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Fighting Book Bans across the US

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Organizations such as the American Library Association (ALA), EveryLibrary, and PEN America have been tracking the sharp escalation of book challenges since 2021. These challenges have centered on school and public libraries across the United States; the number of challenges and bans is higher than it's been in more than twenty years.

Often, books and materials with lesbian, gay, bisexual, transgender, and queer/questioning (LGBTQ+) authors, themes, and protagonists are targeted for removal or restriction. Likewise, books that contain themes of social justice or institutional racial injustice (frequently written by or featuring Black, Indigenous, and other People of Color or BIPOC) are common targets.

In 2022, ALA documented 1,269 attempts to censor library books and resources; however, this organization estimates that the vast majority of challenges are not reported to them, so the actual number of censorship attempts is likely much higher.

As a library science faculty member, I have paid close attention to this data, as well as the numerous stories and anecdotes I hear from working librarians in Kentucky (where I live and teach) and across the country. Since 2021, I have given fifteen talks and webinars about intellectual freedom and censorship (and I'm giving five more yet in 2023!), many of them with national or international audiences. Librarians and community members are hungry to learn about this topic.

I have been studying intellectual freedom and censorship since I began my graduate studies in the early 2000s,

but I have never seen situations like librarians are currently facing: angry community members who refuse to have civil conversations, who accuse librarians of hateful things, and who want to ban all people from reading books that only a few find offensive. As I watched the book challenge attempts escalate and I spoke with library workers, I realized two things: many people had valuable stories and perspectives to share, and I could help facilitate this process.

From these realizations, I developed a new edited book: *The Fight Against Book Bans: Perspectives from the Field*. Published by Libraries Unlimited, it contains twenty chapters, primarily written by library workers and faculty. Each chapter has a different perspective on what is happening with book banning and what can be done to counter-challenge the would-be censors. For example, some chapters were written by librarians who went through book challenges and offer advice to others who will encounter similar tactics.

However, there are even more perspectives and valuable contributions, beyond what fit in the book; these additional viewpoints are shared in this issue of the *Journal of Intellectual Freedom and Privacy*. First is a commentary by Dr. Nicole A. Cooke and Cearra N. Harris; they explore "soft censorship" and the role of "neutrality" in light of the ongoing book bans.



Librarian Aryssa Damron, next, describes the history of bans placed on books by author Ellen Hopkins, from the perspective of an avid reader. Dr. Paul T. Jaeger, Allison Jennings-Roche, and Olivia J. Hodge explain another front in the anti-intellectual freedom campaign: state-level laws that try to criminalize parts of librarianship. Next, Dr. Sarah Beth Nelson describes three experiences she had as a school librarian, showing different views of potential and actual

ensorship. Richard Beaudry and Dr. Toni Samek investigate the spread of American-style censorship campaigns to school libraries in Canada. Finally, Michael Kirby examines how author and activist Wendell Berry can inform our perspective on intellectual freedom.

I hope these authors will inform and galvanize the readers for the fight against censorship!



The Softer Side of Censorship

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This essay aims to take an introspective look into soft censorship's complexities and demonstrate how conforming to the ideals of soft censorship makes libraries perpetrators of implicit bias. It begins by defining the concept of book banning before delving into its long and complicated history, which dates back to 212 BCE. By initially looking back at the chronology of book banning, the authors aimed to make a case for how the practice of book banning has continuously been a concerted effort to whitewash and sugarcoat history and to continue dismantling our public educational institutions. The essay dives into disseminating implicit bias through soft censorship in libraries and information sciences. The authors justify how soft censorship directly undermines the intellectual freedoms of library users and readers and demonstrate how, by engaging in soft censorship, libraries are not only perpetrators of implicit bias but are also catalysts of inequity within their institutions. The essay then gives readers a step-by-step guide on resisting censorship in their respective roles. After that, it urges readers to take action and concludes with an important message emphasizing the need for a cultural approach to combat censorship. By doing so, we can begin dismantling the inequities plaguing the library and information science field.

Just as during the McCarthy era there was a desire to suppress social change, we see that happening again, especially as people of color and LGBTQIA individuals seek more social inclusion and political power
—Tracie D. Hall in Cotto 2022.

The challenging, banning, restricting, censoring, and even burning of books and printed materials is an age-old dilemma, one that has roots in classism, religious elitism, racism, homophobia, xenophobia, and other “isms.” Banning, challenging, and restricting information is a form of censorship, which stands against the library profession’s core values (ALA 2020), the American Library Association’s (ALA) Freedom to Read Statement (ALA and AAP 2020), and ALA’s Library Bill of Rights (ALA, 2019), all of which suggest that individuals in our democracy have intellectual freedom and the right to read and believe what they choose; individuals should not be hindered in their access to information by the beliefs or wishes of others, particularly those that may disagree with them.



Book banning occurs when private individuals, government officials, or organizations remove books from libraries, school reading lists, or bookstore shelves because they object to their content, ideas, or themes. Those advocating a ban complain typically that the book in question contains graphic violence, expresses disrespect for parents and family, is sexually explicit, exalts evil, lacks literary merit, is unsuitable for a particular age group, or includes offensive language. (Webb 2009)

Brown (2022) further contextualizes this definition:

Banning books is always bigger than just the ban or just the book. It's a concerted effort to whitewash and sugarcoat history, to deny the truth of what happened and who we are as a nation, and to continue the dismantling of our public educational institutions. This current surge is not a grassroots movement of individual parents wanting to protect their children. No, for the most part these are extremely well-funded, politically connected, and highly coordinated conservative groups determined to dominate and oppress.

This History of Book Banning

The first instance of book banning can be traced back to 212 BCE, when the Chinese emperor Shih Huang Ti burned all his kingdom's books to destroy any historical records, so that history could begin with him (Tucker 2009; ALA 2021). In 1933 in Nazi Germany, numerous strategic book burnings of literary texts considered corrosive and anti-German took place to "cleanse" the libraries and schools (Lewy, 2016). And in 2007, one of the most widely known book challenges occurred when a grandmother was concerned with the content of the sexual education book *It's Perfectly Normal* by Robie H. Harris. She received civil summons, a fine, and made national headlines after checking out the title from the library and refusing to return it over morality concerns (Knox 2015). While these are seemingly extreme instances of book banning, similar occurrences are not uncommon today.

We are seeing a period in our history where the number of book bans is eclipsing even that of the McCarthy era. And, just to remind everyone, I'm speaking about a period of time where there was a concerted effort to remove books from libraries and from the public sphere that were considered to be unAmerican. Today we are seeing the return of that era, but we're also seeing a period where books are being removed and banned at a pace that far eclipses that. One of the things that underlies both, as a throughline that we can draw between both eras, is that in both eras the books that were targeted for banning often were books that spoke about integration, or desegregation, or self-reliance, and autonomy. Today we are seeing that the majority of books that are

being banned, also, speak about Black Lives Matter, how to be anti-racist, as well as uplift the voices of people who are LBGTQIA. I think that there is a connection to this movement to ban books in this era that harkens back to an earlier age, unfortunately. (Tracie D. Hall in Juarez 2022)

Book bans have become increasingly political, weaponized, and exclusionary.

According to Pen America's *2022 Index of School Book Bans*, 1586 books were banned in United States school libraries and classrooms from July 1, 2021, through March 31, 2022 (Friedman and Johnson 2022). A snapshot of the recent uptick in challenges to books, and by no means a comprehensive list, Pen America's research documents the trend of attempted censorship of books that feature and/or are written by lesbian, gay, bisexual, transgender (LGBT), Black, Indigenous, and other people of color (BIPoC), and other marginalized authors, and the detrimental impact of this purposeful erasure. Books of all kinds have been targeted, including nonfiction, fiction, poetry, graphic novels, history books, essays, memoirs, reference books, informational works, and of course children and young adult books. And librarians, media specialists, and teachers are in a literal, figurative, professional, and moral battle to preserve their students' and patrons' intellectual freedom and access to information. The politicization of the current movement has expanded to include educational gag orders, the monitoring and censoring of educators who teach topics of diversity, equity, inclusion, and unabridged depictions of history, and the removal of classroom textbooks.

Soft Censorship and Implicit Biases in LIS

Book banning is an obvious and purposeful act; it's a hard act, one that is done with a great deal of force or strength. But hard censorship is not the only problem we face. Soft censorship, which is rooted in implicit bias, is equally detrimental and even more insidious.

Implicit bias is a form of unintentional prejudice that affects our decisions, judgments, and behaviors toward others (NIH 2022). Unlike explicit bias, which is overt, implicit bias is often harder to identify. Medical research has proven that one can find implicit bias throughout the brain, specifically in the amygdala, which is also associated with a human's "fight or flight" notion (Dalton and Villagran 2018). Furthermore, often humans are unaware that implicit biases even occur, and they may not align with one's declared beliefs. One example of implicit bias is seen in organizational hiring practices. An organization may state they adhere to inclusive practices, yet deny interviews or job offers to applicants because of their name, appearance, or assumptions about cultural background.



Implicit bias is commonly seen as a hidden force that one can only find within (De Houwer 2019).

And while a library may have established practices and policies that claim they intend to dismantle the inequities within their spaces, these practices are ultimately performative and meaningless when other unintentionally discriminatory policies exist that allow implicit bias to flourish. Understanding how implicit biases can permeate the library and information science field will require educators, researchers, and professionals to take a deeper look within and reassess their systemic practices on every level.

Implicit biases in library collection development and banning procedures hinder libraries from providing equitable access to all. An example of implicit bias in collection development and book banning procedures is a library refusing to purchase books or prematurely removing titles from their shelves that do not adhere to the personal beliefs of the selectors. By taking a deeper look into the ways that implicit bias affects library and information science, educators, researchers, and professionals can move beyond performative DEI collection and practice development and begin working towards creating spaces where the library, its customers, and its workers can collectively thrive.

Chopra (2006, p. 255) said, “Unless there’s a personal transformation, there can be no social transformation.” Implicit and explicit bias, and their progeniture, soft censorship, burgeon when there is a lack of self-reflection, cultural competence, and intellectual and cultural humility. Banning, challenging, and censoring materials is a response to a lack of understanding and/or feelings of discomfort and fear. These personal feelings should be dealt with individually, instead of foisting them upon the larger community. If something is distasteful or offensive, feel free to reject it, but to assume that it is not of value to others is entitled, privileged, and harmful. It would be more productive and helpful if people would expend their energies on engaging in critical reflection and intellectual humility—assessing what they currently know and do not know. It would be more beneficial if people would spend the time to reckon with what they do and do not know about other cultures, determine what makes them uncomfortable (and why it makes them uncomfortable), and become purposeful in their learning about other communities (cultural humility). And hopefully, they will reach the point of prioritizing the voices of others and celebrating the richness of the communities of which they are not members (cultural competence). This is the type of personal transformation that is required for any form of social transformation; this is the type of personal transformation needed to combat banning, challenging, and censorship. The infrastructures supporting banning and censorship are intertwined with the concept

of library neutrality. This idea has been the subject of much debate in Library and Information Science (LIS). As Horton and Friere (1990) argue, neutrality in libraries can often be reduced to simply conforming to the system’s expectations (p. 102). It upholds white supremacy, it maintains the status quo, it prevents the decentering of whiteness and Western norms, and it prevents diverse voices, stories, and perspectives from being included in literature and the cultural record. Neutrality allows decisions to be made without nuance (i.e., removing a book because of a complaint, or not buying a book because it has been deemed offensive), and it allows hard conversations to be shut down and vilified over differences of opinion. Neutrality gives censorship fertile ground in which to grow and thrive, outside *and* inside the LIS profession.

Proponents of book banning and challenging have weaponized the concept of neutrality and turned it into a political catch-all for removing “offensive” materials. But who is the arbiter of “offensive”? And what if what is “offensive” to one group is celebrated and profound for others? This weaponization has been successful because neutrality has been conflated with “good materials” (as opposed to “bad materials”); it has been conflated with objectivity, and not with inclusivity and representation; it has been conflated with being a “real American,” and not being an “other;” it has been conflated with materials that make the reader feel good, and not guilty about unearned privileges that come with the adherence to Western norms; and it has been conflated with maintaining the status quo and not rocking the boat. It has been conflated with whiteness and not with those who are non-white and/or otherwise marginalized.

The authors recently heard librarians conflating neutrality with being inclusive; neutrality is the *opposite* of inclusion. Library professionals are steeped in the core value of providing access to information for all (this can work towards inclusion), whereas book banning and challenging removes information from the community. What the librarians really meant is that they don’t want to take sides and exert their opinions on others. We think they mean that they want to be objective and not biased and/or partisan, which of course is what we want to see in library collections and services. But we are not neutral! The profession is not neutral! Censorship cannot be permitted in an attempt to maintain the fallacy of neutrality. Even if neutrality looks good on paper, it can never be operationalized in the way people believe it should be. Every decision made, every book purchased (or not purchased), every program planned (or not planned), etc., is done so by people with particular backgrounds, beliefs, and cultures. As humans, it is inevitable that our decisions reflect our own values, and we must recognize and accept that our values don’t always match or reflect the values of others.



We must take sides. Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented. Sometimes we must interfere. When human lives are endangered, when human dignity is in jeopardy, national borders and sensitivities become irrelevant. Wherever men and women are persecuted because of their race, religion, or political views, that place must—at that moment—become the center of the universe (Wiesel 1986).

To fight censorship, we must first fight the false notion, dare we say the propaganda, of neutrality in libraries.

Words and their meanings matter, and because there is such confusion and manufactured consternation about certain words, the root problems will remain and flourish, and the marginalized will continue to be disenfranchised and under-represented in the information the library does provide.

At the time of this essay writing, in 2022, we are witnessing heightened trends of book bans and challenges surrounding titles that are bringing awareness to the identities, histories, and experiences of marginalized groups. ALA reported that more than 470 challenges occurred between September to December 2021 (Kim 2022), and there were 8,000 documented challenges between 1990 and 2009 (Moellendick, 2022). The current trends mirror the historical instances that have negatively penetrated literary history and include books that critics unjustly accuse of having Critical Race Theory content and titles that bring awareness and normalize the experiences of the LGBTQIA+ community. Reviewing the current trends of book challenges and bans currently occurring nationwide within public libraries and academic institutions brings into question the intention of the challenger and the institution's responsibility to uphold the intellectual freedoms of their users when responding to the challenges.

When institutions respond to book challenges and bans by removing titles from their shelves, they become perpetrators of implicit and explicit bias by allowing the discriminatory ideals of book challengers to create barriers to intellectual freedom for others. More introspectively, institutions like libraries and schools, which potential users revere as safe learning spaces for the community, also become perpetrators of implicit bias when they align with an outdated stance of neutrality in their collection development. By taking a stance of neutrality, institutions allow implicit bias to flourish, by inadvertently building collections that minimize the voices of marginalized communities. Selectors may avoid collecting titles that they (unjustly) feel could cause controversy. This soft but intentional form of censorship upholds the outdated but common nineteenth-century ideal that learning centers should shelter children from differences of opinion. Upholding this ideal makes the library a doer of harm by making it

difficult for marginalized groups to see themselves in literary work (Ringel 2016).

Soft censorship, which is often interchangeably referred to as self-censorship, is the practice of a library, or library worker, not selecting book titles based on a litany of reasons. These reasons can include but are not limited to the fear of retaliation, potential pressure from publishers, and concerns in determining which titles are age-appropriate (Whelan 2009). Libraries engage in soft censorship by not including or quietly removing books from their shelves because they believe the books have racist, sexual, or homosexual themes (Whelan, 2009). Seemingly, libraries that participate in soft censorship believe that they are protecting their institutions from the threat of pushbacks while also protecting their users from content the libraries deem unsuitable. One organization advocating for libraries to engage in soft censorship is the Family Friendly Libraries, whose ultimate goal is to create action against “libraries that filter Internet access and to ensure that they do not put questionable books on their shelves” (Moellendick 2022). In addition, this organization wants libraries to give parents more rights regarding collection monitoring and selection. When their requests are not responded to favorably, Family Friendly Libraries encourages their users to take political action (Moellendick 2022).

