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15 Years Later: Considering the ALA/CIPA Dispute Through Uncertainty Reduction Theory

Uncertainty reduction theory describes how individuals and organizations react when faced with a new relationship, including information seeking about the new entity. In 2002, the American Library Association entered into conflict with the new Children's Internet Protection Act, and this paper will demonstrate how the resulting lawsuit, and defense against the Department of Justice's appeal, illustrate information seeking behavior in order to reduce uncertainty. This paper offers uncertainty reduction theory as a theoretical framework for conceptualizing this series of events, describes the American Library Association's uncertainty, considers possible factors behind their uncertainty level, and describes the uncertainty-reduction information seeking behavior demonstrated.

Background

The Children's Internet Protection Act (CIPA) was signed into law on December 21, 2000 as part of H.R. 4577.[1] The act required all schools and libraries to deploy Internet filters to protect children from obscenity, pornography, and other content harmful to minors. Prior to this act, the American Library Association (ALA) had advised libraries to protect children with methods such as optional filters, Internet education courses, Internet use policies based on local needs, and strategically visible placement of computer terminals.

The passing of this act put libraries and the ALA in a philosophical quandary. Federal funds received by libraries provided significant benefits, but historically libraries have supported freedom of speech and open access to information. Just a little over three weeks after the Act

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was passed, the ALA voted to challenge the CIPA, and on May 31, 2002, the eastern district of Pennsylvania court ruled unanimously in favor of the ALA.[2] Shortly after the ruling by the eastern district of Pennsylvania, the United States Department of Justice (DOJ) notified the Supreme Court that it would appeal the ruling. On June 23, 2003 the Supreme Court made a plurality decision in favor of the CIPA.[3] In the ruling the Supreme Court clarified elements of the Act, including the fact that Internet filters should not be applied to adults.

In hindsight, this may seem like a useless conflict. It stretched over two years and involved two courts, only to result in a ruling that supported the original law all along. However the conflict is only nonconstructive if the total elimination of the CIPA was the entire goal. While that may have been the stated goal of the ALA, it is possible that the philosophical core of the ALA original suit (and defense against the DOJ's appeal) was based in uncertainty reduction.

When reviewing statements by the ALA and literature written by librarians during and after the legal wrangling, it is clear that the CIPA asked libraries and librarians to perform acts that ran contrary to their core identity. When faced with these requirements, self-doubt and confusion kicked in. Librarians were forced to consider how they could follow the letter of the law while still maintaining their core principles, or whether they should even have to do so. Through the ALA's original lawsuit and the following appeal by the DOJ, the specifics of the CIPA were clarified. Uncertainty in face of the new filtering restrictions was reduced as libraries were able to understand the unshakable reality of the Act, exactly what the restrictions would be, and how the Act would affect users.

Information seeking, the behavior demonstrated by the American Library Association by their initial lawsuit, is one of the seven core axioms of Uncertainty Reduction Theory.[4] Broadly, "[u]ncertainty reduction theory… seeks to explain how people think and behave during the initial stages of relationship development,"[5] but it also has been applied at the organizational level. This article proposes that the conflict between the American Library Association and the Department of Justice was caused by information seeking behavior meant to reduce the organization's environmental uncertainty when

faced with a "relationship" with their new legal decree, and that when seen through that lens, the conflict can be seen to have been a productive one.

The following four questions will serve as a guide when considering the ALA-CIPA dispute through Uncertainty Reduction Theory:

1. Does Uncertainty Reduction Theory research offer any frameworks for understanding the ALA's uncertainty level?
2. What are some factors that may have contributed to the level of uncertainty when CIPA was passed?
3. How does information seeking behavior fit into uncertainty management, and what methods of information seeking behavior did ALA display?
4. What was the motivation for ALA to deploy information seeking behavior in their uncertainty management (aka: in the lawsuit)?

Frameworks & Models of Understanding

Risk and uncertainty have been defined in numerous ways, but an excellent summary of some scholarly definitions is offered by Lipshitz and Strauss: "a sense of doubt that blocks or delays action."[6] This definition is an apt tool for understanding the uncertainty faced by ALA, as their doubt in the legitimacy of the law literally caused them to delay upholding the law while they assuaged their uncertainty. The Association experienced "(i)nadequate understanding owing to equivocal information" (this information could be interpreted multiple ways). According Lipshitz and Strauss's study, this is one of the most common uncertainty types.[7] Meanwhile, Lipshitz and Strauss found that "reduction" is the most

common response to inadequate understanding.[8] One form of uncertainty reduction is information gathering, the behavior that ALA demonstrated with their law-suit and appeal.

