



Responding with Policy

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How many ways can you say unprecedented? Unequaled? Unmatched? When the ALA's Office for Intellectual Freedom released its data for book challenges in 2022 the headlines were glaring. "A record 2,571 unique titles were targeted for censorship, a 38% increase from the 1,858 unique titles targeted for censorship in 2021. Of those titles, the vast majority were written by or about members of the LGBTQIA+ community and people of color" (American Library Association, 2023). When I give interviews, I am often asked, "When will it end?" My answer: "I don't know. All we can do is be prepared, gather our allies, and respond appropriately."

Along with direct community responses, library workers and allies can also lobby their state and local government to enact laws and guidelines that protect intellectual freedom and privacy. The state of Illinois offers two examples that may serve as templates for other states. The first is the so-called Anti-Book Banning Law (HB 2789). This law amends the Illinois Library System Act to state that it is policy of the state of Illinois to "encourage and protect the freedom of libraries and library systems to acquire materials without external limitation and to be protected against attempts to ban, remove, or otherwise restrict access to books or other materials" (Library Systems—Book Banning 2023, 1). It also includes several goals for the State Librarian including adopting the ALA's Bill of Rights and "prohibit the practice of banning specific books or resources" (2) The teeth of the law can be found in Section 8.7 concerning state grants. For a library or library system to receive grant money from the state of Illinois, they must adopt the ALA's Library Bill of Rights or develop a written policy that "prohibits the practice of banning books" (3). This latter statement is one that will probably be analyzed in this journal for years to

come, but the Illinois law is an excellent first step for supporting people's right to read.

The governor, attorney general, and director of the Department of Human Rights also released a letter that addressed threats to LGBTQ+ events held in public spaces (Illinois Department of Human Rights 2022). Although the legislature did not pass any new laws, the letter reiterates that the Illinois Human Rights Act does not allow for discrimination or harassment based on sexual orientation or gender identity in libraries, public schools, municipalities, park districts, forest preserves, and other public spaces. In addition, public accommodations do not allow for additional fees to be charged solely due to the organizer's gender identity or sexual identity, or the intended audience of an event. The letter also reiterates that events cannot be shut down because the message is controversial or due to fears of violence. The letter provides a clear reminder that what is considered hate speech in one community is not the same in another community, and to protect the voices of historical marginalized people, everyone's right to public accommodation must be upheld.



This issue includes two commentaries. The first, by Harvey J. Graff, discusses the need for a scholarly book author bill of rights in light of changing intellectual property regimes and publishing standards. Nicole A. Cooke calls on this moment to radicalize us in support of both intellectual freedom and social justice. The two peer-reviewed articles by Bill Marino and Richard Price, respectively, focus on

tracking software used with open access journals and the history of book challenges and obscenity laws.

Due to staffing changes in ALA's Office for Intellectual Freedom, this issue does not include news. The sheer amount of person-power required to keep abreast of all the materials challenges is daunting. Issue 8.1 will include news through October 2022.

References

American Library Association. 2023. "Book Challenges Nearly Doubled From 2021." News and Press Center, March 22. <https://www.ala.org/news/press-releases/2023/03/record-book-bans-2022>.

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