The most prominent issue surrounding soft censorship is that it is not regulated. Without necessary open discussions about why a library censors a title, a library can give too much power to the selector and embolden them to be the judge and jury of which books a library should include in its collection (Whelan 2009). Soft censorship can be highly problematic if the selector's implicit bias is the driving force behind their selections. And as censorship issues continue to build momentum, LIS researchers are beginning to question whether libraries violate our user's First Amendment rights when a library removes a title for objectionable reasons (Kim 2022). This argument is gaining validity because books are often removed from shelves because of the personal viewpoints of some community members and officials and not for merit-based or universally justifiable reasons (Kim 2022).

According to the ALA, in 2021, the most banned and challenged book was *Gender Queer: A Memoir* by Maia Kobabe (OIF 2022). In this raw and reflective memoir, Kobabe documents eir (Kobabe uses Spivak pronouns ey/eir) journey to find eir identity as a queer person. *Gender Queer* is a critically acclaimed title that easily lends itself as a place of refuge to youth actively striving to successfully navigate life's many obstacles. Unfortunately, as of 2021, *Gender Queer* has been banned in eleven states because it allegedly contains homosexual, offensive, and pornographic content (Laviertes 2021). But Kobabe, an advocate for eir title along with similar



books remaining in schools, argues that removing books that include the experiences of LGBTQIA+ youth “is like cutting a lifeline for queer youth, who might not yet even know what terms to ask Google to find out more about their own identities, bodies, and health” (Kobabe 2021). In the article “Mirrors, Windows, and Sliding Glass Doors,” Bishop (1990) eloquently stated that “when children cannot find themselves reflected in the books they read, or when the images they see are distorted, negative, or laughable, they learn a powerful lesson about how they are devalued in the society which they are a part; furthermore, children are affected by what they see around them, and it helps them grow.” When they remove books that showcase the experiences of marginalized people, learning institutions like libraries are perpetuating the harmful idea that there is something wrong with marginalized people being true to themselves.

Readers have a right to have true intellectual freedom, and libraries, librarians, and stakeholders are responsible for upholding this freedom. Unfortunately, implicit bias will continue to flourish within the field of library and information science until institutions take a deeper look within and reassess their current barriers to intellectual freedom and equitable access. Book banning is just one way the field is a perpetrator of bias. But taking a deeper look into inequities that hinder libraries from developing inclusive collections, reflective of the communities they aspire to serve, is a first step in the right direction of dismantling the biases that prevent libraries from becoming free and safe learning environments for all. It’s time that the field rid itself of performative diversity, equity, and inclusion practices to become the authentic, safe learning spaces they claim to be.

Pushing Back Against Censorship

In addition to educating ourselves about the fallacy of neutrality and the harms caused by implicit bias (both of which require cultural competence and cultural humility), there are many practical things we can do to fight against censorship. Brown (2022) suggests defining, donating, advocating, communicating, appreciating, and activating.

Defining, or establishing shared terminologies and meanings, is part of what this essay sought to do. We can’t have conversations about the harms of censorship if we’re not actually talking about the same concepts, events, and phenomena. Furthermore, we cannot truly understand the harms of censorship and begin dismantling the inequities that it causes without seeking to understand how uncovered implicit biases allow libraries and other education organizations to become perpetrators of injustice.

Donate money to organizations engaged in this fight at a collective level, and even better, donate time and knowledge to assist these organizations in their work. This

action-oriented work is also a form of advocating. There are several organizations that potential advocates can support. The list of organizations includes but is not limited to the Foundation for Individual Rights and Expression (FIRE), the Freedom to Read Foundation, the National Coalition Against Censorship, PEN American, and PFLAG. Action-oriented advocacy is vital because it ensures that the various initiatives created by organizations dedicated to protecting intellectual freedom can continue to be facilitated.

Communicate with individuals and organizations dealing with bans and challenges and appreciate the work that they do. They are undoubtedly frustrated and overwhelmed with the censorship fight that occurs in addition to their everyday duties and services. Then, communicate with others about how they can help and support. Additionally, advocates are encouraged to use their platforms to communicate with the media about the importance of diverse book collections and fight against book bans. For example, We Need Diverse Books, a grassroots organization, supports efforts to encourage the purchasing and promotion of inclusive children’s literature. By supporting organizations like We Need Diverse Books and using every opportunity to stand against book bans, we can step beyond performative advocacy into the realm of true activism.

Activate and run for a seat on the local school or library board and help create policy that will fight against censorship, oppression, and erasure.

Experts in the field recommend adopting a critical cultural approach to combat censorship. This involves gaining knowledge of the historical censorship trends and banning, recognizing the influence of politics, racism, and media in these processes, and acknowledging the harmful effects censorship can have on individuals seeking information, particularly those who rely on literature to see themselves and their experiences represented.

We have to understand that anytime there’s a concerted effort to censor books, it’s also about repressing speech, autonomy, and agency for individuals. I would say let’s not take this lightly. We do need to stand up against this encumbrance of freedom of speech, because what we know is that once we begin to see one area of our Bill of Rights taken away, that impacts other areas (Tracie D. Hall in Juarez 2022).

These active strategies will enable us to “Fight wisely, fight efficiently, and fight bravely” (Brown 2022). We need to proactively fight because “book bans and book censorship will last as long as we allow it. . . . We do need to stand up against censorship. We cannot take this sitting down” (Tracie D. Hall in Juarez 2022).



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A Brief History of Banning Ellen Hopkins

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Ellen Hopkins, the author of many verse novels for teens, did not shy away from writing about tough topics, like drug abuse, domestic abuse, sexual assault, and violence. Writing based on her own experiences—as a woman, and as a mother—Hopkins found herself, for a period in the early 21st century, the target of censors who thought her tales were too dark and gritty for teens. This chapter explores the author's own relationship to Hopkins' work and the history of attempts to censor Hopkins and her stories over the past nearly two decades. From disinvitations to permission slips, censorship takes many forms. It goes after many different people and types of books, and through the timeline of attempts to ban one specific author, we can illuminate ways in which censors attack people's lived experiences when they attempt to ban a book.

When banned books become the topic of conversation, modern audiences, those living today, think of books by queer authors, authors of color, and graphic novels that depict scenes some censors oppose. There exists, though, a generation of librarians in the profession who remember a time when banned books weren't necessarily always diverse books, or always classics like *To Kill a Mockingbird* (Harper Lee) or *Beloved* (Toni Morrison), but were instead thick novels in verse flying off of teen shelves in libraries across the country.

As one of those librarians myself—a mid-20s early career professional raised on great young adult novels—recent censorship challenges and attempts at book bans immediately reminded me of my first awareness of banned books. It wasn't *Gender Queer* (Maia Kobabe) or *The Absolutely True Diary of a Part Time Indian* (Sherman Alexie). It was a book by one of my soon-to-be favorite authors, and the librarian checking me out clued me in to just how subversive my reading practice was when I brought it to the circulation desk.

"You know, this is technically a banned book now," she said with a little eyebrow wiggle. "I think you're going to love it."

I fell into the pages of one of Ellen Hopkins' earliest books—*Crank*—and by the time I came up for air, I knew that librarian was right. I loved the book—a gripping tale of a teenage drug addict told in blank verse—but I also realized that this was a different type of book banning than that of years past—or even years future. While many books were challenged and banned as an attempt to treat students and



young readers like they weren't ready to hear about historical events like slavery or apartheid, this book, and many of Hopkins' other books, were being banned because people didn't understand the power that books had as educational tools. Instead of reading *Crank* and seeing a lesson in why you should never do drugs—which is the lesson I got from the book—other parents, school teachers, principals, and politicians thought it was an advertisement for how to do drugs. They decided that Hopkins' lived experiences as a mother of a teenage drug addict were too subversive for the same young eyes that watched violent television shows, played shooting games, and experienced actual drug addiction and abuse in our own families.

There are people wiser and more experienced than myself who will write about the recent wave of censorship of queer and BIPOC—Black, Indigenous, people of color—authors—and how that is being influenced by many factors in society—but as a librarian who was reading banned books and loving them, I kept coming back to Ellen Hopkins. To me, her books are one of the best lessons you can give a young person on the dangers of drugs, and yet despite all of her books being stunningly rooted in reality, they are often challenged by those who think that kids aren't experiencing those things off the page as well.

"I wrote the book," Hopkins tells me when we talk in June 2022 about *Crank*, "as I write all of my books, in a straightforward fashion. I'm trying to talk to kids, and to talk to kids you have to come to where they live. You can't sit up here," she says, gesturing her arm up high, "in your little writers' room and write down to kids and expect them to give a shit about your books. And that's just it. I wanted a conversation."

Thinking about the history of censorship, and the way in which lived experiences are diminished by book banners and censors, I wanted to take a look specifically at Hopkins' own experience as a banned author. A white woman of a certain age, she's not the target people often think of when they consider recent book bans. Her ability to write her novels comes from a certain privilege, but they also come from her lived experiences. Many of her characters and plot arcs come from her own family—including her daughter, her own relationships, students she has spoken with, and ripped-from-the-headlines events impacting real readers around the world.

What anchored the attempts to ban Hopkins and her books from schools in the early twenty-first century? What does it teach us about anticipating and counteracting ongoing book bans and challenges that focus on the adjudication of lived experiences as right or wrong for young readers? As most scholars in the field acknowledge, only a minuscule portion of book bans, challenges, and censorship attempts

receive media attention, and so this chapter is inherently limited in scope by the ability to look back through media coverage and see a complete picture of past challenges to Hopkins titles.

The Early Rumbblings of Censorship

It would be nice and pat to say, "It all began in 2004, when *Crank* by Ellen Hopkins was published," but it's not that simple. While *Crank* was published in 2004—a novel of a girl who gets involved with drugs and quickly loses control of her life, slipping into dangerous behaviors and being victimized by those around her—the book banning did not immediately begin.

Hopkins instead spent years hearing praise from teens and teachers about the power of her books and the bravery of telling the story of her own daughter fictionalized in such a way that it would grip readers but also educate them.

Early reviews of the book praised it as a "quick, thought-provoking read" and listed it amongst best of lists for summer reading for teens (Snyder 2005).

In the summer of 2005, *Crank* was put on a ninth grade summer reading list for Leominster Public Schools (Massachusetts). Talking to a local outlet about the choice, a teen related her own reading experience to the kind of books her parents read that similarly dealt with tough issues.

"Our parents read 'Go Ask Alice' growing up and it talks about drugs. I just read it too," Christina Longo, 16, of Leominster, said. "As long as you're mature enough, you can read it and not have to go out and do the same thing. These books all have learning messages." (Bozek 2005).

In 2006, a "Good Kid" interviewed for a segment on the Dallas Morning News said that *Crank* was the best book she had ever read. Another news piece focusing on an Illinois teen pageant winner cited her interests in church and babysitting, and the last good book she read: *Burned*, by Ellen Hopkins, which was published that year (Good Kid 2006).

Covering topics of religion (Church of the Latter Day Saints) and sexual abuse, *Burned* was devoured by teens not afraid of hard topics. However, the Mormon community of Utah took offense at the novel's depiction of the church. While there were no documented removals of the book at the time, the fervor which with some letters to the editor wrote indicate there may have been unreported acts of censorship surrounding the book in religious communities.

In one such op-ed published in a Utah newspaper, the self-identifying Jewish author wrote, "What Hopkins writes of in *Burned* might be indicative of one or more of these offshoots but not the modern-day LDS Church as I understand it. . . . More importantly, when writing for teens and kids,



it is incumbent upon authors to understand that our young audience often lacks the background to evaluate and contextualize what they're reading, especially in books about race, religion and ethnicity" (Gottsefeld 2006).

The author of that op-ed was an author himself at the time, having published a novel centered around a Confederate flag scandal in a small town that read like a soap opera (Publishers Weekly 2004) and was geared toward teens.

Others took more extreme measures with that particular Hopkins title—a Wisconsin police department reported in 2007 that "At 8:53 a.m. Monday, a Hartland Public Library official reported a copy of the book '*Burned*' by Ellen Hopkins was damaged by fire before it was returned to the library, 110 E. Park Ave. The book is estimated at \$50" (Waukesha Freeman Staff 2007). No motive for the burning was indicated in the report, but police involvement implies a level of suspicion on the part of the library staff.

Hopkins continued to publish her books—all of which dealt with difficult topics and sensitive issues and were well received by teens. When the author of this chapter spoke to Hopkins in the summer of 2022, Hopkins indicated that despite pushback—which would only intensify at the end of the first decade of the century—her publisher never wavered in publishing her hard-hitting and well-read novels.

In 2007, Hopkins published *Impulse*, which dealt with suicidal ideation, and the sequel to *Crank*, *Glass*. In 2008, she published *Identical*, and in 2009, *Tricks* was published, dealing with sex trafficking and prostitution. It was a time of snark on the internet, and when Disney phenom Miley Cyrus tweeted that she was reading *Identical*, and loving it, Page Six wrote it up with the lede, "MILEY Cyrus has been captivated by sex and drugs" (Miley's Filthy Favorite 2008).

In March 2009, an Illinois high school held a fundraiser at their local Barnes and Noble bookstore to raise money to bring Hopkins to Hampshire High School for a writing workshop. The school's library director at the time told a local outlet that Hopkins' books were "immensely popular" among the students (Wiant 2009).

The next month, Hopkins spoke at the Southern Kentucky Book Fest. Other speakers included future administrator of the Pulitzer Prizes Dana Canedy and Kevin Clash, the puppeteer behind the Sesame Street character Elmo (Messenger-Inquirer 2009).

Something shifted though, in the coming year. Only then, with multiple best-sellers and an audience, including one of the most influential young adults in the media, who loved her work, behind her, did Hopkins begin to see the tide turn in school and library reactions to her work.

An Author in Oklahoma (and Not Texas)

The year was 2009. Barack Obama had become the nation's first Black president that January, and the economic climate was dire. Ellen Hopkins prepared to head to Oklahoma. As part of a charity auction, she provided a school visit writing workshop and author talk, and the winning school was in Norman, Oklahoma (Griswold 2009).

Hopkins would eventually speak in Oklahoma, but it would not be within the walls of the school that won her visit or only to the eighth grade class that was expecting her.

Despite having numerous books in publication at the time, and being invited to talk primarily about the writing process and not one of her books in particular, a "concerned parent" at the middle school focused in on the book *Glass*, Hopkins' sequel to *Crank* that continues the fictionalized story drawn from Hopkins' own experiences. Hopkins' daughter, Cristal, struggled with drug addiction, specifically crystal meth, in a cycle that directly impacted Hopkins household and led to her raising Cristal's child as her own son. Hopkins herself was an adoptee, and a victim of domestic abuse—a recurring theme in many of her books.

Despite that relationship to her work, one Norman parent complained about the content of *Glass*, and therefore of Hopkins' upcoming visit. It would be a common strain that Hopkins would hear in years to come—her stories were too "gritty" for young ears, despite the fact that young people experienced these issues—and more—on a daily basis all over the world, and despite the fact that it was drawn from Hopkins' own experience and told more as a cautionary tale than as a promotion of methamphetamines.

The school district responded swiftly to the parent's complaint—the only one listed publicly as a response to Hopkins' scheduled appearance.

"An internal committee made up of administrators, teachers and librarians will review *Glass* and possibly Hopkins' other books to see if they should be in middle school libraries," a representative told a local outlet. "The district's policy is to leave the books on the shelves until a decision is made."

A local news anchor even chimed in on the censorship attempt. Per an op-ed written at the time, local newscaster Kelly Ogle, "accused Hopkins of painting 'an ugly and graphic picture' of meth addiction" (Schultz 2009).