Milliken (1987) is another scholar who studied types of uncertainty. He notes that the previous "perceived uncertainty" measurement scales (which largely rely on measuring the rate of environmental change) were unreliable and suggests instead using measures that study the level of unpredicted environmental change.[9] Considering the uncertainty types outlined by Milliken, the ALA was certainly experiencing "environmental uncertainty," wherein the source of their uncertainty was from the external environment.[10] The Association was likely also dealing with "response uncertainty," defined as "a lack of knowledge of response options and/or an inability to predict the likely consequences of a response choice."[11] This illustrates the usefulness of the detailed ruling by the Supreme Court, which laid down some more specific guidelines as to the implementation of CIPA.

Finally, Bordia, Hobman, Jones, Gallois, & Callan studied the influence of uncertainty on the members of an organization. The authors describe the state of "strategic uncertainty," defined as "the (in)ability of the organization to meet the future needs of its customers, the direction in which the organization is heading, the business environment in which the organization will have to exist, and the overall objective/mission of the organization."[12] Certainly, ALA experienced strategic uncertainty as it considered its overall objective and mission as an organization in service to its customers (the libraries and librarians who were members).

Contributing Factors

Was ALA's uncertainty level influenced by its organizational type (a large, national non-profit)? Duncan's research indicates not. He found that environmental factors play a larger role in uncertainty than organizational type.[13] The most influential factor that Duncan identified was the static-dynamic dimension, the degree to which environment elements change or remain static.[14]

Meanwhile, in 1979 Berger identified three factors that might increase an individual or organization's uncertainty level: future interaction, deviance, and incentive. When CIPA passed, ALA certainly experienced all three factors. As a new law, it would be affecting libraries in perpetuity, so the ALA would be "interacting" with it in the future. It required librarians to act contrary to core values, and thus was deviating from expected norms (similar to the level of environmental change described by Duncan in the preceding paragraph). Finally, because CIPA concerned funding for thousands of public and school libraries in America, there was a huge incentive for ALA to resolve its uncertainty.

Finally, Kellermann and Reynolds' research suggests that a strong contributing factor to an individual or organization's level of uncertainty is their own "tolerance for uncertainty."[15] In their model, Kellerman and Reynolds measure "concern for uncertainty reduction" or "need for certainty" as opposed to the state of uncertainty itself.[16] While further research (probably in the form of interviews) would have to be conducted in order to determine the ALA's internal tolerance for uncertainty at the time of its lawsuit, that is a valid possible contributing factor to ALA's uncertainty level.

Information Seeking Behavior to Reduce Uncertainty

As previously mentioned, "information seeking" is one of the seven key axioms in Berger and Calabrese's 1975 article about interpersonal communication, which serves as a foundational piece of literature for uncertainty theory. In the axiom, Berger and Calabrese describe information seeking behavior as being driven by uncertainty: "high levels of uncertainty cause increases in information seeking behavior. As uncertainty levels decline, information seeking behavior decreases."[17] While this axiom is intuitive to comprehend and therefore easily believable, later researchers have found little evidence that uncertainty is consistently reduced along with the decrease in information seeking. For example, sometimes information seeking actually increases as uncertainty decreases.[18] There is also evidence that information seeking may not be an effect of uncertainty reduction, but rather the opposite: information seeking reduces uncertainty.[19] However, whether or not there is as literal as a cause and effect as described by Berger and Calabrese, researchers have continued to assume a relationship (albeit possibly an unpredictable one) between uncertainty and information seeking. The widely-accepted "standard procedure for coping with uncertainty" begins with reducing uncertainty through an information search.[20]

Another axiom of Berger and Calabrese describes the changing intimacy level in communication and information seeking during uncertainty: "high levels of uncertainty in a relationship cause decreases in the intimacy level of communication content. Low levels of uncertainty produce high levels of intimacy."[21] A lawsuit, such as the one exchanged between the ALA and the DOJ, is undeniably a cold and unintimate form of communication. Following this axiom, this information seeking communication style (the lawsuit) implies there was a very high level of uncertainty involved for ALA and the DOJ.

In one of his later studies, Berger analyzes information behavior and provides three different categories: passive (observing the opposite party), active (querying un-associated parties), and interactive (asking the opposite party direct questions).[22] Brashers, who wrote about uncertainty reduction for health care patients, similarly describes information seeking methods. However rather than a list of categories, he suggests a scale of more direct to more passive methods.[23] In this situation, the ALA demonstrated what Berger would describe as "active" information seeking behavior by turning to a court of law, while Brashers would likely categorize that as being on the "more direct" end of the scale.[24] The court provided information about the opposite party (DOJ) in the form of both the ultimate rulings and the clarifications/restrictions that it recorded in regards to CIPA.

