

Intellectual Freedom Committee of the American Library Association

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MAGAZINES BANNED IN LOUISIANA AND MISSISSIPPI. Life, Time and Look were ordered off the shelves of libraries in the Bossier and Claiborne Parish School systems of Louisiana because of the magazines' "distorted views on segregation in our schools and their seemingly systematic campaign to prejudice and inflame the American people against the South" (Shreveport Times, May 5). School board members denied that "book burning" was involved, though at the Bossier High School according to the school's librarian, the ban affected a file of Life, 1936-1956. One or more of the magazines has been on the subscription list of each of the nine high schools in the Bossier Parish, three of which are Negro schools and six white. School board members were reported as particularly annoyed at two articles in Life on the Emmett Till case and an 18-page feature story on the South and the Supreme Court published in Look.

In a long editorial (May 7), the Shreveport Times contended that Louisiana students should be taught how articles on segregation in Life and Look go astray just as they should be taught about Communism, and concluded, "If every publication advocating integration and misrepresentating segregation were to be banned, there would be little reading for anyone."

Commenting on similar censorship of the magazines in two Mississippi cities, Hodding Carter, editor of the Greenville (Miss.) Democrat Times told 200 members of the American Association of Library Trustees in Miami Beach June 21 (Miami Herald) that pressure groups threatened freedom of the printed word "as never before." If these magazines can be banned in two cities in Mississippi, he contended, the action can be duplicated by "these super-racial, super-regional, professional super-somethings anywhere in the United States."

"Libraries of the nation are in great danger of being made sterile by these pressure groups," he said. "And a nation that cannot read and write cannot long survive. The book banners and the book burners would destroy freedom under the guise of national security." Not since the early 1940's he added, have "we faced so strong a resurgence of undemocratic pressures."

Carter urged the trustees to take a strong stand in defending freedoms within their communities. "You," he charged them, "constitute a bulwark against the local idiots who want to control what goes on your library shelves."

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ART SHOWS BARRED FROM TOUR ABROAD. The United States Information Agency has cancelled plans for sending two American art exhibits abroad in the last two months. "Sport In Art," sponsored by the magazine Sports Illustrated and arranged by the American Federation of Arts, was banned from a planned tour to Australia at the time of the Olympic Games after political charges of Communism had been made against four of the artists by the Dallas County Patriotic Council (N. Y. Times, May 26). In Dallas trustees of the Art Association had earlier rejected the demand of the Council and exhibited the pictures, declaring that "Democracy cannot survive if subjected to book burning, thought control, condemnation without trial, proclamation of guilt by association" (see last Newsletter IV: 3, p. 5-6).

The paintings of at least two artists proscribed as Communist-fronters (one of them dead) in "Sport in Art" were among those similarly criticized in an art show scheduled for exhibition in Europe but also withdrawn by the USIA (N. Y. Times, June 21). The second collection was to have included major works of 100 American artists of the Twentieth Century, and more than half had been collected from museums and private collections over the country for shipment abroad by the American Federation of Arts when the USIA commented that ten of the artists were politically "unacceptable." The Federation's trustees then voted unanimously not to go forward with the show if any paintings were to be barred by the federal agency and in its rejection quoted remarks by President Eisenhower: "Freedom of the arts is a basic freedom, one of the pillars of liberty in our land...." A private sponsor is now being sought, according to the Times.

The USIA also objected to the foreign tour of a third art collection, from American college and university galleries, which included a picture by Pablo Picasso, but this disagreement, it is reported, was resolved.

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"STORM CENTER." Best attended session of the Miami Beach ALA Convention was the showing of "Storm Center" at Municipal Auditorium June 19. The ALA's Office for Adult Education has issued an 8-page Discussion Leader's Guide for use when the film comes to your community. Male librarians who find it difficult to identify with Bette Davis are still urged to explore and lead discussion of the subject--censorship.