This was not the first time that censorship had come to Oklahoma, and the Norman decision to disinvite Hopkins and call into question whether her books belonged in certain school libraries reminded many of a previous attempt at banning Harper Lee's *To Kill a Mockingbird*, some years prior. Less well-known than the Pulitzer Prize winning title, Hopkins' book nonetheless struck a nerve.



One local op-ed in September 2009 noted, “Siano’s [the school’s superintendent] decision made a small ripple in the state media, but in 2001, when an administrator at Muskogee High School took ‘To Kill a Mockingbird’ off the freshman required reading list because of a few complaints, it was reported by The Associated Press and picked up by Reuters, CNN, the British Broadcasting Corp. and National Public Radio. Muskogee became a household word for censorship and closed-mindedness” (Gerard 2009).

Ultimately, though, one parent and a school district did not keep Ellen Hopkins out of Oklahoma entirely. The author made her way to Oklahoma—and spoke not at a school, or in a library, but at a religiously affiliated college (Hillsdale Free Will Baptist College in Moore, Oklahoma), which felt particularly ironic, said the author, due to the fact that her visit was protested due to her books being too gritty (Parker Jones 2009).

Hopkins (2009), ever the author, wrote about this experience on a LiveJournal blog: “Some 150 kids, parents, teachers and librarians showed up,” she wrote in the September 2009 post, “but not one member of the book review committee, or the superintendent, or the worried parent bothered to come listen to my message, which is basically, ‘the choices you make as young adults will affect you for the rest of your life.’”

Any authors, librarians, parents, or teachers who have seen attempts at book bans in recent years have likely seen a continuance of this tradition: banning from afar, or from snippets and assumptions, and then not showing up to hear the actual message.

In that 2009 blog post, Hopkins also reiterated a point that many of her advocates highlight when discussing attempts to ban or censor her books. While the books contain topics like drug use, sexual abuse, gun violence, and prostitution, they are hardly ringing endorsements of the life that comes from these behaviors.

Schools, including middle schools, often bring DARE (Drug Abuse Resistance Education) programs into the schools, and high schools in certain parts of the country are known for staging fake car crash skits to discourage drinking on prom night. Many DARE programs involved bringing in former addicts to speak to students (Magan 2012).

Yet, instead of viewing Hopkins and her novels as an extension of this work—a way to tell of the dangers of drugs through Hopkins’ own lived experiences and entice readers towards increased literacy—schools like the one in Norman, OK, looked only at the surface—at book blurbs and tag lines and poems pulled out of context—and considered disallowing students from reading books that only years before were gracing bestseller lists and being lauded as excellent books by high-functioning and successful teens. While recent censors

and book banners focus on obscenity and sexuality as the objects of contention, it is not a far cry from previous ban attempts that zoomed in on the less-than-admirable qualities and actions of fictional characters out of context to call them unfit for readers.

Hopkins told the Kids Right to Read Fund (NCAC 2009) as much, saying “I don’t back-pedal and I don’t sugar-coat things for my readers. *Crank* and *Glass* were both based on true stories—fictionalized of course to give space to my daughter and those that the stories are based upon. I don’t feel as an author I need to tip toe around addiction, sex or anything else. In my books my characters experience things as they are.”

Hopkins’ tour of the South would not continue in 2010, though. Her planned visit to the Humble Lit Festival, a literary festival geared towards teens, in Texas, was disrupted before it could begin when a local middle school teacher—seemingly unaffiliated with the organizers—protested Hopkins’ appearance due to the content of her books. When Hopkins was disinvited by the Humble Lit organizers, many expected the festivities to continue. Several other authors were still slated to attend—including another frequently banned author, Laurie Halse Anderson, who’s novel *Speak* has often found itself challenged for depicting sexual assault. However, several of those authors decided to boycott the event in protest, and it was ultimately cancelled (Flood 2010). Anderson openly stated that she did not want to boycott (Anderson 2010), and many others hoped that the authors would appear and use the space as a time to talk about the dangers of censorship, but instead the 2010 Humble Lit Festival was cancelled.

Other Sensitive Issues as Defined

There can be no doubt that the semi-successful disinvitation of Hopkins from Norman, Oklahoma, influenced the Texas disinvitation, though the two events show a juxtaposed way of responding to authorial disinvitations, whether they involve a book ban explicitly or not. In Oklahoma, efforts were made by supportive parties to still bring Hopkins to speak so that opposition was not met solely with silence. In Texas, instead of a quieter space, or a space with a new topic at hand, the Humble Lit Festival was cancelled due to a preponderance of the invited authors pulling out of the event. Opposition was met not necessarily with silence—as the authors and other free speech advocates did publicize their boycott and the issue at hand—but the teens of Humble were denied the joy of hearing from the award-winning authors they had looked forward to seeing.

Both events—in Norman and in Humble—seem, on the surface, to have ended with the opposition party finding



success. They successfully challenged Hopkins' right to speak and share her stories and kept her from her planned venue. Neither opposition party—in Oklahoma or in Texas—spoke with Hopkins, and it is possible that neither party had read a Hopkins' book cover to cover despite being concerned about the contents within. Both events involved middle school teachers protesting Hopkins and her stories being available to their students—students up to 13 and 14 years old who have lived experiences of their own. Unfortunately, as statistics show us, many of these students will see themselves, their families, and their own experiences represented on the pages of Hopkins' gripping verse novels (Administration for Children and Families 2022).

Hopkins' published books were not done with criticism, and Hopkins was not done writing more books that would challenge conventions of what many think teens are ready to read. Over the next decade, after the Oklahoma and Texas challenges, Hopkins would publish many more books—including a third book in the *Crank* trilogy, adult novels, a sequel to *Burned*, a book told from the perspective of violence, and middle grade novels exploring the foster care system and opioid addiction. The attempts at banning her books directly waned, but her titles still appear frequently on round-ups of banned and censored books, despite librarians reporting their continued appeal to teens.

While the drug use and cursing were frequent targets of complaint for Hopkins' books, the depiction of a familial sexual abuse in books also drew frequent ire. Some complaints called it pornographic, a charge that particularly angered Hopkins, who writes in blank verse that often sparsely dots the page.

The scenes of abuse—like the scenes of drug use and violence—in Hopkins' books feel visceral, Hopkins admits, because of her chosen style. Writing in blank verse is very interior, and it brings the reader inside the character in a way that few prose novels can. Yet, the words are simply fewer, and chosen carefully, and so while a scene of sexual violence may feel more palpable in verse, it is not laid out on the page in the same way it is in prose. Nor, Hopkins notes in our 2022 interview, is the depiction of sexual violence pornographic in any way—instead, it is a depiction of a real-world trauma that many teens and young adults experience.

“There were people who got very offended by one scene in *Identical*,” Hopkins told me, describing a scene in which the main character of *Identical* is in her room, listening to the sound of her sexually abusive father come down the hall. The door opens, and he comes in. “I wrote it as mildly as I could, but you can't . . . the best email I ever got on this book was from a girl who said ‘I have to thank you for not

shutting the door. Because when you shut the door, people assume nothing happens on the other side of the door.”

The Young Adult Library Services Association (YALSA) named *Identical* the fifth most popular book for teens in 2009, after polling over 11,000 teen readers (Howard 2009).

Recent Attempts at Censorship

While the outrage around *Crank* seemed to die down as the years went on, Hopkins did not suddenly find her books widely accepted by those worried about the delicate minds of teen readers.

In 2015, a school district in Delaware planned to require permission slips for students to check out books on sensitive issues (Hart 2015). Hopkins' book *Identical* was listed as one of the objectionable books that would require such a slip—a proposition that arose from parent objection to library materials. Through the work of free speech advocates, this plan was reversed.

The idea of permission slips continues to come up in book banning conversations, as if all parents are going to be willing to sign them, or as if students might not be interested in a book about something they do not want their parent to know they are reading. These concerns are especially raised by LGBTQ advocates, who know that not every queer teen comes from a welcoming home and that requiring a permission slip could put the reader in danger. Similar concerns have been raised when it comes to privacy discussions about library checkout procedures. Libraries around the country can attest that when teens worry that their checkout history will be revealed, or they will be denied a book due to not having a parent's permission, the book instead disappears off the shelf and often is not returned (Hawkins 2022).

In other acts of quiet censorship, books are being pulled pre-emptively from library shelves by administrators, teachers, and possibly even librarians to prevent future bans or challenges (Natanson 2022).

In 2021, a spate of book bans and attempts at censorship made the news. As previously stated, it is understood that many book bans, book removals, and other acts of censorship go unreported, but the vast majority of challenges to intellectual freedom through reading reported in 2021 and early 2022 focused on books featuring BIPOC or LGBTQ—lesbian, gay, bisexual, trans and queer characters. Authors like Alex Gino, Tyler Johnson, Angie Thomas and Maia Kobabe became well-known figures in the book banning world, and their books appeared on “most banned” lists across the country.

While Hopkins, a white woman who writes characters of different sexualities and ethnicities, was not a primary focus of these bans, her books still often ended up on increasingly



long lists of “objectionable books” found on school libraries and in public library teen sections.

In February 2022, a Polk County, Florida, school removed many books, including *Tricks* by Ellen Hopkins, from their shelves due to objection. The books, including Hopkins’ title that looks at sex work and sex trafficking, were returned to shelves by the end of the school year (NCAC 2022). Another Florida group, Moms for Liberty, also listed several titles of Hopkins among more commonly challenged books of recent years on their list of books they wanted removed from school libraries (Gallion 2022).

“You Can’t Ban a Person’s Story”

Crank, as a book, is 18 years old now. It could vote, or join the military, or buy cigarettes. The readers who were initially drawn to *Crank* upon its publication have their own children now, and teens are still drawn to the story of Christina, based upon Cristal and so many other teens who found themselves lost in the grip of addiction.

“You can’t ban a person’s story,” Hopkins told me when we talk about her own experience with book bans, and

about recent bans on books such as *Gender Queer*. As news proliferates about censorship battles, book bans, and everything in between, it is imperative to remember this. You cannot ban a person’s story, and when we talk about banning books, we must also think about the core truths at the center of that book and what it says to children experiencing addiction, questioning their sexuality, or surviving abuse when we deem their stories unworthy of space on our shelves.

Books were banned long before Ellen Hopkins became an author, and unfortunately, will continue to be afterwards. Instead of seeing her work as an end of the conversation, I hope you’ll see it as a way to look at the banning of “gritty” books not as an attempt to protect children from the harsh realities of the world, but as a silencing of lived, personal experiences—one that continues to haunt librarians, teachers, and free speech advocates today. What will you do to speak up? How will you advocate for books that will resonate with readers who have lived these tough experiences and ensure that their needs are being met with engaging books and not just bans and attempts at censorship?

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Criminalizing Librarianship

State Legislatures Creating Legal Jeopardies for Librarians

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US history has featured many periods of greatly enhanced efforts to ban books, such as during the Comstock era, World War I, and the McCarthy era of the 1950s. Similar to previous periods, the book banning movement that has arisen during the novel coronavirus pandemic of the 2020s has featured widespread efforts to ban many books, particularly those representing certain marginalized experiences, from schools and libraries. However, this current tidal wave of ban booking has added the new and disturbing dimension of laws being considered in state legislatures that would actually create civil and criminal penalties for librarians if banned books were available in the library. These proposed laws are part of much broader legislative efforts at the state and national levels to limit the ability of libraries to construct collections and provide services that meet the needs of their communities. Though there have been some lingering, but unfounded, concerns that librarians might be criminally liable for incorrect information in the library collection and some national security laws have created potential legal jeopardy for librarians in extremely specific circumstances, these new proposed laws are the first that would create widespread legal liabilities for librarians. This article considers the nature of these proposed laws, the larger context that has generated them, and the implications if passed into law, including the Missouri law that has gone into effect.

Previous Fears of Information Malpractice

There have been recurring fears among library professionals about the potential for committing what is usually described as “information malpractice,” such as providing a resource to a patron that, unbeknownst to the librarian, contains incorrect or even dangerous information. This fear has been a presence in the field despite that there is no such thing as information malpractice under the law—if a book in the collection or a database that the institution subscribes to

contains incorrect information, it is not the fault of the institution or the information professionals who work there (Healey 1995). Despite recurring fears of charges of information malpractice, there is no such concern under the law and the fear has been effectively debunked within library literature for decades (Dragic 1989).

A thoughtful and conscientious information professional follows the standards of best practice in the field and adheres to the policies of their institution. And they also avoid giving



the impression of expertise in areas they do not have it, most prominently medicine and law, where there are general laws against all non-experts practicing. There are enough specialized issues to consider that a book like Paul Healey's excellent 2008 *Professional Liability Issues for Librarians and Information Professionals* is a useful reference tool for any library system, but even a key theme of that book is the lack of a legal basis for holding librarians liable for criminal or civil wrong in the regular course of doing their jobs.

The provisions of the 2001 anti-terrorism law the USA PATRIOT Act did, in fact, have provisions that could have landed a librarian in legal trouble during the practice of their job, but only under very unique circumstances in which the librarian would actively have chosen to violate the law. Wiegand (2016) described the specific provision that most concerned libraries: "Section 215, which became known as the 'library records provision,' not only allowed law enforcement agencies to secretly monitor electronic communications emanating from libraries, it also required librarians to turn over patron information if requested and even imposed a gag order on those forced to comply, thus preventing them from telling anyone" (para. 2). Basically, libraries could be on the receiving end of warrants for information about patrons, could not tell anyone about the warrants because they had a built-in gag order, and would have to decide whether to comply or not comply to protect patrons and risk legal consequences for themselves (Jaeger, Bertot, and McClure 2003). While the initial reaction from many librarians was such strong opposition that Attorney General John Ashcroft went so far as to publicly question the patriotism of librarians, only an exceedingly small number of librarians chose to challenge a warrant issued under the law (Foerstel 2004).

The general lack of legal liability for the practice of librarianship under normal circumstances has been so steady that *The Librarian's Legal Answer Book* (Minow and Lipinski 2003), published by the American Library Association, does not even have a section that deals with questions like "Can a librarian be arrested, fined, and serve time in prison for letting someone checkout a book that is also sold in the nearest Walmart?" A librarian competently doing their job, under normal circumstances at least, is engaging in a career path that actually offers exceedingly few possibilities for breaking the law (Jaeger, Lazar et al. 2023). Shockingly, yet not surprisingly, the assaults on intellectual freedom in school and public libraries that began to accelerate in 2020 blossomed into the proposals of state laws in multiple states that would do exactly that. These are non-trivial penalties being considered; a conviction under many of these proposed or enacted laws would result in fines up to \$10,000 and 5 years in prison.

The Criminal behind the Reference Desk

In the first half of 2022, several state legislatures were actively considering proposed laws that would make librarians civilly or criminally liable for providing access to materials deemed "harmful" or "obscene" by the state government. Before delving into specifics of each of these proposed state laws, it worth considering how easily that terms like "harmful" or "obscene" can be manipulated to include just about anything that the person deciding to censor wants to include. Most state already have laws that define one or both of these terms as including materials that are: prurient, offensive to the average person, and lacking scientific, artistic, or political value, based on the 1973 Supreme Court holding in *Miller v. California*. The malleable nature of such definitions means that a great deal of material could be made to fit the standard. For example, in a legislative hearing about the proposed Indiana law, the example of what would constitute "obscene" materials under the law included *How to be an Antiracist* by Ibram X. Kendi (2019) and a selection of LGBTQIA+ (lesbian, gay, bisexual, transgender, queer/questioning, intersex, and asexual, plus) books (Office of Intellectual Freedom 2022).

