



My Intellectual Freedom Journey

Reclaiming a Moral Sanction for the Public Sector

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Intellectual freedom—the idea that all people have the right to express themselves freely and access the expressions of others—is a core value of librarianship. But every value, every institution, must go through a kind of rediscovery with each generation. This “re-valuing” is necessary and right. Do our institutions serve us, or are we forced to serve them? Do we practice what we say we believe? An example of this re-evaluative process concerns the promise, the vision, of the Declaration of Independence. Jefferson wrote, “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” But that clear statement of “self-evident truths” was on the one hand immediately contradicted by the explicit endorsement of slavery (3/5ths of a human being), and by the denial of a vote to women. Nonetheless, the underlying idea was so powerful and compelling that subsequent generations returned to it again and again, edging closer to the original vision.

I believe that intellectual freedom is under such a review by librarians now. I believe, too, that the value remains an abiding and powerful call to service.

In this article I will present three snapshots from my own intellectual freedom journey. Each has a context in time that may lend depth of understanding to today’s challenges. Perhaps, too, it will point the way to a new place for intellectual freedom in our work.



Lean to the left, lean to the right, stand up, sit down, fight fight fight!

In 1979-81, I attended library school at the University of Illinois-Urbana. At that time, a dozen years after the establishment of the Office for Intellectual Freedom (1967), and a decade after the establishment of the Freedom to Read Foundation (1969), intellectual freedom was taught as part of a fundamentals class. In one class period we debated whether or not a library really should try to carry “everything for everyone,” limited of course by space and budget. In that moment, I decided that I truly did believe that goal, and that I would be prepared to *fight* against censorship. Fighting seemed necessary and was presented as the strategy of choice. Forces of darkness, exemplified in government by Joseph McCarthy in the late 40s and early 50s, and in religion by Jerry Falwell (who founded the Moral Majority the same year I started school), sought to silence those who argued for workers’ rights, racial equality, and sexual liberation. Who were the censors? Fascists, racists, and prudes. Who was under attack? Writers of conscience, socialists, civil rights leaders, anti-war protesters, feminists, and student free speech activists. How should we oppose censorship? With policies, of course, but also with get-in-your-face, bristling condemnations and lawsuits. It was a combative and confrontational time.

In 1977, the Intellectual Freedom Committee sponsored “The Speaker,” a film presented at the ALA Annual Conference about a speaker, promulgating racist beliefs, seeking to address a group at a public library. The film was and remains deeply controversial within the profession. Also in 1977, the American Civil Liberties Union (ACLU) defended the right of Nazis to march in Skokie, Illinois, at that time a heavily Jewish Chicago suburb. Because of that stance, ACLU lost many members. Others regarded the moment as a high water mark for the defense of free speech, a stand reflecting the proposition that anyone can defend the righteous or the innocuous, but it takes courage to stand up for the right to express offensive speech, especially when the fiercest condemnations come from your own friends. Free speech defenders said that if we are only free to have innocuous opinions, if we are only free to agree with one another, free speech is meaningless.

Clearly, racism and bigotry persist in America, as vividly today as forty years ago. They remain deeply divisive and continue to challenge a fundamentalist First Amendment stance.

As the 80s dawned, sex was another high profile target of censorship. Folks, mainly the aforementioned Moral

Majority, sought to keep magazines like *Playboy* off convenience store shelves, or at least to conceal their covers. And although librarians began to accommodate more openly sexual content in their book collections (a reflection of loosening societal and publisher mores), few libraries stocked *Playboy*, and almost no library bought *Penthouse*. Then, as now, libraries reflected the culture around them. Then, as now, the terms “sexual imagery,” “pornography,” and “obscenity” were tossed around with very little precision.

In 1969, the US Supreme Court ruled that people had a right to view sexually explicit material in the privacy of their own homes. (Getting it was still problematic). President Lyndon Johnson commissioned a group to study the effects of pornography. Its 1970 findings recommended continuing research into the effects of pornography and restriction of children’s access to pornography, recommended against any restrictions for adults, and in general concluded that obscenity and pornography were not important social problems. It will surprise no one to learn that the report was promptly reviled by politicians on both sides of the aisle.