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FREE MATERIAL. We still have available for free distribution paper-bound copies of Anne Lyon Haight's Banned Books mentioned in our last Newsletter. Also now available free are:

1. Civil Liberties in the United States by Robert E. Cushman. Paper-bound, 248pp.

2. "How Can Obscene Literature Be Dealt with Effectively?" Issued by the Minnesota Council for Freedom to Read. Mimeo., 5pp.

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NO NEW LAWS FOR FARGO. A report turned in by a special citizens' committee in Fargo, N. D. on crime comics and obscene literature recommended

no new legislation and no censorship or licensing of publications and was praised editorially by the Fargo Forum (May 27). The committee, headed by a woman member of the Fargo High School faculty, reported noticeable improvement in the quality of literature on newsstands "partly because of self-discipline on the part of publishers and partly because of the interest aroused in such matter by incidents which led to the appointment of the committee."

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MARYLAND LIBRARY DISCUSSION GROUP. The Executive Board of the Maryland Library Association sponsored a discussion group for librarians on "Librarians and the Freedom to Know" last spring. In six bi-weekly meetings library representatives of school, college, university and public libraries explored the development of our tradition of intellectual freedom down to the present and the policies and practices of libraries in the Maryland area. The group worked from an excellent 4-page reading list. Further discussion meetings may be held next winter.

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TEACHER HEARING PLAN IN COLORADO. The Colorado State Board of Education has approved a plan under which charges of subversive activity made against teachers in the state's public schools would have to be submitted in writing and under oath before action is initiated (AP, Apr. 18). A 20-member citizen committee suggested the plan, which is aimed at eliminating "hearsay" evidence and the accusation of "faceless informers." The committee defined subversive activity as membership in or adherence to the Communist Party or advocacy of "any change in the forms of government of the state or nation by means of force or violence." Accusing witnesses and teachers would both have the right to counsel and cross-examination of each other. The local board of education would safeguard the rights of all parties at the hearing, preserve a full transcript of testimony and make a formal decision in writing furnishing copies to complainant and teacher. If the teacher fails to answer the charges or appear at the hearing, or if he wilfully evades service of a copy of the charges, the local board may consider it has "discharged its responsibilities," and he may be fired without a hearing. The State Board of Education, when it receives a decision from a local board, "shall determine whether it should hold a hearing on the right of the respondent to continue to hold a teaching certificate."

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MORE ON NEVADA. The Executive Board of the Nevada Library Association formally endorsed the Library Bill of Rights May 5. Endorsement will be presented to the association's membership at its annual convention in October. Earlier this year Nevada's librarians found themselves in conflict with a censorship provision in the state's school code (last Newsletter IV: 3, p. 4).

A newspaper and magazine distributor and a book dealer have been vigorously opposing efforts of the Nevada Council of Catholic Men to remove certain books and magazines from Reno stores. The news distributor, Sol Savitt, contends that the Council's drive amounts to "self-created censorship" and that the Council is without any legal standing.

He said Council members have personally removed books from shelves, handed them to dealers, and told dealers that if the books continued on display "we will have to ask for some action by the district attorney" (Reno Evening Gazette, April 20).

Kenneth Adams, manager of the book department of a Reno department store, has refused to remove from his shelves such books as Dos Passos' 1919, Hemingway's To Have and Have Not, and J. D. Salinger's The Catcher in the Rye--each of them on the proscribed list of the National Organization for Decent Literature, which the Council of Catholic Men has been using as its standard for measuring objectionable literature.

The Reno Gazette (Apr. 25) has editorially condemned the Council's drive as "an attempt at censorship, always a dangerous thing."

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FILM CENSORSHIP. The number of institutionalized state censorship boards has recently been cut in half. Some months ago Ohio abolished its censorship board by decision of the State Supreme Court. The U. S. Supreme Court next ruled the Kansas censorship law unconstitutional in a case involving "The Moon is Blue." And in March the Pennsylvania Supreme Court by a decision of 4 to 1 ruled its 1915 censorship act unconstitutional on grounds that its language ("sacrilegious," "indecent and immoral," "tending to debase and corrupt morals") is too vague and indefinite. New legislation attempting to establish more specific bases for censorship judgment has been introduced into the Pennsylvania legislature. Newspaper editorials indicate some rethinking of the film censorship problem.

