defining event, and why and how information professionals ought to remain engaged in these matters in the future.

Keywords
Information policy; law; 9/11; information access; homeland security; democracy

INTRODUCTION
It has been a decade since the fateful events of 9/11. During that time, legislation, policies, practices, and discursive strategies have emerged, shaped, and reshaped different spheres of society, both nationally and globally. The changes introduced or, in some cases, expanded stringent anti-terrorism legislation, restrictions on access to public information, a broadening of information collection and information sharing, erosions of personal data privacy, the promulgation of a culture of secrecy, a logic of risk management and reduction, and a reliance on technologies to enhance safety (e.g., cyber-surveillance, data mining, profiling). Each of these phenomenon has contributed to the ongoing evolution of the relationship between citizens and the state (Caidi & Ross, 2005; Hosein, 2004; Gorham-Oscilowski & Jaeger, 2008; Jaeger, Bertot, & McClure, 2003, 2004; Jaeger, McClure, Bertot, & Snead, 2004; Roberts, 2006; Ross & Caidi, 2005).

This set of policy and legislative changes to the framing of information has altered the relationship between governments and members of the public, had significant impacts on information behavior in members of society, and made information issues far more political than they had been in the past (Braman, 2006; Jaeger & Burnett, 2005; Jaeger, 2007, 2009). Despite an initial period of objections to and protests against some of these changes by information professionals, these changes are now firmly ensconced in public policy. Ten years on, many of the consequences for information access, information behavior, information professions, information education, and information organizations are poorly understood and do not receive nearly the consideration that seems warranted given the implications.

Scholars in many disciplines are trying to make sense of these changes, from sociologists Kevin Haggerty and Richard V. Ericson (2006) who refer to surveillance as “the organizing principle of modernity” to social theorist Megan Boler (2008) who examines the changing media landscape and the potential of digital media as a site of resistance or dissent, and from author/playwright David Mamet (2004) who examines the societal affects of the terminology employed in post-9/11 legislation and policy to historian

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David Pease (2003) who explores the reconstruction of the concept of international borders by these policy changes. The implications of these laws, policies, and practices in the information field are enormous. Consider the implications of a sampling of major post-9/11 information-related laws in the United States on libraries (Jaeger, Bertot, & Gorham, in press):

- The USA PATRIOT Act and the rights of government agencies to collect a wide range of physical and electronic library records and to observe a wide range of patron behaviors in libraries;
- The Homeland Security Act, which enables government agencies to limit the availability of government information and to take information out of library collections;
- The Children’s Internet Protection Act (CIPA) and the need to filter Internet access for all library computers – and thereby reduce the information patrons can access – in order to receive certain types of funding;
- The E-government Act, which ultimately encouraged many government agencies to offload the training and support for use of their online services to public libraries.
- The Federal Communication Commission’s 2010 Broadband Plan, which suggests defunding libraries to promote private sector growth of broadband access.

These policies have implications for all information professions and cultural institutions, and the current debate over the Cyber Intelligence Sharing and Protection Act (CISPA) raises numerous additional potential issues that could become major challenges.

The purpose of this panel is to initiate a critical reflection and open discussion around the post-9/11 impacts on libraries and the information professions broadly speaking. Specifically, we will reflect on how anti-terrorism legislation and other laws, policies, and practices resulting from 9/11 have affected access to information as well as informational activities more generally, including the production, management and diffusion of public information. Key questions considered will include:

- How have these changes been evidenced in levels of information available to members of the public and to information professionals?
- How have differing levels of access and contextualizations of information influenced the information behavior of members of the public and of information professionals?
- How have the attitudes of information professionals to these laws, policies, and practices changed?
- How have the laws, policies, and practices affected different channels and platforms of access?
- How has education of future information professionals changed? What should students be prepared for in relation to these issues?
- What laws, policies, and practices should the information professions advocate for in these areas?

Invigorating and reflective discussion of these topics is extremely important for the information professions, as they are best positioned to understand the implications of the laws, policies, and practices and to propose alternatives that would better balance the vital goal of national security with the need for information access and freedom of information to support healthy and functional democracy. And, for information professionals, few ideals are higher than the support of democracy.

**PANEL STYLE**

The panel will last 1.5 hours. The panel will begin with a short introduction to the panel topic by one of the panelists. Following the Pecha Kucha-style for the presentations, each panelist will then provide a short, focused presentation on certain elements of the overall panel topic:

- The implications of the 9/11 information policy changes information access and information networks (John Carlo Bertot)
- The implications of the 9/11 information policy changes on information privacy and mobile communications (Katie Shilton)
- The implications of the 9/11 information policy changes on e-government and government information (Ursula Gorham)
- The implications of the 9/11 information policy changes on information behavior of disadvantaged populations (Paul T. Jaeger)
- The implications of the 9/11 information policy changes on policy literacy and LIS education (Nadia Caidi)

After the presentations, we will open the floor for discussion with the audience.

It is hoped that the engagement between the panelists and the audience leads to the formulation of a relevant research agenda for our field. The panelists will subsequently post this research agenda on the ASIS&T Information Policy
website, solicit further input and encourage meaningful
dialog and engagement with the critical issues stemming from this research area.

PANELISTS

The panelists are uniquely qualified to present upon and discuss these materials, as information policy is central to the work of all of the panelists:

John Carlo Bertot, Ph.D., is Professor and Co-director of the Information Policy & Access Center in the College of Information Studies at the University of Maryland. He is President of the Digital Government Society of North America and serves as chair of the International Standards Organization’s Library Performance Indicator (ISO 11620) working group. He is Editor of Government Information Quarterly and Co-editor of The Library Quarterly. Over the years, he has received funding for his research from the National Science Foundation, the Bill & Melinda Gates Foundation, the Government Accountability Office, the American Library Association, and the Institute of Museum and Library Services.

Nadia Caidi, Ph.D., is an Associate Professor at the Faculty of Information at the University of Toronto. One of her areas of research is Information Policy, specifically what happens to information in times of crisis. Her research on information control and the public’s right to know after 9/11 has been awarded grants from the Social Sciences and Humanities Research Council (SSHRC) in Canada. She has published several articles on this topic, and is on the editorial board of Government Information Quarterly.

Ursula Gorham is a doctoral student in the College of Information Studies and a Graduate Research Associate at the Information Policy & Access Center. She holds a law degree, as well as graduate degrees in library science and public policy, from the University of Maryland and is admitted to practice in Maryland. Ursula’s research interests include the impact of e-government upon the privacy, accessibility, and transparency of court documents.

Paul T. Jaeger, Ph.D., J.D., is Assistant Professor and Co-Director of the Information Policy & Access Center in the College of Information Studies at the University of Maryland. His research focuses on the ways in which law and public policy shape information behavior, particularly for underserved populations. He is the author of more than one hundred journal articles and book chapters, along with seven books. His most recent book is Disability and the Internet: Confronting a Digital Divide (Lynne Reiner, 2011). His research has been funded by the Institute of Museum & Library Services, the National Science Foundation, the American Library Association, the Smithsonian Institute, and the Bill & Melinda Gates Foundation, among others. Dr. Jaeger is Co-Editor of Library Quarterly and Co-Editor of the Information Policy Book Series from MIT Press.

Katie Shilton, Ph.D., is an Assistant Professor in the College of Information Studies at the University of Maryland, College Park, and a Senior Research Fellow at the University of Maryland’s Information Policy & Access Center. Her research explores ethics and policy for the design of information collections, systems and technologies. She received a PhD in Information Studies from UCLA in 2011.

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REFERENCES