In 1973, the United States Supreme Court handed down its first modern decision on “obscenity.” The so-called *Miller* test had three components. To be obscene, content had to violate contemporary community standards, present patently offensive sex or excretory functions with the intent to arouse (or as some put it, had to intend simultaneously to turn you on and gross you out), and lack serious literary, artistic, political, or scientific value. In other words, just writing about people having sex, as in *Lady Chatterly’s Lover*, wasn’t obscene. It was literature. A sex education book was, or arguably could be, scientific. A study on pornography (like Masters and Johnson’s study, the mailing of which had been found obscene earlier) could have political significance. Combined with the more recent availability of adult television programming, and ubiquitous sexual content on the internet, today’s “community standards” don’t leave much room for obscenity prosecutions.

One finding seemed clear, although I haven’t been able to nail down the exact moment when it happened. I suspect it was even before the 1969 *Tinker* case, in which the Supreme Court held that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate.” But while school libraries were still held to be *in loco parentis*—because children were required to attend school, and the parents were not present—public libraries were decidedly *not* standing in for the parents.



Minors were considered now to have greater agency, and their own claim to First Amendment rights.

In sum, intellectual freedom at the beginning of my career was presented as a vital **liberal** value. More recently, many progressive librarians have begun to focus more on the power and importunities of privilege, in which some speech is seen as harmful by definition. Meanwhile, much of the free speech rhetoric of today can be found on the conservative and libertarian right. That's a big shift.

What was my takeaway from this first professional encounter with intellectual freedom? I claimed the value. Viscerally, I knew from my own childhood that the suppression of speech, the attempt to forbid not just the behavior but the beliefs of another human being was profoundly wrong. I believed in the potential and the dignity of individual inquiry. My professional aspirations converged with personal experience. Let the stories be told!

An emotional subtext

From 1990 to 2014, I was the director of the Douglas County (Colorado) Libraries, just south of liberal Denver, just north of conservative Colorado Springs, home of the evangelical media empire of the then-burgeoning Focus on the Family. In my time there, I directly responded to over 250 formal challenges to my library system. The targets ran the gamut: books, magazines, films, games, internet use, speakers, art exhibits, my newspaper articles, and even my private Facebook posts.

On the one hand, my personal belief in intellectual freedom continued. It was strengthened by raising two children, for whom I wanted the broadest possible scope for their curiosity and growth. I met other parents with similar ideas. On the other, the confrontational style I'd been taught to admire in library school presented problems for a library and would-be civic leader. While the challenges to my library were often fundamental ("there should not be any books on this topic or from this perspective in the library"), the people doing the challenging didn't really represent a majority. They were, though, visible and persistent. How could I uphold essential library values without alienating at least some part of general community support?

Moreover, over the course of my tenure, I was surprised to find that the challenges themselves began to change. They no longer originated from just the religious or political right. I was also getting them from what I had considered the liberal, secular left. For instance, such books as *The Stupids Die* by Harry Allard were challenged

on the basis of self-esteem: "No children should be told that they are stupid."

After sitting one day and pondering my first 100 challenges, I had a key insight, based no doubt on my own parenting experience. The common theme of the challenges was not religion, or politics. The overwhelming majority of challenges came from parents whose children fell into one of two categories: they were between the ages of 4 and 6, or 14 and 16. I realized that the demographics of my community reflected a shift in Baby Boomer and Gen X-er parenting styles, from perhaps too loose to an ever-tightening supervision and protectiveness. And so we went from the latchkey children of a previous generation to the helicopter (and now, some would argue, to the Velcro) parent.

In short, censorship had *an emotional context*. The issue wasn't really about the culture wars or extreme political agendas. It was about the difficulty many of us have when our children cross the threshold from infancy to childhood (4-6), or childhood to adolescence and maturity (14-16). In an attempt to cope, parents went through paroxysms of anger, grief, self-righteousness, and a grasping for control. The library was an incidental target, part of the larger problem of a world where their kids were growing up faster than their parents were ready for.

This changed my orientation. Instead of branding challengers as rabid censors, I responded to them as fellow travelers. I thanked them for having brought their children to the library in the first place, for investing in their literacy, for noticing what they read, for thinking about their family's values, and taking the time to communicate them to a public institution. I told them that I understood their concerns, but that the deep purpose of the library in our society was not to preserve innocence, but rather to promote knowledge. I would say, "OK, your children are growing up faster than you'd like. But if your real interest is their safety and happiness, then reading is a great strategy. Where do you want your children to find out about sex, or drugs, or crime, or abuse, or any other issue in the complex adult world?—on the street? Or in the safety of the library? Maybe you weren't ready to talk about these things with them. Nonetheless, they may be ready to learn. Is the problem really that they're reading too much?"

I learned that there was a delicate moment in this dialog. It involved a balance between respect—listening to the concern and giving it authentic consideration—and institutional purpose. To those who would say, "You don't know what your job is," or "You are working to destroy everything good," I would say, "We do know our job.