The ALA's choice to turn to an external information source can be explained by the literal nature of the conflict and the fact that it could only be resolved through the external party of the court, but it can still also be considered through the lens of communication in uncertainty management. For example, Elenkov found that "the higher the perceived strategic uncertainty scores, the higher would be the use of external sources of information over internal sources of information."[25] Considering the high stakes of this conflict, by Elenkov's model, indicates that ALA would turn to an external source.

As mentioned previously, Berger and Calabrese laid down an axiom that uncertainty provokes information seeking, but research further has questioned the causality in that statement. While information seeking usually accompanies uncertainty, Kellermann and Reynolds argued that it is not an always the case and/or that the information seeking may be of varying intensity levels. They explain that sometimes people or organizations do not want to seek information in order to reduce uncertainty; sometimes the individuals simply don't care enough.[26] As mentioned earlier in this paper, Kellermann and Reynolds found that individuals' (and organizations') varying levels of "tolerance for uncertainty" were a powerful determinant in whether they sought information, and to what extent they sought information.[27]

With this model in mind, we can consider the possibility that ALA was not just motivated by its uncertainty, but also possibly a high desire to reduce that uncertainty. Considering that thousands of librarians were looking to the Association for guidance as they balanced professional ethics, it is highly possible that a need for certainty was an even greater motivation for ALA's information seeking than the abstract uncertainty itself.

Kramer also studied the motivation to reduce uncertainty model, agreeing with Kellermann and Reynolds that information seeking behavior does not automatically follow uncertainty. Rather, he found that the desire to avoid costs "while maximizing benefits" competes with the desire to reduce uncertainty.[28] A lawsuit such as the one ALA went through is a costly endeavor, so by this model the Association must have seen some strong benefits to outweigh the costs. Those benefits could include

continuing to be the authoritative source of information and dictator of procedural/ethical norms in the profession.

Kramer also found that the rarer the uncertainty is, the more likely someone is to seek information.[29] This certainly holds up in this situation,

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as the ALA does not often experience a mass-level of uncertainty across the profession like CIPA caused. Finally, ALA's lawsuit was an overt form of information seeking, which also matches another part of Kramer's model: "high motivation to reduce uncertainty" results in more direct inquiries.[30]

Conclusion

At the start of this paper, four questions were posed as guides to considering the ALA-CIPA dispute through Uncertainty Reduction Theory. The first was whether the research offers any frameworks for understanding the ALA's uncertainty level. According to the Lipshitz and Strauss model, ALA experienced inadequate understanding of the situation and coped via uncertainty reduction. In the Milliken model, the Association experienced environmental and response uncertainty. Finally, the research of Bordia et al. raises the possibility that ALA's uncertainty was tied to its strategic goals as an organization.

The second question concerned possible factors contributing to the level of uncertainty when CIPA was passed.   Based on Uncertainty Reduction Theory literature, ALA's organizational type was probably not a factor in the level of uncertainty,

but other likely factors include the amount of environmental change/deviance from norms, the future impact, incentive to resolve uncertainty and possibly an internal lack of uncertainty tolerance.

How does information seeking behavior fit into uncertainty management, and what methods of information seeking behavior did ALA display? While some details have been questioned, Berger and Calabrese's axioms are a valuable tool for beginning to understand how information seeking and uncertainty are related. With its suit, ALA demonstrated the direct, active information seeking behavior with an external source that Berger and Calabrese outlined in their axioms.

This article's final question related to ALA's motivation to deploy information seeking behavior in its uncertainty management (aka: in the lawsuit). While further research is needed, it is certainly possible that ALA was motivated to sue by more than just abstract uncertainty, but rather a desire to reduce the uncertainty related to this rare incident. The organization may have believed that the benefits to reduced uncertainty outweighed the costs of the information seeking process.

There is sufficient correlation between uncertainty theory and the ALA/CIPA incident for conflict theory to be used as a valid model. Furthermore, by considering the conflict in the light of uncertainty reduction and information seeking, we can see the rationale behind ALA's lawsuit, outside of a mere disinterest

in complying with CIPA. Though the conflict was not successful for the ALA, by viewing it as an exercise in uncertainty reduction, the conflict can at least be seen as productive.

Further Research

Bordia et al. found that high-level uncertainty influenced other levels of uncertainty in an organization, including at the sub-group and individual level.[31] So while the state of "strategic uncertainty" is a useful model for understanding ALA's behavior, more research needs to be done into the uncertainty experience of the subgroups (libraries) and individuals (librarians) during this time.

Additionally, interviews with individuals serving as ALA leaders at the time would help illuminate the organizations' internal tolerance for uncertainty and any possible role that tolerance (or lack thereof) played into the organization's motivation for information seeking in the courts.

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