It is also worth noting that the terms "obscene" and "harmful" are central to guidelines of the Children's Internet Protection Act (CIPA), which ties receipt of federal technology funds to the filtering of computers in libraries receiving the funds. From the first implementation of the that law in the early 2000s, those terms have presented opportunities for very wide interpretation of what they include in application. Government officials in certain communities have used CIPA filtering requirements as a means to limit access to materials related to feminism, environmentalism, social inequities, and minority religions, among much else, as "harmful" or "obscene" (Jaeger, Bertot, and McClure 2004; Jaeger, Bertot, McClure, and Langa 2005).

The types of titles that these proposed state laws would most likely target in practice has already been substantially previewed in some states. Texas state representative Matt Krause got much attention in 2021 for launching a list of 850 titles that he deemed should be removed from all school and public libraries because they created "discomfort, guilt, anguish, or any other form of psychological distress because of [a student's] race or sex" (Sarappo 2021, n.p.). The list primarily targeted materials focused on issues related to the experiences of African Americans and LGBTQIA+ communities, but also popular thrillers, medical reference books, and, ironically, pro-abstinence books (Ellis 2021; Sarappo 2021).

In a Texas county where the control of materials in the library system was seized by the county executive, that



executive and supporters temporarily closed the libraries to cull the physical collection themselves, primarily targeting resources about race and gender identity for teens and cancelling access to e-books subscription services because they could not censor those (Gowan 2022a, 2022b). In such cases, the materials have not just been made unavailable to minors, they have been entirely excised from the library. In many communities, to avoid such threats, librarians have been preemptively removing materials from the collections that they fear will become targets for such censorship efforts (Eggers 2022; Natason 2022).

How to Criminalize Librarianship: A State by State Tour

Ideally, libraries are safe and inclusive spaces for everyone in the community. A place where all have the freedom to read and where librarians can do their jobs in fulfilling patrons' information needs without judgment. However, several states want to take that feeling of safeness away by criminalizing the critical work librarians do. The state by state tour will explore examples of the different proposed laws, where they stand as of this writing, and what these laws mean for the field.

It is important at the outset of this discussion to note the unusual nature of a bevy of states simultaneously pondering the criminalization of librarianship, as it is not a normal situation by any means. State legislatures and the US Congress have not hesitated to insert themselves into the activities of libraries, with the amount of legislation about libraries increasing exponentially in the past several decades (Jaeger, Sarin et al. 2013). Some of this legislation, like the aforementioned CIPA, has placed parameters around what can be made available in the library; some state legislatures have made providing access to certain kinds of materials potential grounds for dismissal of a librarian; and a small number of state legislatures have previously had a proposed bill introduced with criminal penalties for librarians (Bossaller 2016; Jaeger, Zerhusen et al. 2016; Work, 2016). However, the current rash of proposed state laws with criminal penalties for librarians is significant and alarming deviation from the past.

In Idaho, the state House of Representatives passed House Bill 666, which explicitly “prohibits the distribution of harmful materials to children” and “removes exemptions of the prohibition afforded to schools, public libraries, universities, and museums” (Idaho Legislature 2022). Prior to this legislation, librarians and educators were protected from prosecution for performing their job duties. While the bill itself did not outline penalties the Boise State Public Radio reported that “it would’ve carried a maximum sentence of one year in jail and a \$1,000 fine” (Dawson 2022, n.p.).

Despite passage through the Idaho House, the bill will not become law, at least this time, as the Idaho Senate did not pass a companion bill. Republican Senator Chuck Winder, the Idaho Senate leader, stated a clear rebuke to the law, even referencing Christian religious sentiment by saying, “I don’t think you’ll see some of the craziness that the House seems to like to do get very far in the Senate . . . I think it’s very appropriately numbered—666—if you understand the symbolism of the number” (Dawson 2022, n.p.).

Librarians in Idaho have pointed out the obvious flaws of this proposed law, for instance, public librarian Huda Shaltry in the *Longview News-Journal* emphasized, “this bill is to criminalize library worker . . . [and] also said the books parents mentioned during the hearing are available at the library but are not located in the children’s section of the library” (Corbin 2022, n.p.). The Idaho Library Association addresses this issue specifically on their website, stating that “Idaho librarians will continue to give thoughtful consideration to age-appropriate materials for our libraries . . . we maintain trust in the ability of librarians and library trustees to create collections that best serve their own communities” (Campbell 2021, n.p.).

Similarly, Iowa’s legislature has opened the possibility that librarians could be charged with felonies for merely doing their jobs and serving their communities. Class D felonies are “punishable by confinement for no more than five years and a fine of at least \$1,025 but not more than \$10,245” (Iowa House File 2176). The proposed bill which states that a person “who knowingly disseminates to any minor any material the person knows, or reasonably should know, is obscene or harmful to minors is guilty of an aggravated misdemeanor for a first offense and a class ‘D’ felony if the person has previously been convicted of a violation of this bill” (Iowa House File 2176).

The citizens of Iowa are overwhelmingly in opposition to these laws targeting librarians, 64% oppose the creation of such laws, but 27% of those polled were actually in support of such laws (Richardson 2022). The Iowa Library Association and the ACLU of Iowa also stand in firm opposition. The Association in their 2022 Legislative Agenda states that it “stands against any proposed legislation which would inhibit the freedom to read or infringe upon the foundational ethics of the profession.” Veronica Lorson Fowler, a spokesperson for the ACLU of Iowa said, “these are decisions that teachers and librarians should be making..often, what one person would consider obscene another person would consider fundamental about sex or sexuality” (Higgins and LeBlanc 2021). However, this strong public opposition and professional opposition does not appear to be enough to



protect library workers in Iowa from coordinated political attacks which, if affirmed, could lead to incarceration.

In Indiana, a Senate bill was proposed to remove the protection of an automatic defense for those working in libraries and schools from criminal prosecution for providing access to materials that a community member objects to. The Bill “did not get written into law, but many protestors expressed concern that its language and goals may return to the 2023 legislative session in a modified form” (Lovitt 2022, n.p.). Anyone found in violation of this proposed law would be at risk for prosecution for a felony offense much like the proposed bill in Idaho (Indiana Senate Bill 17 <http://iga.in.gov/legislative/2022/bills/senate/17>).

While the bill was “not without pushback . . . the subjective nature and lack of specificity in the bill’s language has been a major concern . . . with no citations of certain literature, media, or teaching materials, there was no way to clearly state what was or wasn’t the issue in certain classrooms or libraries” (Lovitt 2022, n.p.). The Indiana legislators’ clear political agenda in attempting to pass a law without a clear indication of any actual harm to children is yet another example of lawmakers attempting to control library workers, and instill fear in librarians and educators who are simply seeking to serve all members of their communities. Librarians as information professionals who make well-considered collection decisions are not presumed to be trustworthy under this proposed law.

According to the Indiana Library Federation, “It is the responsibility of qualified, trained library professionals to ensure that...each person can freely access the resources they want, including materials that others may find offensive or run counter to their personal values” (*Freedom to Read in Defense of Democracy* 2022, n.p.). The Library Federation and library workers in Indiana appear to be facing an uphill battle as this issue seems likely to reemerge in the next legislative session.

These proposed laws are the most exceptional among a huge number that have been introduced or passed in state legislatures around the country to limit the functions of libraries, limit the collections of libraries, or impose political control directly over the library. EveryLibrary has even created a “Legislation of Concern” tracker for all of the proposed laws (https://www.everylibrary.org/2022_legislative_attacks). A telling example of this wider universe of proposed laws is pretty well exemplified by the recent events in the Tennessee legislature, including the threats of book burning by state officials.

In Tennessee, recent bills, House Bill 2666 & Senate Bill 2247 give the “politically appointed textbook commission final approval over books in Tennessee school libraries”

(Brown and Exum 2022). So, while the law does not go as far as criminalizing the actions of library workers as we saw in Idaho, Iowa, and Indiana, it is yet another example of state level politicians using libraries and book collections as a means by which to score points and assert control over others. State Representative Jerry Sexton went as far as to say, “he would ‘burn’ books found obscene by an expanded state textbook commission charged with policing school library selections” (Stockard 2022, n.p.).

As we’ve consistently seen before, the general public in Tennessee does not approve of book bans, with “more than 58% of voters polled were strongly opposed to book bans, with another 10% somewhat opposed” (Mangrum 2022, n.p.). The Tennessee Library Association even issued a clear position statement in 2021, saying they “oppose censorship within school libraries on the grounds that it is unconstitutional and contrary to the professional ethics of librarianship, and challenge and removal processes are already in place at the local school district level” (Tennessee Library Association 2021). But it appears neither public opinion nor the opinions of the professional organizations within the field are enough to dissuade legislators from taking steps to censor collections and ultimately control library workers.

What each of these state laws share is the desire on the parts of legislators and vocal community members to dictate not only what their fellow citizens have access to in terms of reading materials, but also to control how library workers perform their duties. Instead of librarians and library workers being viewed as trusted public servants, they are being treated with suspicion and disdain. Additionally, there is the implicit removal of the presumption of the authority and expertise of the public library to determine its own collections and materials. These attempts to undermine public trust in libraries cannot be taken lightly are part of a larger trend of political actors to assert social control over those that they deem are unworthy of inclusion in social and political life in the United States.

State officials in many places have been quite vocal in their desire not only to have books removed from collections, but actively destroyed, with public burnings being an apparently appealing option, at least as a talking point (Eggers 2022). Some especially fervent book-banners are even trying to accomplish these means outside the legislative process, with some Wyoming residents going so far as make citizens’ arrests of librarians because the library carried books they disapproved of. Thus far, prosecutors in Wyoming have mercifully dismissed such accusations, but this is how strange things have become.



Only by understanding this new breed of legislative challenges, will libraries and library advocacy organizations be able to properly respond to attacks on the horizon. We cannot count on the goodwill of public opinion, or on the previously popularly accepted ideas around the role of the library in civic life, or even in the primacy of access for all community members, to protect ourselves, our colleagues, and our institutions. Existing Constitutional legal precedents, should, in theory, protect the libraries when it comes to these challenges and even criminal threats. However, because the legal framework around what counts as harmful or obscenity is based on a socially constructed understanding of language, and the common perceptions of words like “pornography” and “obscenity.” As we see in each of these proposed state laws, right-wing groups and legislators are seeking to redefine these concepts to suit their agendas, existing precedent may not be as strong as we in the library field would like to presuppose. History and legal precedent should be our guide as we as a field attempt to understand these current challenges, but political machinations are attempting to shift state, and ultimately federal, law so rapidly that our public institutions are struggling to keep up.

At a national level, the American Library Association commissioned a new national survey that shows, “large majorities of voters oppose book bans and have confidence in libraries,” and according to that poll “a new national poll commissioned by the American Library Association (ALA) shows that seven in 10 voters oppose efforts to remove books from public libraries, including majorities of voters across party lines” (Hylwak 2022, n.p.). Furthermore, “Nine in 10 voters (90%) and parents (92%) have a favorable opinion of librarians who work in local public libraries and school libraries,” and “Three in four voters (75%) are confident in local public libraries to make good decisions about what books to include in their collections, and 74% of parents are confident in public school libraries’ decisions about their collections” (Hylwak 2022, n.p.).

However, as we saw in Iowa, strong public opinion may not be enough to deter lawmakers from pursuing their own agendas. Librarians and library workers cannot trust that our legacy of positive public attitudes will be enough to protect us when politicians, pundits, and internet pot-stirrers attempt to criminalize the very work that is at the foundation of our profession and to put the freedom of librarians at risk for simply doing their jobs (Horrigan 2016).

The extent of the potential impacts of these laws in other places have already been clear in Missouri, which was an early state to actually pass one of these laws. Missouri SB775 provides for a year in jail and a \$2,000 fine for any librarian providing access to a book or other resource that has been

deemed “explicit.” Over 300 items are officially banned in libraries so far, leading to removals of works by Shakespeare, Mark Twain, and Leonardo da Vinci, Batman graphic novels, and materials about the Civil War and about the Holocaust; a great many more materials are being removed by librarians fearful of prosecution (Education Week 2022; Missouri Library Association, 2022; National Public Radio 2022; St. Louis Today 2022). The implementation of the law also has expanded the ability of parents to limit access of their own children to materials and to generally challenge materials in library collections. The fears of prosecution under the law are very palpable for Missouri librarians, as some reported being visited by police officers checking their collections for banned books before the law went into effect (KCUR 2022). Chilling seems a vast understatement to describe the effect of these laws when implemented. As this is same Missouri legislature that responded to the passage of the Affordable Care Act by making it fire-able offense for a librarian in the state to respond to questions about it from patrons and that began the 2023 legislative calendar by limiting what female members of the legislature could wear, we could hope that Missouri remains an outlier and no other states passes a law to criminalize librarianship. Unfortunately, that does not seem likely.

The Even Bigger Problem

In previous periods of enthusiastic book banning, such as 1873 to 1915 when Anthony Comstock was the official censor for the US government, legal actions were taken against merchants importing or selling banned books, the writers of banned books, people sending them through the mail, or the people who had purchased them illicitly (Jaeger and Taylor 2019). Comstock bragged about the number of people he drove to suicide and tended not to read the materials he banned and destroyed, relying on accusations or just the titles (Cockrell 2019). He prosecuted people for writing historically accurate books and for putting mild expletives on postcards. After the death of Comstock and into the middle of the twentieth century, cities and states still regularly banned books, though authors typically appreciated that because it promoted sales everywhere it wasn’t banned. Yet, the idea of legal liability for librarians working in libraries that had banned books on the shelves was not even considered during the greatest previous periods of book banning in US history. It is worth noting that book banning maintained widespread public support in the US for much of the nineteenth century and the first half of the twentieth century, though growing library opposition in the 1930s changed those public perceptions (Jaeger and Sarin, 2016a).



The best-selling book of Nobel Laureate Sinclair Lewis' career was 1927's fabulously dull *Elmer Gantry*, which focused on hypocrisy in religion. The city of Boston banned it before publication, making the sale or possession of the book a felony. After that, everybody wanted to read it. It was still a stilted, somnambulant book, but many, many numbers of copies were sold. Two years later, authorities in Boston did the same thing with Nobel Laureate Ernest Hemingway's *Farewell to Arms* to the same results. If you've ever heard a joking reference to something being "Banned in Boston," there is a reason. Around the same time, they were banning Lewis and Hemingway, Boston also banned the Gershwin opera *Porgy and Bess* for starring African American actors and the symphonies of Antonin Dvorak for his promotion of African American and Native American composers (Horowitz 2022). One of the oddities of major efforts to squash intellectual freedom is that they are sometimes focused on things, like *Elmer Gantry*, that are not of especially interesting.

Prior to the now, anti-intellectual freedom movements had threatened the careers—but not the freedom—of some librarians who refused to remove controversial materials. In the 1950s, the two biggest social issues of the time were the red scare and the civil rights movement, and public librarians in some parts of the country had to choose between professional principles and continued employment. For example, Louise S. Robbins' 2000 book *The Dismissal of Ruth Brown* gives an accounting of one Oklahoma librarian who defended the principles of intellectual freedom and openly advocated for civil rights, and the subsequent professional and personal consequences that she suffered after a highly regarded 30+ year career. It was a big enough issue that the dilemma many librarians faced became the plot of a movie called *Storm Center*, starring multiple Oscar-winner Bette Davis as the director of a library choosing between removing materials suspected of being communist from the collection and violating the spirit of the Bill of Rights, or keeping materials suspected of being communist and risking the ire of politicians or the local community (Jaeger and Kettnich 2020).

These ongoing attempts to diminish intellectual freedom in libraries are also inexorably part of decades-long and highly-politicized efforts to reduce library funding as means of limiting the ability of libraries to empower marginalized groups (Jaeger, Bertot, and Gorham 2013; Jaeger, Gorham et al. 2013; Jaeger, Sarin et al. 2013; Jaeger and Sarin 2016b). Conservative politicians, operatives, and political organizations generating this current rage at library materials have also spent the past four decades working diligently to reduce funding for libraries at all levels of government to hobble their ability to serve their communities (Jaeger et al. 2017), culminating with the 2017 proposed budget from the Trump

administration that advocated for the elimination of all federal funding for libraries, literacy, and related social goods (Douglass et al. 2017).

