NO HUMAN BEING IS ILLEGAL

THE LIBRARY OF CONGRESS, HR 4926, + WHAT WE DO NEXT

[by Krista Hoitomt]
In March of 2016, the Library of Congress (LC) announced that it planned to cancel the subject heading, "illegal aliens".

LC intended to update its language by introducing less prejudicial terminology: "noncitizens" and "unauthorized immigration".

For the first time in the history of Library of Congress Subject Heading (LCSH) revisions, Congress intervened.

Far-right House Republicans in the 114th Congress aimed to force LC to keep using "illegal aliens" for cataloging by threatening the library's budget.

More than two years later, this issue remains unresolved.

[12.20.2018]
HOUSE RESOLUTION 4926 WAS ADDED AS A PROVISION TO THE 2017 HOUSE APPROPRIATIONS BILL.

114TH CONGRESS
2D SESSION

H. R. 4926

To direct the Librarian of Congress to retain the headings “Aliens” and “Illegal aliens” in the Library of Congress Subject Headings.

IN THE HOUSE OF REPRESENTATIVES
APRIL 13, 2016

MRS. BLACK (for herself, Mr. Gohmert, Mr. Brat, Mr. Barletta, Mr. King of Iowa, Mr. Calvert, Mr. Brooks of Alabama, Mr. Fleming, Mr. Smith of Texas, Mr. Rohrabacher, Mr. Loudermilk, Mr. Fleischmann, Mr. Ratcliffe, Mr. Duncan of South Carolina, Mr. Pittenger, Mr. Chip Roy of Tennessee, Mr. Babin, Mr. Gohmert, Mr. Boustany, and Mr. Turner) introduced the following bill; which was referred to the Committee on House Administration.

A BILL

To direct the Librarian of Congress to retain the headings “Aliens” and “Illegal aliens” in the Library of Congress Subject Headings.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Stopping Partisan Policy at the Library of Congress Act”.

SEC. 2. RETENTION OF “ALIENS” AND “ILLEGAL ALIENS” IN LIBRARY OF CONGRESS SUBJECT HEADINGS.

The Librarian of Congress shall retain the headings “Aliens” and “Illegal aliens”, as well as related headings, in the Library of Congress Subject Headings in the same manner as the headings were in effect during 2015.
HR 4926 attempted to order LC to match the language that certain members of Congress were using to draft federal laws. Some of the bill's supporters went so far as to claim that anything short of sticking with the current subject heading would mean that LC was disseminating legally inaccurate information, or as the bill's sponsor Representative Diane Black said, caving to "the whims of left-wing special interests".

**So what is accurate?**

Here are the currently used definitions for "illegal aliens":

**Library of Congress**

"PERSONS WHO ARE NOT CITIZENS OF THE COUNTRY IN WHICH THEY RESIDE"

**Black's Law Dictionary**

"THIS TERM IS GIVEN TO A FOREIGNER LIVING IN THE US WITH NO RIGHT TO STAY WHO HAS TAKEN NO STEPS TO BECOME A CITIZEN."

*the most widely used law dictionary in the US

**But here is the thing...**

"ILLEGAL ALIENS" IS NOT A REAL LEGAL TERM.
"You, who are so-called illegal aliens, must know that no human being is illegal. That is a contradiction in terms. Human beings can be beautiful or more beautiful, they can be fat or skinny, they can be right or wrong, but illegal? How can a human being be illegal?"

- Ellie Wiesel

Holocaust survivor, author, + Nobel Peace Prize winner

**Actions can be illegal. People can't be.**

**WHY SHOULDN'T YOU CALL SOMEONE "ILLEGAL"?**

The label automatically implies guilt and disregards due process. It also perpetuates the misconception that people are committing a crime just by existing - while it is a federal misdemeanor to enter the US without an inspection, it is not an ongoing criminal violation to be here without documentation (that would be civil offense). Also, approximately half of undocumented immigrants did enter legally but their visas have since expired. The word now is most widely used as a bigoted slur to racially profile minority groups, having replaced hateful words such as "wetback" from previous decades.

MORE INFO:
LC was hardly the first group to recognize that this needed to be changed.

THE ASSOCIATED PRESS STYLEBOOK DROPPED IT IN 2013:

"The Stylebook no longer sanctions the term ‘illegal immigrant’ or the use of ‘illegal’ to describe a person. Instead, it tells users that ‘illegal’ should describe only an action, such as living in or immigrating to a country illegally...