And we seek to serve you well. But you are not the only one we serve.”

Mary Jo Godwin, the final editor of the late and lamented *Wilson Library Bulletin*, once wrote that a really good library has something in it to offend everyone. It’s true. But I emphasized the converse: a really good library has something in it to *support* everyone (assuming that the intent is not to commit a crime). You’re a Christian homeschooler? Let us show you how we can provide an alternative to a \$1,000 a year paid curriculum. You’re a lesbian mom looking for books to show families like yours to your kids? Here’s our small but growing collection. Can you recommend other titles?

In my formal responses to challenges, I did my best to find that balance. The subtext: Libraries demonstrate their value not through the suppression of resources, but through their provision. Our mission was to add useful information, not hide what some people found disagreeable or uncomfortable.

My takeaway from this second phase of my professional dealings with intellectual freedom was this: while I would not passively submit to my own, or my institution’s demonization, neither would I demonize others. Human institutions serve human beings, and human beings deserve courtesy and compassion.

Institutional infrastructure

So during a 24-year tenure at Douglas County, I responded to over 250 challenges to library resources. That’s roughly 10 a year. But when I became the director of the Office for Intellectual Freedom (OIF), we provided support for nearly 350 challenged libraries *every* year. While research (in Texas, Oregon, and Missouri) in 2011 showed that no more than 8-12 percent of library challenges were ever reported to us, our roughly one-a-day reports did demonstrate consistent themes.

But more important than recurring themes, I learned, is the value of institutional infrastructure. Ultimately, libraries draw their meaning and validity from the First Amendment and the United States Constitution. These documents, and the subsequent actions by federal and state law—sometimes challenged in state, federal, appellate, and Supreme courts—lay out a framework of carefully balanced rights and responsibilities. That framework requires the due diligence of governing bodies and administrators not only to fulfill legal responsibilities, but to avoid unnecessary liability and disruption.

An illustrative case is the controversy that erupted in 2018 over the Intellectual Freedom Committee’s *Interpretation of the Library Bill of Rights* regarding the use of

meeting rooms. The language presented to, adopted, then rejected by ALA Council, rested on a well-tested body of First Amendment law. In brief, while libraries don’t have to open up their meeting rooms to the public, once they have, they have established a “limited public forum.” As a public entity, the library faces strict scrutiny by the courts. The government, in this case a library, can’t limit access according to the beliefs of the would-be users. It can only limit them by time, place, and manner.

Librarians had asked the committee: does that mean even religious groups can use the library? Can even white supremacists and other hate groups use public space? The answer is unequivocal. Yes. It does. And in practice, these principles ensure that even the *targets* of hate speech—LGBT youth, Black Lives Matter activists—have public space to meet and seek redress of grievances.

Some critics of the language viewed such an admission as an invitation to hate groups. That contradicts the fact that library policies almost always state that the library explicitly does *not* endorse the views of all the authors on its shelves nor all the speakers in its meeting rooms. Libraries do, of course, have the responsibility to assure the public’s physical safety, and adopt patron behavior policies to call out what will and will not be tolerated. Short of targeted harassment or shouting fire in a crowded theater, speech is not by itself unsafe, nor are there constitutional protections for people’s feelings. The point is this: it is less disruptive to follow the same rules for all groups, than to make a stand for social justice that escalates conflict, results in lawsuits, and still requires the library to provide the space.

But local institutional infrastructure matters. Put simply, libraries that do not have policy statements or reconsideration protocols are far more likely to be subject to political or public pressure and to fold in the face of conflict. When these libraries called the Office for Intellectual Freedom for assistance, there was often little we could do beyond helping them strategize about finding allies and planning for the next challenge. Those libraries that do have a comprehensive policy framework will still face pressures, of course. But a policy and procedural infrastructure cushions that pressure and provides time for more thoughtful consideration. Such libraries are more likely to retain challenged resources and to educate their communities on the enduring value of library mission.

It is important that governing authorities regularly review and adopt key documents. At minimum, libraries should adopt and be governed by the following:

- **The Library Bill of Rights.** Originally adopted by ALA in 1939, this document asserts the fundamental



responsibility of the library to provide a broad range of perspectives and access to those perspectives, for all. It was the adoption of the Library Bill of Rights—during a time, like ours, of rising autocracy and in which many immigrant rights were challenged—that ushered in the core value of intellectual freedom to the profession.