Conclusion

Libraries have evolved in reaction to social changes, technological changes, waves of migration and immigration, laws and policies, and much else, often with the end result being new means to promote information access and literacy, and thereby equity, in their communities (Taylor and Jaeger 2022). Such evolution has also involved a great deal of creativity; some librarians had to think of—and implement—responses to major events and new needs. It's amazing to consider that the presence of children's story time was a reaction to a flood of immigration to the US by people fleeing hostilities in Europe in the early 1900s. Children's story time was a way to teach English to immigrant children, while giving their parents some free time to learn English or look for a job or other important aspects of settling in.

It is within this context that the current anti-intellectual freedom movement may seem more manageable. We are currently swimming upstream against a very strong current, but libraries have starred down many movements such as this in the past, with strength and creativity. The roots of organized library opposition to censorship of collections begins during World War I, in which public libraries experienced broad social pressures to remove anti-war, pro-labor, and German-language books (Wiegand 1989). When another period of war in Europe erupted less than two decades later, librarians and library organizations publicly opposed calls for censoring of politically controversial books in the 1930s, most especially John Steinbeck's *The Grapes of Wrath*, while the American Library Association passed the Library Bill of Rights in 1939 to affirm the library profession's stance against censorship and for free access to information (ALA 2010; Gellar 1984; Lincove 1994).

Just as World War II resulted in the direct and intentional destruction of more books, works of art, libraries, archives, and museums than any other event in human history (Knuth 2003), it also emphatically reaffirmed the value of intellectual freedom in democracies and the essential role of libraries as arsenals of democracy (Jaeger and Taylor 2021). During the aforementioned McCarthy era of the 1950s, many public libraries actively resisted government intrusions into library collections and patron reading habits (Jaeger and Burnett 2005). In Iowa in the 1950s, librarians even successfully fought efforts to censor what materials could be sold in local bookstores and drugstores (Taylor 2013).

While past successes provide no guarantees for future outcomes, it is heartening to know that the new proposed laws



may be more extreme and cruel, but they are not unprecedented. In May 2022, the ALA and more than two dozen professional organizations and publishers, including the Authors Guild and the American Federation of Teachers (AFT), created a new entity—Unite Against Book Bans—to fight against attempts to ban books and criminalize access to materials in an organized manner. It is also worth remembering that, despite the fact that 2021 featured the most attempts to ban books since these numbers have been tracked, more than 70% of Americans, regardless of political affiliation, oppose any efforts to remove books from public libraries (Charles 2022). One might imagine that those numbers would only increase if a state actually started arresting librarians.

It seems utterly anti-democratic to have to navigate the actuality that some states would actually pass laws that

allowed for the imprisonment of libraries simply doing their job. Yet, this is the reality of our professional surrounding at this moment. The passage and implementation of the Missouri law demonstrates how staggeringly, ominously real this threat is to libraries and librarians. And this is not a problem that seems likely dissipate in the near future; as noted earlier, librarians in states that have fought back these proposed laws fear that they will simply be reintroduced next year. Sadly, learning about these proposed or enacted laws across the states, as well as the strategies that have proven effective in raising public awareness of and opposition to them, is of great importance for all librarians in every state. These anti-intellectual freedom laws are concern for all who work in and care about libraries in every state.

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You Don't Want a Book Challenge, Do You?

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This article includes a compilation of three personal stories from the author's time as an elementary librarian at a K-12 private school in Atlanta, Georgia. While struggling with classroom management during her first year as a school librarian, she was surprised by anatomical language in a read-aloud that she had forgotten about after pre-reading the book. She had a split second to decide whether to read what was actually written. During her second year, she went through my library's reconsideration process when a parent challenged a book of scary stories. The worst part? She had used that book in a lesson with the entire third grade. And finally, throughout her time with this school, she fought for a book that was not being officially challenged, but voluntarily censored by her colleague. The author shares these stories with honesty about how she handled each situation, and with a little advice added.

Rattlesnakes

The summer before my first year as an elementary librarian at a K-12 private school, I read through the Georgia Children's Book Award nominees. I knew that our school participated in voting on the award and in the past the librarian had read aloud one of the nominated novels to the fourth-grade classes, and one to the fifth-grade classes.

I chose *We Can't All Be Rattlesnakes* by Patrick Jennings to read to the fourth grade. The main character and narrator is a gopher snake who has been captured by a boy and put in a terrarium in his room. Gopher snakes look like rattlesnakes but are non-venomous. I loved all the animal characters and thought it was a funny and thoughtful book.

I chose *Diamond Willow* by Helen Frost to read to the fifth grade because I liked how the story is told through a series of diamond-shaped poems.

In the week before school started, I was at the school for pre-planning and meetings. As I got to meet the teachers, several of them warned me about the fifth grade: "These

students have been difficult ever since they started back in kindergarten." "Fifth grade isn't usually like this." "Don't let them scare you off." "At least you only have them for one year." I was a little scared, but I also thought "How bad can the fifth grade be?"

A couple of weeks in, there was one day I had a fifth-grade class in the library. After we got done with the lesson, they had time to check out books. Three of the boys, instead of looking for books, were chasing each other around the library, slapping each other with necklaces. I caught up to them and told them to cut it out. Then, out of curiosity, I asked them, "What's up with the necklaces?" One of the boys told me, "They have this copper wire in them that gives you energy. They're good for athletes." I thought about how they had just been running and slapping. "Yeah, I don't think you need any more energy."

Another day, as a fifth-grade class was coming into the library, one of the girls picked up a banana from the box of fruit in the hallway and immediately cracked it open. I had to



tell her, "I'm sorry, there's no food in the library. Since you've already opened it, I don't think you can save it. Please throw the banana away." As I walked up to the front of our library classroom, she walked over to the waste basket. It was only later in the day when I threw some paper away that I noticed this girl had raked her fingers through the banana and then smeared banana goo all over the blinds above the waste basket. The fifth grade was difficult.

The fourth grade, in contrast, was angelic. All four of the fourth-grade classes listened attentively, participated in lessons, and checked out books enthusiastically. They were delightful. I admit, I had a favorite class that year: Mrs. Byrd's fourth-grade class. I saw them on a day in the rotation on which I had two fifth-grade classes and then Mrs. Byrd's class. They were my reward for surviving until the end of the day. And I'll admit, I had a favorite student: Alec from Mrs. Byrd's class. He got along well with his classmates, and he stayed after class to talk to me about books. Just delightful.

We got to the part of the year where we were reading the Georgia Book Award Nominees. I started reading *Diamond Willow* to the fifth-grade classes and they seemed to like it well enough. But also, I learned that first year that I could use my peripheral vision to walk around the classroom while reading aloud. You may have figured out by now that classroom management was not my strong suit. Also, I hated to interrupt a story to fuss at kids who were misbehaving, but proximity is a strong deterrent. I'd start out class at the front of the classroom and I might see some kids whispering at one of the back tables. I'd drift over there while continuing to read. The whispering would stop. Then another table might start flicking a paper football. I'd drift over there while continuing to read and the paper football would disappear.

I was able to stay at the front of the classroom for all the fourth-grade classes. They were loving *We Can't All Be Rattlesnakes* as much as I was. Then, a couple of days into the book with my first class of the rotation, I started coming up on a passage I had forgotten after pre-reading the book that summer. It's a scene in which the boy has some friends over and he's showing off his collection of animals, especially his new gopher snake. He keeps referring to the snake as a boy and one of the friends asks how he decided the snake was male. Then another friend asks, "How do you tell a guy snake from a girl snake?" And the first friend says, "You look at the hemipenis."

My mind started racing. Could I say "hemipenis" in front of a fourth-grade class? Should I skip part of the text to avoid saying "hemipenis?" Should I say something else, like "You look at the privates?" Maybe I could say it. It's the correct anatomical term. The fourth-graders were so good. I remembered that after the one friend says "You look at the hemipenis" the other friend says "The *what?*" And that might be the reaction

the kids would want to have and the character and I were having the reaction for them which might cut the tension. I got to the passage and read it faithfully. No one said a peep. I read that passage in all four fourth-grade classes and not a single student made a comment about it.

The next week I kept reading. Now, I liked to start class by making sure the students remembered where we were. I had learned from my language arts colleagues that I could ask better questions than, "Who remembers what happened last time?" I asked instead what students predicted would happen next. I asked what connections they could make between what we had read and other books or real life. I asked what they had learned. I started each class with these questions and continued reading *We Can't All Be Rattlesnakes*. Then I got to my favorite, Mrs. Byrd's class. I started out by asking them what they predicted or what connections they could make or what they had learned. And Alec, my favorite student, raised his hand.

I said, "Yes, Alec?"

He said, "I learned that snakes have a hemipenis."

You know, another librarian might not have chosen this book as a read-aloud. Another librarian, if they did choose this book as a read-aloud, might have found some way to avoid saying "hemipenis" in four fourth-grade classes. And another librarian, if they did say "hemipenis" in four fourth-grade classes, might not have honestly believed that no one would say a peep about it. But we can't all be rattlesnakes.

Postscript. I believe in intellectual freedom. I also think there is a difference between making a book available to anyone who wants it and reading a book aloud to a captive audience. I'm being honest here about a real moment of doubt I had as a new school librarian. Ultimately, my students could handle a brief mention of reptile genitalia and I'm glad I took the risk. I ended up using *We Can't All Be Rattlesnakes* as a read-aloud for the fourth grade again a couple of years later, not as a Georgia Book Award Nominee, but just for fun. I knew what I was getting into then, and those classes handled it fine too.

Urban Legends

It was mid-spring of my second year as an elementary librarian at the K-12 private school and I was already having a bad week. I had made a mistake that had left some of my colleagues irritated with me and all I wanted to do was keep my head down, keep my mouth shut, and stay out of trouble for the rest of the school year. That's when I got the email from the principal: "Can you help me with this? See forwarded message below."

I scrolled down to see an email from the mother of one of our third-grade students. Her daughter had checked out



a book from our school library that the mother didn't think was appropriate for her. Or for third-grade students. Or for elementary students in general. She wanted it removed from the library.

This was a book called *Creepy Urban Legends* by Tim O'Shei. If you are not familiar with urban legends, they are stories that sound like they could be true, but aren't and the person telling the story usually swears that it happened to a friend of a friend. For example: "My mom's best friend's cousin, back when she was in college, she came back to her dorm room late one night and didn't want to wake up her roommate, so she got changed and climbed into bed in the dark. When she woke up in the morning, with the light coming through the window, she looked across the room and saw her roommate lying murdered in her bed and written on the wall in blood were the words 'Aren't you glad you didn't turn on the light?'" A version of this story is actually in that book.

I wrote back to the principal and told her that I had used *Creepy Urban Legends* in a lesson with all of the third-grade classes back at the beginning of the school year. I did a mini-unit on folklore. During the first lesson I had read aloud and told fairy and folk tales. For the second lesson, I wanted to show students how folklore still travels by word of mouth today, so we talked about jokes and urban legends. I read aloud a couple of the stories from the *Creepy Urban Legends* book. The stories I read really weren't very scary, because I know scary stories aren't for everyone. Then we ended class by telling jokes, so no one left the library scared that day.

About half of the third grade wanted to know which stories were too scary for me to read aloud and the book hadn't been back on the shelf since. It had gone directly from one third-grade student who had a hold on it to the next. I never tried to stop any of the students from checking the book out because some kids love scary stories. In fact, those books of *Scary Stories to Tell in the Dark* (by Alvin Schwartz) were some of our best-circulating books. In my experience, if a kid did check out a book that was too scary for them, they just stopped reading it and brought it back.

I told the principal that if this mother was really serious about wanting the book removed, we had a policy about that and a procedure she would have to follow. She would have to read the entire book and fill out a form making her request. The request would go before a committee made up of parents, teachers, and librarians. The committee would decide what to do with the book and the committee's decision would be final.

The principal cut and pasted from my email to respond to the mother. This mother did decide to formally challenge the book and agreed to go through our procedure. The head elementary librarian let me know that the last time a book

had been challenged had been about 20 years earlier and it had been a book about what Santa Claus does on his day off. A teacher had complained about the book because it had a picture of Santa on the toilet and a picture of Santa drinking a glass of sherry.

The mother also wanted to come in and talk to the principal in person. When the principal was telling me and the other librarians about this, she said she thought it was a good idea. The mother just wanted to be heard. But the principal had no intention of going to this meeting by herself. A meeting was set up with both parents, the principal, me, the head elementary librarian, and the head of all school libraries. Leading up to this meeting, I told myself that the parents just wanted to be heard. I needed to keep my head down, keep my mouth shut, and stay out of trouble.

We all went into the conference room off of the main office, and as soon as the parents sat down they started talking about protecting their child: "We watch the news every night and we see all the horrible things that are going on in the world. And we don't let our daughter watch the news because she is too young, she is too innocent, she is not ready to know about the horrible things going on in the world. And we never dreamed that she would check out a book from our school library that would tell her about the horrible things going on in the world. That story about the girl in the dorm room, we saw that on the news a few years ago. And the story about the woman who had a man break into her house and she only found out about it because her dog was choking on the guy's fingers he had bitten off, we saw that on the news a few years ago. And the story about a woman who had a man hiding in the back seat of her car, and someone kept flashing their headlights trying to warn her, we saw that on the news a few years ago . . ."

As the parents talked, it quickly became apparent to me that they believed the stories in this book were true, and that was their main objection. I looked up at them and said, "Excuse me. I know that this book lives in the nonfiction section of the library, but this call number, 398.2, is for folklore. This is also where fairy tales are shelved. This is a book of urban legends. They are stories that sound like they could be true, but they aren't. None of the stories in this book are true, and I made sure the kids knew that when I taught the folklore lesson."

The parents mumbled, "Well, things like that have happened." And they continued on for a few more minutes until they ran out of steam. Then they shook hands with all of us and left, having been heard.

The book challenge committee decided to keep *Creepy Urban Legends* in the collection and the parents instructed their daughter not to check out any more scary books. I



would like to tell you that I was always this eloquent and effective when handling a challenge and that the administration always had the library's back, but that would be an urban legend.

Tango

I noticed it right away. It was my first day as an elementary librarian at the K-12 private school. What I noticed was the book *And Tango Makes Three*. What I noticed was that it was on a shelf behind the head elementary librarian's desk in our office instead of in the collection where students could find it and check it out. So, I asked her, "Hey, what's going on with *Tango*?"

She said, "Oh, you don't want to deal with a book challenge, do you?"

And Tango Makes Three by Justin Richardson and Peter Parnell is a delightful children's picture book based on a true story about two male penguins at the Central Park Zoo who built a nest and hatched an adopted egg together. The other librarian thought it would be challenged because it has been at numerous other schools and libraries. Parents have complained and tried to get the book removed. In fact, *Tango* has been one of the most banned books each year, since it was published in 2005.

What the other librarian didn't know about me was that I was game for a book challenge. In library school, they taught us to be warriors for intellectual freedom, to serve our communities no matter what. I graduated assuming I would have at least one book challenge during my career. My new colleague felt differently, and it was my first day on the job. I thought perhaps I should take some time to build relationships and prove myself, and then try to make changes. As the least senior librarian in the elementary library and at the K-12 school, I had no power to move *Tango* without the agreement of at least the more senior elementary librarian.

Year one. A perfect opportunity to argue for *Tango* came up during that first year. One afternoon I was in the library office with the head elementary librarian and our part time assistant. Both of these ladies were nearing retirement and had a long history with the school. They were reminiscing about when one of the second-grade teachers had been hired. He happened to be a gay man and many parents tried to get their children moved out of his classroom. But by the end of his first year it was apparent that he was one of the best teachers in the school and since then parents have tried to get their children into his class. They told this story with an attitude of "Can you believe the parents would behave like this?"