Is this the best way to describe someone in a country without permission? We believe that it is for now. We also believe more evolution is likely down the road....

Change is a part of AP Style because the English language is constantly evolving, enriched by new words, phrases and uses. Our goal always is to use the most precise and accurate words so that the meaning is clear to any reader anywhere..."


Following AP’s Lead, several other outlets, including ABC, USA Today, the Chicago Tribune, and the LA Times, all committed not to use the term “illegal” to describe people. This was years before LC started having these conversations.
THIS ISN'T NEW...

LCSH HAS CHANGED EVER SO SLOWLY OVER TIME TO CORRECT *SOME* OF ITS OFFENSIVE AND INACCURATE TERMS:

- Homosexuality
- xx sexual perversion (deleted)
- Indians of North America, Civilization of (deleted)
- Insane / Retard (changed to Mentally ill)
- Jewish question (deleted)
- Lesbiansism
- xx sexual perversion (deleted)
- Mammies (deleted)
- Native races (changed to Indigenous peoples)
- Negroes (changed to Afro-Americans)
- Race question (changed to “Race relations”)
- Yellow peril (deleted)

LIBRARIES ACROSS THE US AND THE WORLD RELY ON LCSH AS THE ULTIMATE SUBJECT CATALOGING AUTHORITY.

This poses a huge problem, however, since the entire system is built upon what Sandy Berman refers to as "racists/colonialist bias," "self-serving euphemisms," and the "overlord's terminology" (1993). Much like the previously revised headings above, "illegal aliens" serves to perpetuate the language of those in power and marginalize minority groups by labeling them as "problem people" or the "other". This stigmatization cuts even deeper since the prejudiced and antiquated terms can make it harder for people to find the information or library materials that they need.
CONGRESS HAS NEVER BEFORE ATTEMPTED TO POLICE LCSH RELABELING - A PRACTICE THAT TAKES PLACE EVERY YEAR.

WHY STEP IN THIS TIME?

My theory

The GOP latched on to "illegal aliens" while their front-runner for the presidential nomination made a spectacle of attacking immigrants and people of color on the campaign trail. Far-right representatives used HR 4926 as a way to simultaneously draw attention to their platform, sanitize a racist euphemism, and legitimate Trump at a time when immigration reform was a hot topic across all levels of government, including the Supreme Court.

"Would this have happened if LC's edit wasn't proposed during an election year?"

"The Trump election and coming to power of an administration that seeks to redefine facts and data to suit its agenda and that uses rhetoric and strategies meant to divide individuals and communities is a direct challenge to what librarianship stands for. It underscores the fact that, in our political moment, racist thinking continues to undergird powerful discourses and projects."

-Nadia Caidi (2017)
Who was behind HR 4926?

Known white supremacist

GOHMERT TX-1 (R)
BRAT VA-7 (R)
BARLETTA PA-11 (R)
KING IA-4 (R)
CALVERT CA-42 (R)

BROOKS AL-5 (R)
FLEMING LA-4 (R)
SMITH TX-21 (R)
ROHRABACHER CA-48 (R)
LOUDERMILK GA-11 (R)

FLEISCHMANN TN-3 (R)
RATCLIFFE TX-4 (R)
DUNCAN SC-3 (R)
PITTENGER NC-9 (R)
CHABOT OH-1 (R)

ROE TN-1 (R)
BABIN TX-36 (R)
GOSAR AZ-4 (R)
BOUSTANY LA-3 (R)
TURNER OH-10 (R)
36 REPUBLICANS*
ALL WHITE
1/3 NO LONGER IN THE HOUSE
*Yeah... this was clearly NOT about stopping "partisan policy"
How did we get here?

1910-1914

"Aliens" is one of the oldest terms in LCSH. It appeared in the first edition of "Subject Headings Used in the Dictionary Catalogues," which was published in sections.

1980

"Aliens, illegal" was created to clarify that materials under this heading were not referring to extraterrestrials or beings from other planets.

1981

Hennepin County Library (HCL) researched and created a new heading, "undocumented workers," and recommended LCSH also use it (LCSH made no such change).

1993

LCSH revised the heading to "Illegal aliens".

2007

"Extraterrestrial beings" was created as a new heading to try to clarify what LCSH meant by "aliens".

2009

Mohawk Industries v. Carpenter: Justice Sotomayor first used the term "undocumented immigrant" in her opinion.

2010

The GOP started to use the word "illegal" as part of a mission to stop comprehensive immigration reform, according to Drop the I-Word.