- **Interpretations.** Rather than change the Library Bill of Rights to address each emerging social issue (in recent years, challenges to LGBT content in libraries have predominated), the Intellectual Freedom Committee adopts *interpretations* that explicate the document and underscore the notion that when we say “all people” it really does mean everyone. Library directors should regularly review and revisit these documents with their governing boards. This helps trustees stay on top of those emerging issues, and think through the library’s responsibility in light of its mission and values. As the meeting room controversy showed, this is where the issues of the day are debated.
- **Code of Professional Ethics.** This document, also originally adopted in 1939, is a clear and succinct summation of the principles that should guide librarians.
- **Materials Selection policy.** Libraries should clearly state their commitment to intellectual freedom, and identify the general scope of the collection.
- **Meeting Room policy.** The rules libraries establish must be applied equally to all applicants. In general, such rules ensure that even the most marginalized groups have access to public resources.
- **Exhibits/Displays policy.** Whether for internal or external use, library displays should also be governed by a policy, indicating who has the authority to approve them, and what the general intent and scope of the service should be.
- **Program policy.** Again, whether sponsored by the library or the community, a policy should spell out the process through which programs are decided and what the general scope of the programs should be.
- Finally, but of great significance, is the adoption of a clear **reconsideration process.** In the past, this has been used just for challenges to library collections—books, magazines, movies, and audiobooks. But today, that protocol should embrace *any* library service. Now, libraries are being challenged for databases, speakers, artwork, and more. A thoughtful request for reconsideration process should include, at minimum:
 - the requirement that the challenge be submitted in writing, clearly identifying the service, the concern, and the complainant.
 - the requirement that the service will be examined in full, and in light of library mission and policies, by a

committee of professionals.

- that the committee will offer a recommendation for the disposition of the service (typically to retain, reclassify, or remove a title or resource) to the executive of the library.
- that the executive should carefully consider this recommendation, and announce a decision.
- that the decision may be appealed to a governing body, whose decision is final. For more information about both selection policies and request for reconsideration processes, see <http://www.ala.org/tools/challengesupport/selectionpolicytoolkit/>. See also the latest *Intellectual Freedom Manual*.

The simple presence of this process is an essential defense against pressure groups, who seek to use moments of outrage or crisis to effect sweeping changes in library procedures, and even the definition of a library’ purpose. Reconsideration buys time to behave responsibly, in accordance with the mission of the library.

It’s worth calling out two other aspects of recent intellectual freedom challenges.

Librarians make a difference. In Mesa County, Colorado, a high school principal pre-emptively pulled copies of the Jay Asher book, *13 Reasons Why*, which dealt with the topic of teen suicide. School librarians immediately and publicly pointed out that the action directly contradicted district policy. There had been no formal complaint. There had been no review. The administrator acted utterly beyond the scope of that position’s authority. Within days, the copies were returned to shelves. Within weeks, a comprehensive school website was launched that provided multiple resources for teens facing depression and considering suicide. And so librarians shifted the district from censorship and suppression to outreach and information. Absent those librarians, and absent those policies, that simply wouldn’t have happened.

A second point is that libraries that do have policies and don’t follow them fare badly, both in the court of public opinion, and in the actual courts. The rules that govern public institutions have a context and meaning. Those administrators who abandon them in times of trouble find that they also betray the trust of the people they serve. That trust is difficult to regain.

Finally, then, my takeaway from this third phase of my intellectual freedom education is that librarians need to have a deeper appreciation for the larger legal and policy context of our work. Today, Americans have all but lost any appreciation for the meaning and value of public institutions. The framework of thoughtfully considered policy



and procedure is designed to help an organization survive the shortsightedness and fads of the moment and to avoid being swept into more destructive social moments. America needs trustworthy and effective institutions. Libraries may well be one of the pivotal institutions to reclaim what has now become a *moral* imperative: the idea that civic investment, and a robust marketplace of ideas, are both necessary and vital to our individual and collective well-being. This message is profoundly out of step with the times. That's what makes it so important.

Making meaning: the root of challenges

Today, there are at least six drivers of attempted censorship. All of them require an appropriate response.

The first, as discussed above, is the attempt by parents to preserve childhood innocence. This continues to be the typical individual cause for attempts to remove or restrict access to library resources. The appropriate library response is a combination of empathetic listening and adherence to policy.