I let them finish and then I said, "You know, we can't really claim to support our gay teachers and our gay parents

and our gay students and not have *Tango* available for checkout."

The other librarian looked at me and said, "You're right."

But she didn't put *Tango* back into circulation. It had never occurred to me that it could go this way. I could make my case, she would agree with me, and then she would still decline to move *Tango*. I needed some more time to plan my next move.

Year two. We had a book challenge, and it wasn't for *Tango*. It was over a book of scary stories. With the support of the administration, we followed our book challenge procedures and the book stayed in the collection. Although no one enjoyed the challenge, we all survived. I thought perhaps the reason my colleague was unwilling to risk *Tango* being challenged was that she didn't think the administration would support us in defending it. If I could prove somehow that the administration would support us, I was sure that would change her mind. It would be difficult, though, to find out how the administration felt, without looking like I was going over my supervisor's head.

Year three. Henry Cole came to our school. Each year, the other librarian and I each hired an author or illustrator to talk to the students. She hired Henry Cole. I didn't know much about him before his visit. He is best known as an illustrator but has also authored some books. I went to his first presentation of the day and he was so energetic and engaging and had the kids roaring with laughter. At the end of his presentation, he put up a slide with a picture of him in front of all of his books. Right there, front and center, as if it was the book he was most proud of, was *And Tango Makes Three*. Henry Cole is the illustrator.

I went back to our office, took *Tango* off the shelf behind the head elementary librarian's desk, and moved it to the table of books for Henry Cole to sign. After that we owned a signed copy of *Tango*—that the students still couldn't check out.

Year four. The guidance counselors started Diversity Book Club. Our rival school was doing it, so we had to do it, too. The way Diversity Book Club worked was that a teacher would sign up to read a diverse book with a group of fifth-grade students and then they would meet during lunch one day to discuss.

Diversity Book Club was very popular and I had teachers in the library every day asking for book recommendations. I gave them multicultural books and books with differently abled characters and immigrant characters and neurodivergent characters. Sometimes they would ask me, "Why aren't you doing Diversity Book Club?" Honestly, I already had a number of fifth-grade book clubs that met during lunch and I was a little hesitant to give up the few days I still got to eat with adults.



As I was shelving in the fiction section one day, a book caught my eye. I read the back cover and learned that in this book, the main character's parents get divorced and then her father comes out and starts dating men. I went straight to the guidance counselor's office and said, "I want to do Diversity Book Club, and I want to read this book." I handed the book to the counselor.

She looked at the front and the back. "Let me talk to the administration." And I thought, "Yes! Talk to the administration!" This was how I would prove that the administration would support us in standing up for *Tango* and books like it.

A couple of days later, the guidance counselor walked into the library and handed me the book. "The administration says we cannot do Diversity Book Club with this book. They think it will upset some of the parents."

I was devastated. I had my answer. The administration would not support us and without their support I didn't think I could ever get *Tango* back in the collection. I was furious at my colleagues. I knew that the other librarian, the guidance counselor, the administrators, none of them had a problem with *Tango*, but they were too cowardly to fight for it. And then I thought that really, I wasn't any better. I could have fought harder for *Tango*. I could have. But I was afraid of making a nuisance of myself and alienating everyone I had to work with every day.

Then I looked down at the book in my hand. I couldn't do Diversity Book Club with this book, but it was in the collection, available for checkout. When *And Tango Makes Three* first came out, it got a lot of publicity. People knew about it. People who wanted to complain about it knew to look for it in their libraries. But the book in my hand? No one had heard of it, and that's exactly why it was in our collection. This gave me an idea.

I went back to our office and poured over the book review publications. I circled every LGBTQ+ book that got a positive review and I added them all to the order. When those boxes arrived I tore them open and took out those beautiful new books. Instead of interfiling them with the rest of the collection, I put them all on display on top of the shelves where students might see them and decide to check them out.

At the end of that year, I decided not to renew my contract. I went back to graduate school to get a Ph.D. in Library and Information Science. Now I teach future school librarians. I train them to be warriors for intellectual freedom and to serve their communities no matter what. I'm also honest with them that it isn't always easy, and if they find they've lost the battle, they should fight harder to win the war.

Postscript. If other librarians find themselves in a similar situation, I suggest the following: (1) Do what I did and purchase other books that meet the needs of your community. (2) Make sure you have a solid reconsideration policy signed off on by the principal and school board so that if a book is challenged it is difficult for other employees of the school or district to remove the book without going through the agreed-upon procedures. (3) Keep being persistent about including a book that is being voluntarily censored even if you are not initially successful. I was discouraged by the lack of support from my fellow librarian and the administration, but perhaps I could have worn them down eventually. I also could have outlasted them if I had stayed a few extra years and waited for them to retire. (4) Finally, reach out to other school librarians for advice and moral support. We can get through these difficult situations together.

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Contemporary Challenges and Censorship in School Libraries in Canada

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The purpose of this chapter is to familiarize readers with contemporary challenges and censorship in school libraries and learning commons in Canada. The informal narrative reflects the viewpoints of seasoned advocates for intellectual freedom and social responsibility in the Canadian library sector. Content concentrates on the main sources of challenges, four common types of challenges that can lead to censorship (content, curriculum, genre, and book leveling), an essential two step strategy and related resources for dealing with challenges and combating censorship, and a pointer for educators in library and information programs. The chapter closes with an expression of appreciation and concern for the individuals who take personal and professional risk in managing challenges and combating censorship in school libraries and learning commons in Canada and beyond.

Access to school library program services and collections should be based on the United Nations Declaration of Human Rights, and should not be subject to any form of ideological, political, religious censorship, or to commercial pressures.
—IFLA School Library Manifesto 2021

On occasion in Canada, as elsewhere, parents and guardians have concerns with the school library or learning commons books and other resources their children read, view, listen and play either at school and/or when they bring resources home from school. They may challenge and even seek to censor these resources, contained and accessed in their child's library or learning commons, for various reasons.

While challenging reading, listening, viewing, and playing content is a parent's and guardian's prerogative for their child, removing access to a book or other resource from the library or learning commons for all the other students in the

school, or across a district, can constitute censorship and is an issue with which teacher librarians and other information workers must deal. Dianne Oberg explains, "Freedom of expression rights are essential to education in a free and



democratic society. These are the rights of everyone in the school community, including students. Teacher-librarians are charged with ensuring that those rights are acknowledged and respected” (Oberg 2022).

As Canadians, we value our democratic and *Charter* rights as expressed in The Canadian Charter of Rights and Freedoms (Government of Canada 1982), and as global citizens our human rights are expressed in the Universal Declaration of Human Rights (United Nations 1948). We hope that our teacher librarians, and information workers more broadly, can resolve book and other challenges and avoid censorship within our institutional library contexts to the satisfaction of all concerned parties. However, the reality is that every year some parents, guardians, and outside groups and lobbyists have sought to limit students’ access to and use of books and other resources in Canadian school libraries and learning commons. Even with district policies in place, teacher librarians sometimes find themselves confronted by parents, guardians, and/or outside groups and lobbyists, and are often directed by administrators under pressure, and/or district staff, to remove or censor items from their school libraries and learning commons. Most of the pressure in the realm of common challenges is triggered by parents or guardians who disapprove of language, viewpoints, and ideas that differ from their own. In select cases, a school administrator may instigate a challenge or perform an act of censorship. In some instances, the argument is made, the action taken only affects one school, or one item in the district, so why make a fuss? The simple answer is: *it does matter*. Whether a challenge or act of censorship occurs in one school or one district, the reality is the attempted or executed removal of any item from a school library or learning commons, anywhere in the country, may bring about challenges and censorship elsewhere in Canada (and potentially beyond).

Typically, school libraries and library learning commons in Canada contend with censorship challenges on four fronts. First, challenges can come from within a specific school and often start with a parent or guardian of students who attend the school. Second, requests for removal of reading or other resources within the school system can come from school boards, district personnel, administrators, teachers, or teacher librarians. Third, challenges from outside the school, on content in the library or learning commons collection and access services, can stem from parents or guardians seeking the removal of an item from all schools in the district. Fourth, external challenges may also stem from groups or lobbyists with a specific agenda on the removal of a type of book or other resource associated with a certain theme or content.

The most common types of challenges in school libraries and learning commons in the last five years reflect

individual or group disagreement with content coverage of sexuality, religion, race and ethnicity, and/or the age appropriateness of the resources with respect to who has access to them. Such disagreements threaten access to information and opportunity for knowledge development available to students and can lead to challenges and instances of censorship in schools. The issue is that challenges make it difficult to address students’ real concerns, satisfy their intellectual curiosity, their right to the free development of personality, or prepare them for lifelong learning. For example, a notable scenario involving censorship within the school system involved a teacher librarian filing a human rights complaint against a school district and school administrator based on their personal beliefs. The teacher librarian in this instance was removing the LGBTQia2s+ (lesbian, gay, bisexual, transgender, queer, questioning, intersex, asexual, agender, two-spirit, plus) books from the library learning commons and when asked to desist, refused and went to the British Columbia (BC) Human Rights Tribunal. The BC Human Rights Tribunal determined the teacher librarian’s case was without merit and dismissed the complaint (Steffenhagen 2009).

The Nature of Challenges

Types of challenges in school libraries and learning commons can be classified, loosely, into four categories: content, curriculum, genre, and book leveling. Each of these are discussed below.

Content Challenges

In recent years, many censorship issues reflect LGBTQia2s+ content. Meanwhile, Sexual Orientation and Gender Identity (SOGI) 123 offers educators prepared grade-appropriate SOGI-inclusive lesson plans that teachers can adapt or adopt. In the western provinces of BC and Alberta this includes SOGI 123 curriculum resources for classroom use by teachers and fiction and nonfiction reading materials for the school library. For example, *Drama* (Raina Telgemeier 2012), *Being Jazz* (Jazz Jennings 2015); the Harry Potter series (J.K. Rowling 1997-2016) (sorcery), the Twilight series (Stephenie Meyer 2005-2020) (horror), stories where teenagers interact in a physical manner (lust), and *The Hate U Give* (Angie Thomas 2017) (racist and adult content). Other books challenged recently include *Sisterhood of the Travelling Pants* (Ann Brashares 2001) and the *Shopaholic* series (Sophie Kinsella 2001-2019) (poor representation of young women). In January 2019, CBC News Online reported a scenario in the nation’s capital, which always troubles teacher-librarians across Canada: a request for removal of a popular book from all of the elementary libraries in the Ottawa Catholic School



Board. The headline read “*Catholic board pulls book with LGBT characters from elementary libraries*” (Osman 2019).

The 2012 graphic novel *Drama* by American author and illustrator Raina Telgemeier, tells the story of a student who wants to be a part of her middle-school theatre production. The side story, about same-sex relationships, includes two boys sharing an onstage kiss. A parent requested the book be removed from the learning commons at their child’s school and went to the district offices with their request. Instead of being directed to remove the book from the learning commons where the complaint was launched, the district directed all the schools to remove the offending book. The removal was reported to the press; after a social media uproar that included statements from the author of the book, librarians, LGBTQias2+ advocates, politicians, and parents, the Ottawa Catholic School Board reversed its decision the following day (Catholic school board 2019).

A very recent example of a request for removal of items from all schools occurred in April 2022, within the Durham District School Board in Ontario. A group of First Nations¹ (Government of Canada August 30, 2022) parents requested the book *The Great Bear (The Misewa Saga, Book 2)* by First Nations author David Robertson, and several other books, be removed from the learning commons throughout the district, pending a review. The *Toronto Star* reported the district had pulled several books from their learning commons because they contained “content that could be harmful to Indigenous students and families” (Follert 2022). Concerningly, the district offered no explanation as to what the harmful content was. After a contentious Board meeting in May, where questions were posed about why district policies were not followed, the district acquiesced, and the books in question were returned to the library learning commons, pending a review.

There are examples of challenges that were resolved by following district policies in Canada during the 2021-2022 school year. Three of these were for elementary collections: *Bad Kitty for President* (Nick Bruel 2012) (using “%#@\$\$”, bad words); *George* (Alex Gino 2015) (LGBTQia2s+ concern), and *Diary of a Wimpy Kid* (Jeff Kinney 2008) (bullying). The fourth was in a middle school: *We Are All Made of Molecules* (Susin Nielsen -Ferland 2015) (LGBTQia2s+ concern).

Clearly, to some people it may seem simpler for teacher librarians to remove one challenged resource by acquiescing to a school administrator or a district request rather than

going through the challenge process. However, any challenge in a school library or learning commons in Canada needs to be addressed ‘by the book.’ Reporting a challenge provides information about the source of the challenge, the type of challenge, and the resource(s) or access in question as the challenge or censorship occurs in a school library or learning commons. This critical information assists teacher librarians’ ability to understand and resolve a complaint, or a challenge to remove a book or other resource, and to combat censorship. Ideally detailed documentation takes place in-house and is also shared at the national level. The American Library Association’s (ALA) challenge reporting system provides a strong model and has influenced gatekeeping activity for national challenge reporting in Canada. For example, the Book and Periodical Council (BPC) in Toronto, an umbrella organization for associations that deal with writing, editing, illustrating, publishing, reading, and selling books, has been maintaining a list of challenged items, accessible via its Freedom to Read Week website, for years. BPC also offers a list of the top 100 works challenged in Canada. The Canadian Federation of Library Associations—Fédération canadienne des associations de bibliothèques (CFLA-FCAB), through the work of its Intellectual Freedom Committee, runs an annual Challenges Survey and publishes reports dating back to 2006. More recently, the Centre for Free Expression (CFE), based at Metropolitan Toronto University, began building a new challenges database for Canadian public, school, academic, and government libraries.

Curriculum Challenges

As in the United States (US), where states are responsible for their education systems, education is the responsibility of provincial and territorial governments in Canada. The curriculum for each province or territory is a set of educational expectations which outline the knowledge and skills students are expected to learn and apply by the end of a grade or course, from kindergarten to grade 12. The mission of the teacher librarian in the school library or learning commons, is to assure students and staff have access to appropriate resources and information in multiple formats and languages to complement the learning outcomes in the curriculum. Of course, this work receives critique and criticism.

In January 1997, James Chamberlain, an elementary school teacher in BC submitted three books for Board approval to use in his grade one class. They were *One Dad, Two Dads, Brown Dads, Blue Dads* (Johnny Valentine 1994) *Asha’s Mums* (Rosamund Elwin and Michele Paulse 1990), and *Belinda’s Bouquet* (Leslie Newman 1991). He wanted to use the books to teach about families, which is part of the grade one curriculum. Some parents complained and the

1. The Canadian Constitution recognizes 3 groups of Aboriginal peoples: Indians (more commonly referred to as First Nations), Inuit and Métis. These are 3 distinct peoples with unique histories, languages, cultural practices and spiritual beliefs.



Board refused Mr. Chamberlain's request. Mr. Chamberlain took the matter to court; the case ended up in the Supreme Court of Canada, and on December 21, 2002, a ruling was announced (*Chamberlain v. Surrey District School Board* 2002). The Supreme Court of Canada ruled the ban on books about gay and lesbian parents has no place in a public school system that claims to promote diversity and tolerance. Former Chief Justice Beverley McLachlin wrote in the seven-two ruling, "Parental views, however important, cannot override the imperative placed upon the British Columbia public schools to mirror diversity of the community and teach tolerance and understanding of difference." And one small section of the 2002 ruling had important implications for challenges in Canadian school libraries or learning commons: "The distinction between actions and beliefs is present in Canada's constitutional case law: persons are entitled to hold such beliefs as they choose, but their ability to act on them, whether in the private or public sphere, may be narrower" (*Chamberlain v. Surrey District School Board* 2002).

