

Introduction

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Recently, the *New York Times* began The Privacy Project to explore privacy in contemporary life. The opening sentences are:

Companies and governments are gaining new powers to follow people across the internet and around the world, and even to peer into their genomes. The benefits of such advances have been apparent for years; the costs—in anonymity, even autonomy—are now becoming clearer. The boundaries of privacy are in dispute, and its future is in doubt.¹

This is not new to most readers, but it reflects a broader public discussion about what we know to be true—the idea of privacy as we once knew it is in flux.

In this first issue of *Research Library Issues (RLI)* in 2019, the authors explore privacy from a legal, digital, and applied perspective, with a focus on the implications and opportunities for research libraries. The current privacy landscape highlights the need for a nuanced understanding of the complicated nature of privacy today. Research libraries need to collaborate with other privacy-related constituents within institutions and in the public policy and legislative arenas, and act as trusted institutions within a democratic society. The Association of Research Libraries (ARL) places privacy in the top tier of its priorities for advocacy and public policy. We hope this issue of *RLI* will help the reader identify institutional privacy policies and practices to investigate and adopt amid changes in the interfaces between users and information, and within the broader context of the US and international policy landscape.

“The idea of privacy as we once knew it is in flux.”

Not a day goes by without news of data breaches, and coverage related to consumer, student, and institutional privacy policy and

practices. Privacy is a topic of prime importance for our partners in higher education, government, and civic society—represented by its relationship to learning analytics, freedom of speech, the right to be forgotten, disinformation, and algorithmic bias. Research libraries may find themselves in a challenging position to educate users in a complex context, collaborate with peers on policy and practices, and influence decision-makers. The situation is complicated by users' expectations of convenience and varying expectations of confidentiality, and decision-makers' expectations of impact measures, timely outcomes, and risk management. **Clifford Lynch**, executive director of the Coalition for Networked Information, highlights three categories of threat for research libraries to understand, and concludes with recommendations on the most important steps to take now. He emphasizes the importance of institutional partnerships in doing so.

There is an increased interdependence of privacy laws worldwide, as evidenced by the European Union's General Data Protection Regulation, the Canadian privacy hearings, and US federal and state laws. This interdependence is at least partially driven by the increased sophistication of global digital data collection practices by both for-profit and nonprofit organizations. As a result, the legislative, regulatory, and public policy privacy landscape is in motion in the United States, Canada, and internationally—with uncertain yet ongoing discussion, now specifically focused on consumer privacy. As a collaborative partner in the research and learning ecosystem, research libraries have an opportunity to shape, inform, and ensure their institutions' policies and practices, as well as to participate in broader public policy discussions—recognizing that there are no easy answers. **Krista Cox**, director of public policy initiatives at ARL, provides the reader with an update on the current US and international privacy context—highlighting the patchwork nature of the US privacy landscape and the federal approach to privacy in Canada. She provides the background to potential for change in the US in 2019. Cox includes guidance on how research libraries can evaluate the current US discussion on consumer privacy as they consider convenience over

privacy as a value, something that will most certainly impact the research and learning community.

Ultimately each research library must develop and implement privacy policies and practices within its own institution. Research libraries partner, or may lead, in institutional policy development—usually requiring the creation of a clear and shared understanding of digital and physical privacy decision implications among key stakeholders, including boards, staff, and users. On a day-to-day basis staff need the knowledge of privacy practices in order to assist users, and as needed, evaluate, explain, and act on, privacy events. Privacy practice requires policy compliance in any physical and digital interaction—and with that the institutional capacity to assess and address compliance.

Bill Marden, director of privacy and compliance, and **Greg Cram**, associate director of copyright and information policy, both at The New York Public Library, share important distinctions between privacy and confidentiality, and how New York City public libraries and national endeavors are assisting with privacy policy and practice.

We hope you find useful knowledge on privacy in this issue, and we thank the authors for sharing their expertise with you.

A handwritten signature in black ink, appearing to read 'MLK' followed by a stylized flourish.

Mary Lee Kennedy

Endnote

1. The Privacy Project, *New York Times*, accessed April 29, 2019, <https://www.nytimes.com/interactive/2019/opinion/internet-privacy-project.html>.

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