The second driver seeks to leverage parental concerns into political power. The clearest modern example of this is the opposition to Drag Queen storytimes, carefully fanned by such groups as the Family Policy Alliance (formerly known as CitizenLink and Focus on the Family Action). Other groups include Concerned Women for America (which sought, in Illinois, to mandate placing the words "In God We Trust" over the entrance of every public building), and the National Center on Sexual Exploitation (formerly known as Morality in Media), which seeks to block access to mainstream library periodical databases. Here, the best strategy is once again having and upholding a policy infrastructure and holding to our own well-tested ideals rather than trying to justify ourselves to the opposition. But here, litigation is a powerful tool that will continue to depend upon the largesse and passion of the legal profession to defend both library and general First Amendment freedoms. (To participate in this ongoing effort, join the Freedom to Read Foundation at frf.org.)

The third cause for challenges is administrators' fear of controversy. Over the past several years, OIF saw a bump in reports of university provosts pulling LGBT displays, school superintendents yanking books after a single phone call, directors refusing to buy bestsellers critical of Trump, and board members directing the removal of art. This fear of controversy—and the frequent skirting of policy and procedure that accompanies it—is a public embarrassment. As I have written elsewhere, appeasement doesn't win critics to your side. It emboldens them. Virtually any perspective will be controversial to somebody. Rather than

predicating administration on capitulation and apology, it is better to base it on the principles of ethical management. Administrators need to have backbones and live up to their policies. This will not guarantee conflict-free operations. It might, however, earn the respect of those the library is charged to serve. An additional approach to address these issues would be consistent statewide training on ethics and intellectual freedom. Also, upholding intellectual freedom should be in the job description of public officials, as it often is for library directors.

The fourth cause of censorship is the media and political temper of the time. These days our politics are most often predicated on outrage, fear, and willful ignorance. H. L. Mencken once defined Puritanism as "The haunting fear that someone, somewhere, may be happy." No doubt there is a neurological reason that we scramble to see conspiracies and snake pits in every encounter. But it has long been the case in mainstream journalism that, "if it bleeds, it leads," and anyone is ready to believe the worst of a public institution. The appropriate response is to build relationships with media and contribute more constructive content when possible.

The fifth reason is a larger version of the fourth. Since about 1965, there has been a very successful attempt to define not just libraries, but all tax-payer funded services as a kind of theft. This "framing" effort, as described by George Lakoff, is ubiquitous, with all sides agreeing that taxes should be lowered—even when they may well be the most cost-effective way to secure a necessary service. This concerted attack on the public sector is one of the most pressing issues of our time. I believe that a new kind of advocacy, based on a keen understanding of neuroscience, and aimed toward a long term reclamation of the public sector, is essential. See the joint initiative by the Office for Library Advocacy and OIF, the Advocacy Bootcamp.

The sixth root of censorship in our times is the growing awareness that our society is on the cusp of an historic demographic shift. As of 2014, a majority of Americans under the age of five are non-white. Those about to lose a brace of unconscious privilege, if we are to judge from the perpetually aroused and alarmed Fox News audience, are freaking out, and seek to claw it back.

We are also seeing, among many new librarians, the anger of long repressed minorities and anger appropriated by others on their behalf. Many of these librarians express a surprising willingness to abandon longstanding policies and procedures ensuring free expression to assure an undefined "safety" for previously marginalized populations. A support for social justice is commendable. However, **free speech is the beginning of social**



justice—it's how the disenfranchised start to lay out their concerns and find allies. The suppression of one will surely suppress the other.

The response to these issues of diversity, civic participation, and free speech has many dimensions. Together, they may suggest the defining professional issues of our time, affecting recruitment efforts, and changing service profiles based on emerging demographic groups. The faces of our libraries should resemble the communities they serve.

Based on various reports, anti-immigrant and racist sentiments often flourish precisely where few immigrants or people of color can be found—rural areas. Let's call it what it is: ignorance. Once we get to know others from different cultures or experiences, we tend to find them only . . . human. It should be a goal of our libraries to feature to the greatest extent possible the literature, music, film, art, speech, and dialog of everyone in our society, in an atmosphere that models respect and dignity and promotes understanding.

Conclusion

Intellectual freedom is more than fighting or demonizing the censors. Ultimately, it's about learning and growth. It is knowledge that frees us from the prisons of our prejudices. It is understanding that raises up individuals and stitches communities together. After nearly four decades of living and breathing the role of libraries in our society, I have concluded that literacy, knowledge, compassion, and curiosity matter deeply.

What is the meaning of intellectual freedom? It may be no more complicated than this: giving someone the space to speak. Listening. Thinking. Then talking about what it might mean, and what we might do, together, as uncoerced individuals who still care about each other and the world we want to live in.