When the BC Ministry of Education introduced the SOGI 123 program in schools it was challenged by some parents and groups, such as Culture Guard. Challenging the implementation of SOGI 123 was used as a political platform for some candidates running as school trustees in the last municipal elections, in BC, in 2018. Parents and groups in certain districts demanded school boards rescind the implementation of the program and for the removal of offending resources from both the classroom and the learning commons. Even though the BC Ministry of Education policy allows parents the flexibility to have their children participate or not participate, in "sensitive areas" of the curriculum, specifically topics related to reproduction and sexuality, the program was not rescinded. Further, only four candidates who ran on a specific anti-SOGI 123 platform were elected.

Requests for removal of the SOGI 123 program are now being renewed with the approach of municipal elections in the fall of 2022. The groups in opposition are now better organized and are using the same playbook as the one used in certain American states. This includes accusing the school library or learning commons of peddling pornography to children with the LGBTQia2s+ resources made available to districts for the program. One such group is Action4Canada, situated in Surrey, BC. The group, after the 2021-2022 school year concluded, sent a *Notice of Personal Liability—Facilitating in Exposure of Minors to Sexually Explicit Materials, Activities and/or events* to school districts. The letter is divided into three sections (an explanation of notice, the laws included in the email, and the request), as shown in the appendix.

Since these notices were sent to school districts after the end of the school year, when teacher librarians and teachers are, for the most part, on summer holidays, a response would have had to wait for the school year 2022-2023. However, some librarians, teacher librarians, and teachers in BC, as well as their associations, prepared a response. The BC Teacher-Librarians' Association (BCTLA) was notified, and emails were sent to teacher librarians across the province. The BCTLA attempted to find out which districts had been contacted, or if all the districts had received the *Notice of Personal Liability*. The president of the BCTLA was in contact with the CFLA-FCAB's Intellectual Freedom Committee. There was concern within the BCTLA that these emails were received after the end of the school year, and teacher librarians were not actively involved in responding to these emails.

The CFLA-FCAB's Intellectual Freedom Committee, the BCTLA and the CFE worked to prepare useful information for all teacher librarians in BC public schools. This includes position statements and documents from the CFE and CFLA-FCAB. Information was sent regarding contacting local teacher unions and the BC Teachers' Federation (BCTF) for additional assistance. The CFLA-FCAB's Intellectual Freedom Committee contacted both Master of Library and Information Studies (MLIS) and related teacher librarian programs across the country and requested they incorporate this information in any courses they offer on intellectual freedom or library policies associated with this issue. Instructors in the *Diploma in Teacher Librarianship* at the University of British Columbia were also contacted. A short lesson was created on the *Notice of Personal Liability* and how to deal with it, and it was incorporated into the summer courses offered. The lessons were also used in courses during the next academic year.

As well, Canadian School Libraries (CSL) was contacted; it sent out information to membership through its email list and blog in late August 2022. Everyone was informed the *Notice of Personal Liability* holds no legal weight, given that it was not sent by a lawyer but a small organization with their own agenda. Accusing anyone in education in BC associated with the SOGI 123 program of distributing pornography does not make it so. The work done by the librarian associations, librarians, teacher librarians, and allies before the next school year opened offered the frontline workers the information and tools needed to respond effectively to these accusations.

Genre Challenges

Challenges based on genre are the most common type in a school library or learning commons or public library in Canada. Notably in the early 2000's, a small group of parents



presented a list of book genres they requested be removed from the learning commons at a middle\high school in Canada. The list included art books, photography books, dark, horror or evil books, and books that dealt with teenage lust or contained recurring swearing. The parents signed a caveat with the previous principal of the school that effectively, in their opinion, superseded the existing policies in the district pertaining to removing items from the collections. The teacher librarian contacted the local teacher union, the Langley Teachers' Association (TLA), which launched a grievance and sent a response to the parents of the school. TLA noted "any attempt at censorship in any type of library is a significant issue for the library community in Canada as a whole and will be reported to the press and referred to the appropriate specialists who will mount a vigorous defense against it. The secretary treasurer (of the district) should refer to the decision of the court case in Surrey" (Richard Beaudry, personal notes, September 15, 2009). As a direct result of the union grievance, the teacher librarian was able to keep the collection in place. Importantly, the caveat signed between the parent group and school administration was rescinded.

Leveled Book Challenges

The freedom to choose what to read, view, listen, or play is at the heart of our school library or learning commons programs and what it means to be a student in Canada who is poised to engage in literacy in many forms. What is not in question is that teacher librarians want all students to read. They encourage students to read for recreation, education, information, and culture, and to love reading for the sake of reading.

A few years ago, an important censorship challenge occurred in an elementary school in Canada where the administration had decided to level all the books in the library, in the bookroom (a space used to house multiple copies of the same title to be used by teachers in the classroom), and including the teachers' personal collections of books in classrooms (Richard Beaudry, personal notes, October 20, 2016). In requesting all the books in the school be leveled, the administrator had a list of specific leveled books that was to be available for students in the school. If any existing book was not on the list, it was to be removed from the collection, bookroom, or classroom. The teacher librarian in the school objected to the removal of so many books and, as a result, the teacher librarian position was eliminated. The library technician expressed the same concerns and was transferred to another school. With a new library technician in place and parent volunteers, the process of eliminating large swaths of the fiction books was undertaken. The staff contacted the local teachers' union and two grievances were

launched: the first addressed the issue of the removal of the books from the learning commons and the second addressed the issue of teacher autonomy.

The school administration had been asked to stop removing books from the library, bookroom, and classrooms. But the administration neglected to ask the library technician and parent volunteers to stop weeding the collection and leveling the books. So the process continued another week before the union notified the district; they then requested the administration stop removing books. After an inventory was requested by the teacher union, it was determined that 5,000 books had been weeded from the learning commons collection in two years. Thirty boxes of books were located and ready to be incinerated before they were returned to the school. With assistance from the Canadian Library Association's (predecessor to CFLA-FCAB) Advisory Committee on Intellectual Freedom, the BCTLA, and the BCTF, the grievance was settled. The School Board committed to having in place a request for reconsideration form that would prevent any further opportunity for one person to remove books from a school library or learning commons without a consensus and following the district policy. The School Board agreed to rehire the teacher librarian who lost their position. The learning commons received funds from the school district to rebuild the collections in the library and the bookroom. Individual classroom teachers were compensated for the loss of their personal classroom collections.

Essential Strategy and Resources for Dealing with a Challenge

With most censorship challenges in a school library or learning commons in Canada, the issue is resolved when the parties involved follow the policies and protocols in place. This process usually includes filing a 'Request for Reconsideration' form, the formation of a committee to review the resource, a decision on how to deal with the request, and a concluding response sent to the person or group that initiated the challenge. In most cases, this process works well, and the public generally does not hear about the challenge. Problems arise, though, when, rather than using the district's selection and deselection criteria per the policies, school or district administration simply request the quiet removal of the resource(s) in question, bypassing the protocols and consultation with the teacher librarians in the decision process. In the latter scenario, a grievance is initiated, based on the teacher contract, and the matter is resolved internally. While there have been times when the challenge is published in the media, administrators, in most cases, relent and permit the resource(s) to remain in the school library or learning commons.



When a challenge occurs, there is an essential two step strategy that has proven to be effective. First and foremost, be proactive. Make sure at the start of each school year the district's policies for school libraries or library learning commons are up-to-date, the form for reporting challenges is available as a document or downloadable pdf, and relevant parties are in the know. Secondly, address the issue in an informed and constructive manner. If, for any reason, an administrator or the school district decides to remove a book or other resource or block access, from one or several schools, there are legal documents and statements in Canada that can be used to reinforce effective arguments to follow the district process for challenges.

An example of a district policy that deals with challenged materials includes the directives

1. Request for Formal Reconsideration
 - 2.4. The request for reconsideration of materials in school-based collections shall be referred to a reconsideration committee at the school or District level for re-evaluation of the resource.
 - 2.5. The reconsideration committee may choose to consult District support staff and/or community persons with related professional knowledge.
 - 2.6. The reconsideration committee shall review the challenged resource and judge whether it conforms to the principles of selection outlined in Administrative Procedure 251—Selection of Learning Resources.
 - 2.7.4. The decision of the respective reconsideration committees is binding on the individual school.
 - 2.7.5. Notwithstanding any procedure outlined in this Administrative Procedure, the questioner shall have the right to appeal any decision of the reconsideration committee under Section 11 of the School Act. (Vancouver School Board 2021)

Each of the provinces and territories in Canada has a School Act that covers the establishment of school districts and how they are run. Library learning commons across Canada also take direction from the School Act within their province or territory, but choosing the reading materials is not only based on the curriculum; it also has to do with age-appropriate reading materials that are based on the reading interests of the students. Section 76 of the BC School Act, for example, states “All schools and Provincial schools must be conducted on strictly secular and non-sectarian principles” and “the highest morality must be inculcated, but no religious dogma or creed is to be taught in a school or Provincial school” (Queen's Printer 2022).

The BC Civil Liberties Association's includes the following directive:

Standing to invoke a review process: Adequate evidence of widespread concern.

In our Association's view, there must be sufficient evidence of significant opposition to the material before the review process is commenced. For example, evidence of widespread concern sufficient to invoke the process could be presented in a petition. It should not be enough for the subjective views of one person to invoke an expensive and time-consuming process. Evidence of communal concern is, of course, not enough in itself to prohibit any particular material since the views of the majority should not automatically determine access to ideas and information, even for youth. (British Columbia Civil Liberties Association 1997)

The British Columbia Library Association's (BCLA) Statement on Intellectual Freedom assert it is “the responsibility of library administrators and librarians, as guardians of the peoples' freedom to read, to contest encroachments upon that freedom by individuals or groups seeking to impose their own standards or tastes upon the community at large” (British Columbia Library Association n.d.)

Important resources at the national and international level are offered below, starting with the CFLA–FCAB Statement on Intellectual Freedom and Libraries, which affirms:

The Canadian Federation of Library Associations holds that libraries are a key institution in Canada for rendering expressive content accessible and affordable to all. Libraries are essential gateways for all persons living in Canada to advance themselves through literacy, lifelong learning, social engagement, and cultural enrichment.

Libraries have a core responsibility to safeguard and facilitate access to constitutionally protected expressions of knowledge, imagination, ideas, and opinion, including those which some individuals and groups consider unconventional, unpopular or unacceptable. To this end, in accordance with their mandates and professional values and standards, libraries provide, defend and promote equitable access to the widest possible variety of expressive content and resist calls for censorship and the adoption of systems that deny or restrict access to resources. (Canadian Federation of Library Associations 2016)

The CFLA-FCAB Position Statement on Diversity and Inclusion, carried over from the CLA, insists libraries “understand that an acceptance of differences can place individual and collective values in conflict. Libraries are committed to tolerance and understanding. Libraries act to ensure that people can enjoy services free from any attempt



by others to impose values, customs or beliefs (Canadian Library Association 2008).

The BPC's Statement on Freedom of Expression and Freedom to Read, which notes the "freedom to choose what we read does not, however, include the freedom to choose for others. We accept that courts alone have the authority to restrict reading material, a prerogative that cannot be delegated or appropriated. Prior restraint demeans individual responsibility; it is the anathema to freedom and democracy" (Book and Periodical Council n.d.).

The ALA Code of Ethics includes the following directives, among others:

We uphold the principles of intellectual freedom and resist all efforts to censor library resources.

We affirm the inherent dignity and rights of every person. We work to recognize and dismantle systemic and individual biases; to confront inequity and oppression; to enhance diversity and inclusion; and to advance racial and social justice in our libraries, communities, profession, and associations through awareness, advocacy, education, collaboration, services, and allocation of resources and spaces. (American Library Association 2021)

The United Nations Convention on the Rights of the Child, ratified by Canada in 1990, observes:

The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary. (United Nations 1989)

A Pointer for Educators in Library and Information Programs

It is imperative to address any challenge and censorship in a school library or learning commons. Local colleagues, as well as local, provincial/territorial, and national library associations, are available to support any teacher librarian who is confronted by a challenge to remove a book from their school library or learning commons. It is in the teacher librarian's best interest to contact their provincial/territorial association to report any censorship issues and to contact the CFLA-FCAB's Intellectual Freedom Committee to report the challenge and the reasons it occurred. This advocacy work should be addressed in any library and information

program. It is particularly important to have a solid educational foundation on which to scaffold post degree or diploma professional development, some of which for example may be offered in-house or by support groups such as the CFE's Intellectual Freedom Working Group. Any such teaching and learning should be inclusive of attention to the role of trustees in sustaining the library as a hub for open inquiry and critical thinking. Encouragingly, the ALA launched an e-course on the first Amendment and library services on September 12, 2022.

Teaching and learning provide opportunity to facilitate important examinations of intellectual freedom and social responsibility as two core values of librarianship and the range of related issues impacting librarians, library institutions, and library associations. Teachers and learners can delve into intellectual freedom and social responsibility in the context of library and information work across sectors, so that students can apply theory to practice and weigh out critical considerations (e.g., moral persuasions, professional ethics and rhetoric, institutional policy, legislation, and human rights codes) as numerous contexts come into frame (e.g., philosophical, ideological, political, social, cultural, legal, economic, or technological). Both the Canadian Charter of Rights and Freedoms (Government of Canada 1982) and the Universal Declaration of Human Rights (United Nations 1948) provide important windows into the development of library rhetoric as an ongoing task and the work of reconciling rhetoric with realities.

This education is heightened given library and information students prepare to handle information and knowledge across the K-12 curriculum, and thus engage with transdisciplinary concerns, including access to information and the right to know, misinformation and disinformation, data sovereignty, digital inequities, the power of naming, epistemicide, knowledge justice, and the deliberate destruction of the material evidence reflected in cultural heritage in times of conflict to name a few. A special resource in the latter regard is the CFLA-FCAB Deliberate Destruction of Libraries Position Statement, carried over from CLA, which states:

The firebombing of the United Talmud Torah grade school library in Montreal, Quebec on April 5, 2004 brought our close attention to the issue of intentional destruction of libraries here in Canada. With the more recent news of the temporary closing of the Library and Archives of Iraq in December 2006 and even more recent occupation of its building for military purposes, we were reminded of the true precarious status of libraries on the global stage. It is important for CFLA/FCAB to adopt a statement on the intentional destruction of libraries. A precedent resolution exists



in ALA dating back to 1971. As well, in 2003, UNESCO adopted its related international Declaration concerning the Intentional Destruction of Cultural Heritage. (Canadian Federation of Library Associations 2016)

Conclusion

As we bring school libraries, teacher librarianship and learning commons into sharp focus, we observe challenges in K-12 schools and libraries are in the North American media just about every day. Some of these events are inclusive of book bans *and* gag orders. Canada is not immune from the censorship prevalent in our world. School libraries or learning commons in Canada continue to reflect challenges and censorship. What does the future hold? We should pay attention to the world's oldest and largest library association, the ALA, and its recent release of a statement entitled ALA

Condemns Threats of Violence in Libraries in response to “the alarming increase in acts of aggression toward library workers and patrons as reported by press across the country” and what might bode for Canada (American Library Association 2022).

This chapter has aimed to aid our understandings of contemporary challenges and censorship in school libraries in Canada and to recognize an urgent need demanding attention from us, from our profession, and from society more broadly. We thank, defend and applaud our colleagues engaged in managing challenges and combating censorship, who raise awareness about members of our school (and other) library communities in need of intercultural supports to navigate troubling occurrences of teacher-librarianship seen as insurgency and delegitimizing trust in educational space.

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Appendix: Notice of Personal Liability—Facilitating in Exposure of Minors to Sexually Explicit Materials, Activities and/or events

An Explanation of the Notice

It has become evident that the LGBTQ SOGI learning resources, implemented into the provincial educational curriculum across Canada in the past several years, have become an avenue to expose minors to sexually explicit, pornographic and inappropriate teachings, materials and activities.