2012

Arizona vs. the United States: "As a general rule, it is not a crime for a removable alien to remain in the United States." - Justice Kennedy's opinion was noted for only using "illegal" in reference to a person when quoting other sources.

2013

The Associated Press announced that they would no longer refer to people as "illegal". Several other media outlets followed suit and use of the word dropped dramatically.
Melissa Padilla, a student at Dartmouth College, was researching at a school library and struggled to find sources on undocumented students. This is when she discovered that almost all of the materials were categorized under "illegal aliens," and she started telling her peers. Padilla was an undocumented immigrant from Mexico prior to starting college.

**Summer 2014**
The Coalition for Immigration Reform, Equality, and DREAMers (Co-FIRED): Dartmouth student activists - worked with their library admins to submit a request to LC to drop "illegal alien" (a "dehumanizing, inaccurate, offensive, and inflammatory term") and replace it with "undocumented immigrant"

**Throughout 2015**
Tina Gross (librarian/professor at St. Cloud State University) started American Library Association (ALA) caucuses and committees to urge LC to drop the term.
Other groups also started #NoHumanBeingIsIllegal and #DropTheIWord Twitter campaigns

**February 19, 2016**
LC was still hesitant but agreed to hold a formal stakeholder meeting. Reps various groups, including the Congressional Research Service, met with LC directors. They opposed the suggested change but did propose to switch "aliens" to "noncitizens" and "illegal aliens" to "undocumented immigrants"

**February 2014**
A group of students at Dartmouth created "The Plan for Dartmouth’s Freedom Budget: Items for Transformative Justice at Dartmouth" [aka "Freedom Plan"]. Goals included having the school and its libraries “ban the use of ‘illegal aliens,’ ‘illegal immigrants,’ ‘wetback,’ and any racially charged term on Dartmouth-sanctioned programming materials and locations”

**February 2015**
LC responded to Co-FIRED's proposal in a public memo where they refused to change the offensive heading on grounds that "undocumented immigrant" does not mean the exact same thing as "illegal alien," citing Black's Law Dictionary

**January 2016**
ALA Midwinter Meeting in Boston: a committee passed a resolution demanding LC to change the heading to "undocumented Immigrants". The ALA Council supported this and passed their own resolution in support of LC replacing what they recognized to be a racial slur with "undocumented immigrants"

**March 22, 2016**
LC finally announced that it would drop "illegal alien" from LCSH and make the other changes proposed at their February meeting. They finally conceded that "illegal" is a pejorative term.
April 13, 2016

Republicans on the House Appropriations Committee introduced HR 4926 as an amendment to the FY17 House Appropriations Bill - the bill that determines funding for legislative branch agencies like LC. The Democrats on the committee opposed, citing the ALA's recs, but lost in a 25-24 vote. It was then sent to the House Committee on House Administration.

May 19, 2016

Senator Ted Cruz (R-TX), Senator Jeff Sessions (R-AL), Rep. John Culberson (R-TX), and Rep. Lamar Smith (R-TX) sent a letter to the acting Librarian of Congress, calling the LCSH change "misguided" and urged LC to reverse course.

July 13, 2016

The ALA Subject Analysis Committee (SAC) created an "illegal aliens" Working Group, lead by Tina Gross. Their report supported the move to replace "aliens" with "noncitizens" but was firm that "undocumented immigrants" is the only acceptable replacement for "illegal aliens".

July 18-21, 2016

Republican National Convention: Trump received the nomination

July 20, 2016

This marked the last day for the public to comment on LC's proposed changes. The forum noted that the "final disposition of the proposals... [would be] announced later this year."

November 8, 2016

Trump won the presidential election

First 10 days...

The Southern Poverty Law Center noted nearly 900 reports of harassment and intimidation, 32% were anti-immigrant

First week...

2,500+ school teachers reported incidents of harassment that mimicked election speeches

January 3, 2017

HR 4926 died since the House Appropriations bill did not make it through Congress before year's end and it did not appear in the version passed by the Senate

Today

Despite HR 4926 NEVER BECOMING LAW, "illegal aliens" is still a part of LCSH. LC, either out of residual fear of losing their budget or out of thinking they are out of spotlight and no longer need to change, has refused to act. ALA and other groups have done nothing more to fight back or condemn this inaction. This means that the slur still appears in countless library catalogs across the US.
WHERE ARE WE NOW?