As a Canadian citizen I have the duty to report the following concerns. Students (K-12) are being instructed on how to masturbate and exposed to pornographic cartoon material depicting minors engaged in explicit sexual activity.

Hundreds of these pornographic/explicit books are being found in schools and public libraries across Canada.

It is understood that many of these books have been permitted in an attempt to support the diversity and inclusion guidelines. However, the books must be age appropriate, not cause emotional harm and should not be sexually explicit so as to stay within the bounds of the rule of law and School/Education Acts.

Schools are also encouraging students to participate in Pride parades and events which are exposing minors to nudity, sexually explicit acts and sexual paraphernalia. Pride



day has turned into pride month and now into pride year as the school calendar is filled with activities that are indoctrinating children and further exposing them to sexually explicit groups and organizations who are grooming children. For e.g., Youth for a Change promoting events that involve Twinks.

The Laws Included in the Email

The author of the Notice for Personal Liability offers an overview of Section 163.1 (1) of the criminal code of Canada that includes “A Definition of Child Pornography,” “What Child Pornography means,” “Making Child Pornography, Distribution, etc. of Child Pornography,” and “Possession of Child Pornography.” Also included is the Criminal Code Section 152, which describes offences related to sexual counselling of a minor, and the definition of the Canadian Center for Child Protection related to non-contact sexual abuse.

The Request

I therefore demand the following books, and other titles by the same authors, be immediately removed. <https://>

action4canada.com/wp-content/uploads/List-of-SOGI-Inclusive-Books-for-K-12-Schools.pdf

I further demand a Freedom of Information providing all the details (to include the emails, attachments and any other correspondence) of who approved these books, as well as the grounds for this approval, any instructions given to anyone else in relation to this approval, and the minutes of all meetings in relation to such approvals.

Due to the rising number of concerns from parents in response to the highly politicized and controversial SOGI 123 learning resources, and their negative impact on the well-being of the majority of children, these resources must immediately be removed from the provincial educational curriculum.

School guidelines do not supersede the Criminal Code in these matters. Individuals/educators who approve and/or use or make accessible to minors any pornographic materials, resources or activities, will be held personally liable and may be subject to criminal charges.



The Limits of Community

Wendell Berry, Books Bans, and Intellectual Freedom as an Individual Right

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Beginning with a broad overview of community-oriented arguments for or against intellectual freedom (exemplified, in one case, by the writer and activist Wendell Berry), this chapter defines two forms of community: one active, the other passive. But do appeals to community make sense in environments increasingly hostile to intellectual freedom? In what ways have both of these forms already been weaponized by right-wing actors? It can certainly be argued that intellectual freedom benefits communities, but what if a community rejects intellectual freedom altogether? After detailing a recent case involving Nikole Hannah-Jones's The 1619 Project as well as subsequent efforts to ban the project in school classrooms across the United States, this chapter comes back to Berry, using his writings on gay marriage as a framework from which to (re)cast intellectual freedom as an individual—not a communitarian—right.

Deborah Caldwell-Stone, director of the Office for Intellectual Freedom (OIF), noted in an interview with Michelle Goldberg (2021) of the *New York Times*, that she has “never seen the number of [book] challenges . . . seen this year [2021]” (para. 2). It is no secret that most of these challenges, some of which have spilled over into school board meetings (Alter and Harris 2022; Pérez 2021), were instigated by right-wing actors or organizations (Gabbatt 2022; Kamenetz 2021).

Perhaps just as troubling as this recent uptick in book bans, however, is when self-styled centrists, like Wendell Berry, as well as members of the political Left, join the Right in undergirding their arguments for (or against) intellectual freedom with appeals to variously defined “communities.” The content of these arguments—their pro or contra stance vis-à-vis intellectual freedom—is not the focus of this

chapter (although later paragraphs will deal with the ways in which both the Left and Right have sought to limit free speech.) Instead, this chapter poses the following question: does positing intellectual freedom as a communitarian right have political utility, especially as it concerns the recent struggle against book bans?



For a typical example of this type of community-oriented appeal, one can look to Berry (2000/2019) when he writes:

In fiction and poetry, in biography, in journalism and the entertainment industry, and finally in politics, the cutting edge for most of the twentieth century has been the dis-covering of the intimate, the secret, the sexual, the private and the obscene . . .

I would question . . . the worth of freedom from . . . “deep-set repugnancies” . . . it is dangerous to speak of them carelessly. To speak of them carelessly is to violate yet another nucleus that ought to be sacrosanct. (186)

He continues,

Such exposures do not make us free, and they do not increase our knowledge. They only compound human cruelty by a self-induced numbness to the suffering of others and to our common suffering.

The question for art, then, is . . . Can it properly subordinate itself to concerns that are larger than its own? (193)

If art damages the community, or “concerns larger than its own” in Berry’s nomenclature, its existence is morally unjustifiable. This viewpoint has been expressed by many other writers and thinkers, at the very least stretching back to Plato (1989), who, in *The Republic*, finds that poets threaten the moral integrity of the city-state. Likewise, Rousseau, in his novel *Julie; or, The New Heloise*, accuses “literature, and by extension reading, of the disruption that eventually corrupts ideal societies” (Vanpée 1990, 40). One could also be reminded of both Nazi Germany and Stalinist Russia, in which diametrically opposed political movements led to the outright suppression of speech. In short, the notion that the “safety” of communities should always take precedence over free speech is an ancient and enduring one, underpinning, at different times throughout the centuries, both left-wing and right-wing critiques of intellectual freedom.

This notion lives on in the present; “community” is similarly invoked in today’s divisive political climate—either as an *active* participant in the fight to ban books (“the community must rescue its youth from ‘pornography’”) or as a *passive* participant in need of saving (“the community must be protected from ‘pornography’”). The Left seems fond of the latter definition, especially in academic contexts, where “community” is sometimes used as a catch-all theoretical justification for almost any kind of programming (Edwards, Robinson, and Unger 2013; Robertson 2004; Smallwood 2010). The Right, however, prefers to oscillate between the two understandings of community, selecting one or the other

depending on what makes the most rhetorical sense during any given media appearance (Alter and Harris 2022). The purpose of this chapter is to offer a refutation of both the active and passive conceptualizations of community and to assert that an intellectual freedom rooted in individualism is best able to protect the free speech rights of everyone—including, and perhaps most importantly, minorities and the underrepresented.

The Communitarian Defense of Intellectual Freedom

The ways in which intellectual freedom benefits communities is well-documented (Oltmann 2017; Redish 1982; Sturges 2016). In this sense, then, it can be argued that intellectual freedom is communitarian in nature. It is an entirely different matter, however, to say that intellectual freedom is valued in all communities; as discussed in the introduction to this chapter, freedom of speech, historically speaking, has been denounced under almost all political regimes and is currently under attack from a newly emboldened right-wing. It is thus vital to make the following point clear: The claim that intellectual freedom provides a net benefit to communities is not something this chapter seeks to refute. Rather, what remains questionable is whether emphasizing intellectual freedom’s communitarian benefits is *enough* to defend it from its detractors. What if there exist two mutually exclusive groups with competing conceptions of what constitutes a “community”? What if both groups seek, in their own ways, to limit free speech? These are the questions this chapter seeks to address.

Why Book Bans?

It is indisputable, as Berry (1977/2019) notes, that rural and exurban communities have been hollowed out at a rapid pace, both in terms of economic opportunity and local culture. Examples abound, from the loss of jobs that supply a livable wage in post-industrial America (Randell 2016), to the scourge of drug overdoses affecting these same communities (Hedegaard and Spencer 2021). Comparatively wealthy suburban communities also face their own problems, including drug addiction (Gaines et al. 2020; Lassiter 2015). As evidenced by OIF’S *Banned & Challenged Classics* (n.d.), these same rural, exurban, and suburban communities are the locus of the recent book banning efforts. Therefore, I will give the benefit of the doubt here and assume that this newly resurgent desire to remove books from schools comes not from some latent fascist impulse, but rather from a place of powerlessness; it’s much easier for people to pull the levers of the government they *can* control (often, local school boards)



than to challenge, say, corporations, which often exist, by design, beyond the control of locally elected officials and are the real cause of the destruction of communities across the United States. How best to combat this misplaced anger, justified in most cases through appeals to passive or active conceptualizations of community, is where this chapter will now turn.

Passive Community: A Refutation

This exultation of community at the expense of the individual is most easy to repudiate in the passive form: Does the availability of “undesirable” literature within school libraries harm communities? Does it cause more harm than, say, voting for politicians who are hostile to climate initiatives? Voting for politicians who have cozied up to agribusiness? It seems disingenuous to argue that it does, seeing as climate change has actual material risks and has, in short, already led to real deaths (“More than One-Third of Heat Deaths” 2021). As Berry (1977/2019) himself reminds us, agribusiness, too, has irreparably damaged millions of acres of once-fertile soil. Can anyone insist that LGBTQIA (lesbian, gay, transgender, bisexual, queer/questioning, intersex, and asexual) children’s literature causes comparable damage? Can we take seriously a movement that wants to “save us” from the “threat” of queer relationships but is more than willing to ally itself with perpetrators of ecological mismanagement? The point is not that communities cannot be the focus of politics, or that communitarian identity fails a priori as a political category. Rather, the point is that there are various other ways in which a community can be strengthened—through coordinated efforts to curb the outsized influence of corporations vis-à-vis demonetizing elections, through the transfer of power to local governments, or through reinvestment in struggling regional industries. None of these (partial) solutions require the curtailing of intellectual freedom.

It would be neglectful to ignore the ways in which some segments of the Left have, in recent years, advocated for the removal of literature from the classroom (Medeiros 2018; Revers and Traummüller 2020); the Left, like the Right, does sometimes appeal to a more passive conceptualization of community, one in need of saving from “outside” forces. As previously noted, it is not the opinion of this writer that the invocation of a passive (or even active) community is inherently right-wing in nature. What is clear, however, is that the Left seems to be on the defensive in almost all recent cases of book banning, making a discussion of their historical attempts to remove literature from classrooms an almost moot point in the context of this chapter’s focus on the Right’s much more recent (and frequent) attacks on free speech.

There is nothing more illustrative of this defensive posture on the Left than the controversy surrounding Nikole Hannah-Jones’s *The 1619 Project*, which has faced outsized criticism from members of the Republican establishment (“Why conservatives,” 2021). Published as a “corrective” to existing historical narratives about the founding of the United States, *The 1619 Project* asserts that the true founding of the nation occurred in 1619, when African slaves first arrived in the American colonies. And while leftists have critiqued the project (e.g., Bynum 2019), mostly on the grounds of inaccurate claims about the American Revolution being fought to preserve slavery, the response from the Right seems to indicate their intention to silence Hannah-Jones through an appeal to a passive “American” community in need of rescuing from “anti-American sentiment.” Former President Donald Trump stated that the *1619 Project* has “defiled” the story of America (Segers and Watson 2020), while Governor DeSantis of Florida has made unsubstantiated claims about the piece “tearing communities apart” (Gancarski 2021, par. 8).

The *New York Times* (which published *The 1619 Project*) deflected many of these attacks by appealing to “the free exchange of ideas and its crucial [role in] expanding public understanding” (Levy 2021). The Right, unsurprisingly, was unpersuaded by this appeal and continues to purge *The 1619 Project* from the classroom through legislation (Executive Office of Governor Ron DeSantis 2021; Schwartz 2021). This turn from a “community under siege” mentality to a weaponization of the legislative process seems to mark the Right’s transition from a passive conceptualization of community to a more active conceptualization.

Active Community: A Refutation

The Right seems to have entered a new phase in which they are more actively seeking to weaponize communities against books they deem “unfit.” One must grant that when used in legislative assemblies and by parents at school board meetings as a bludgeon against intellectual freedom, the phrase “our community” implies a whole host of assumptions; it is often, admittedly, code for “our white, heterosexual community,” which itself is an idealized remembrance that never corresponded to historical reality. The invocation of “our community,” when used in this way, is exclusionary, even when—or especially when—invoked in courtrooms or at school board meetings in rural and suburban counties where racial diversity, as noted by Lichter (2012), has been on the rise for years.

An antiquated understanding of community as a purely spatial designation also underpins these arguments. In the age of the Internet, however, there are all types of



communities that we no longer delineate in this purely spatial way. One might even go as far to suggest, like De Falco (2021), that the difference between physical spaces and online spaces is collapsing. One example, of course, may be social media platforms where queer people find a community of like-minded individuals. Which community (the physical or the online) takes precedence here? It seems obvious to me that favoring the physical would be betrayal of the individual liberties of people who, by dint of their (sexual, racial, and/or gender) differences, might find themselves at odds with their local environments and must subsequently seek social fulfillment elsewhere. This is not to imply that queer people cannot find resonance with their local environments. However, despite the rapid progress experienced by some queer individuals in the United States, cultural and legal barriers still exist, and in some cases, progressive wins have led to significant backsliding (Alter and Zürn 2020).

Strangely enough, Berry (2015/2019) lambasts this selective withholding of rights, albeit in a different essay and in reference to a different political struggle:

This right [gay marriage] depends upon a curious agreement between liberals and conservatives that human rights originate in government, to be dispensed to the people according to their pleading at the government's pleasure. . . . This flatly contradicts the founding principle of American democracy that human rights are precedent to the government's existence, that the government is established to protect them, and that the government must be restrained from violating them.

. . . it cannot be allowable, under the above principles, for the government, on the pleading of some of the people, to establish a right solely for the purpose of withholding it from some other people. (p. 624)

Berry asserts that the right to gay marriage is something that exists prior to the establishment of a government and cannot be withheld, only guaranteed. One could take this this even further and suggest that one of the federal government's main prerogatives might be to protect the individual from any active (and passive) conceptualizations of community that would deny marriage to certain populations and not others. We might generalize and conclude that, in Berry's estimation, local governments have a broad purview over communitarian affairs, while the federal government is tasked with protection of individual rights. The question then becomes the following: which of the two categories of rights in which we can place intellectual

freedom—communitarian (local government) or individualistic (federal government)—offers it the best protection?

Intellectual Freedom as an Individual Right

We can return to Berry's example about the selective withholding of rights. Gay marriage, for a short time, was regulated by local and state communities; some queer individuals in the United States were able to be legally married, while others were denied that same right. The main danger in casting intellectual freedom as a communitarian right is that it might come to resemble the gay marriage of a begone era—practiced in some states, illegal in others.

Asserting that free speech is an individual right thus becomes a political necessity, without which the country might be (further) divided into spheres of political influence with inconsistent, often competing, applications of the law as it concerns intellectual freedom. One can imagine the dangers posed to minorities who find themselves in hostile environments, unable to appeal to the rights guaranteed rights because the states in which they live have outlawed even the mention of their identities in public spaces. We are already glimpsing this future, not only in Florida (Larkins 2022), but across the country, where different laws governing marijuana possession (yet to be federally allowable) and abortion already exist.

Conclusion

In some ways, the discussion surrounding the current book-banning mania can be recast in the following light: many of the perpetrators operate under the misguided belief that wielding any sort of political control over the system—no matter how banal, no matter how detrimental to certain, less-privileged community members—is better than facing up to the truth of the situation: We increasingly have no control over the communities in which we live. Banning books is an illusory victory meant to mask this fact and removing literature from shelves does nothing to address the underlying causes of corporate overreach or entrenched political divides.

Appeals to the communitarian benefits of free speech from the Center and Left are helpful in some instances, but they rarely persuade right-wing detractors and risk parroting the same language that conceptualizes intellectual freedom as an issue to be regulated at the level of the community. Reconceptualizing intellectual freedom as in individual right that exists beyond the purview of local governments offers a way out of this inter-community struggle. But it is only a starting point in the fight against book bans.



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