THE AUTHORITY FILE FOR "ILLEGAL ALIENS" IS STILL BEING USED IN LCSH AND FOR ALL RELATED HEADINGS

Notice that it lists "illegal immigrants" and "undocumented aliens" as topical terms but still won't even link to the preferred phrase, "undocumented immigrants".

HOW can these be the only cross references?

BUT REMEMBER - CONGRESS HAS NO DIRECT CONTROL OVER NON-FEDERAL LIBRARIES AND THOSE LIBRARIES ARE UNDER NO OBLIGATION TO FOLLOW LCSH

SO WHY WAIT?
HOW DOES THIS PLAY OUT IN REAL LIFE?

I did a couple of searches on HCL's catalog - my home library and the former employer of radical Head Librarian, Sandy Berman, who was known for regularly challenging LCSH:

Here is what happens when you use the common and preferred term:

Subject search: undocumented immigrants

View as keyword search

Filter Results

Sort by: Relevance

1 to 2 of 2 results

Eastern boys

DVD - 2015 | French French Adult DVD
Available View details

Place a Hold

vs. what happens when you use the slur:

Subject search: illegal aliens

View as keyword search

Filter Results

Sort by: Relevance

1 to 10 of 747 results

The Line Becomes A River
by Cantú, Francisco (Essayist)

eBook - 2018

Check availability

Request this Download

By not creating their own subject headings or standing up to LC in any way, HCL is complicit in the dehumanization of many of its patrons. This is also makes it seem like HCL is cool with limiting access since people are unable to readily find materials in the catalog under the terms that they regularly use and understand.
WHILE IT IS APPALLING THAT LC STILL HASN’T DONE ANYTHING ABOUT THIS, IT IS MUCH MORE STRIKING THAT NO OTHER LIBRARY SYSTEM OR GROUP OF RADICAL LIBRARIANS HAS TAKEN THIS ON.

KEY EXAMPLE: OCLC’s Faceted Access to Subject Terminology (FAST) was designed to be a simplified indexing scheme and subject authority to help librarians get around the clunky and daunting LCSH. They had the opportunity to lead the field and refused:

"OCLC fully supports changing the “Illegal Aliens” terminology in FAST, and wherever else it may appear. The phrase “Illegal Aliens” is pejorative at worst, and confusing and misleading at best. However, we are committed to the work and processes of our colleagues at [LC]… FAST has no history of sweeping editorial changes in headings based on pervasive cultural change without first seeing those changes in the LCSH headings from which FAST is derived."
- Andrew K. Pace (2017)

This is a total cop out.

If FAST was designed to be separate from LCSH, why insist that they be parallel? How does refusing to take action align with their mission to help library workers? Their argument that there is no precedent is also absurd since there was also no precedent for Congress to intervene in LCSH changes… 2016 election --> all precedent out of window

And let's not forget our Code of Ethics ("We uphold the principles of intellectual freedom and resist all efforts to censor library resources") or our Bill of Rights ("Materials should not be proscribed or removed because of partisan or doctrinal disapproval" + "Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment")

WE HAVE A MORAL OBLIGATION TO CORRECT THIS HEADING
Where is our generation's Sandy Berman?

Where are our great cataloging leaders? Where are our heroic agitators? At a time when we are being tested from every angle, we as librarians cannot afford to stay silent and let Congress bully its way into dictating that we violate our professional ethics or that we further marginalize our friends, neighbors, and patrons through oppressive language.

Two years of inaction is two years too long.

We can no longer wait for the archaic wheels of LCSH to catch up to the needs of those we serve. If one student at Dartmouth can make such a huge impact, catalogers have more than enough knowledge and skill to band together and make this change outside of the rigid and racist structures we have inherited.

The time is now.

No more "illegal aliens".

In 2016, both the House and the Senate were being controlled by a political party that had caved to fascists who place little to no value on access information or human rights. With Democrats coming into control of the House this January (116th Congress), we can be sure that a similar attack will not come to pass again (or at least for now). However, LCSH has a long, well-recorded history of being racist, classist, misogynistic, christian-centric, and incredibly slow to respond. We can't wait for it; instead we must now evolve beyond it. The 114th Congress knew our catalogs had power. It is time for us to harness it.

No more "illegal aliens". No more excuses.
Keep reading. Keep fighting.

ADDITIONAL SOURCES


"Catalogers, arise! Cast off your bondage and passivity! Say no to creativity-stifling conformity! Demand a role in decision-making! Prioritize professional integrity and unleashed imagination! And never forget who you really work for: library users and colleagues. Not bosses and bureaucrats!"

-Sandy Berman (2017)