Virginia, New York and Maryland retain their censorship boards. But in Maryland prior film censorship has recently come under questioning. There Judge Joseph R. Byrnes upheld the Maryland State Board of Censors in ordering deletion of a narcotics scene from the movie "The Man With the Golden Arm" (Baltimore Sun, May 11). A 1955 Maryland law specifically says that any sequence teaching the use of narcotics or habit forming drugs shall be considered as inciting to crime and subject to deletion. In two editorials (May 15 and 21) the Baltimore Sun pointed out first, that the U. S. Supreme Court has never "actually passed on the fundamental question as to whether any prior restraint of motion pictures is consistent with the guaranties of the First and Fourteenth Amendments"; second, that even if the court should eventually rule against such censorship, "producers and exhibitors would still be responsible for the films they showed and it would still be possible to punish those guilty of showing obscene sequences or those likely to incite to crime"; and third, that the narcotics sequence in "The Man with the Golden Arm" may be found in fact merely diffusion of information not incitement to crime and hence come under the protection of the First Amendment.

Under a 1955 law such cases for the first time can go to the Maryland Court of Appeals for decision. Judge Byrnes' ruling has been appealed, and in effect the right of the Maryland State Board of Motion Picture Censors to exercise its powers will be on trial (Baltimore Sun, June 13).

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ATTORNEY GENERAL'S LIST. In an item concerning Punxsutawney (Pa.) in the last Newsletter appeared a statement from the chief of the Subversive Organizations Section, Internal Security Division that the Attorney General "designates organizations only under the Federal Employee Security Program and has no authority to characterize publications or individuals." In a letter from Assistant Attorney General William F. Tompkins to Mr. John Cogley of the Fund for the Republic released for publication this view was clarified and expanded. From it we take the following pertinent comments:

(1) Question: What is the standing, in law, of the Attorney General's list?

Answer: The so-called Attorney General's list...is for the guidance of the heads of the Federal executive departments and agencies for use in connection with requests for investigation regarding employment or retention in employment of Federal employees....

(2) In the policy of your office, is membership in an organization considered proof of subversion?

Answer: The nature and extent of membership in a designated organization is but one factor to be considered in determining the qualifications of individuals for employment or retention in employment with the Federal Government.

(3) Question: Is use of the list by private individuals and groups authorized by your office?

Answer: /see answer to question 17... The list necessarily enters the public domain upon its publication in the Federal Register but this Department has no authority to permit its adoption for purposes other than that for which it is made.

(4) Question: Is there any official determination by the Government that certain individuals are Communists? If so, which agencies make such determination?

Answer: No official compilation of Communists is maintained by the Executive Branch of the Government.

Title I of the Internal Security Act of 1950 requires the registration of members of a Communist-action organization under prescribed conditions and imposes certain sanctions upon such members. Upon the failure of the organization to register its membership and upon the failure of the individual to register himself, the Act provides that the Attorney General may petition the Subversive Activities Control Board for an order to compel such registration.

The Board has determined the Communist Party of the United States of America to be a Communist-action organization. However, under the Act no action against individuals can be undertaken until the Party has exhausted its appellate remedies. No voluntary registrations have been made.

(5) Question: Is the statement of a Congressional Committee that an individual is a Communist considered an official statement of the United States Government?

Answer: The statement of a Congressional committee that a citizen is a Communist is not considered as an official statement of the United States Government. It is a statement of a committee of the legislative branch of the Government, and we can express no opinion upon the authority of one committee to speak officially for the Congress. It certainly is not an official statement of the executive branch of the government.

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THE COMICS. Cincinnati's Committee on Evaluation of Comic Books in its eighth annual review has approved 57 per cent of comics, found 20 per cent objectionable (Cincinnati Enquirer, May 6). The acceptable 57 per cent compares favorably with 37 per cent acceptable last year. The committee notes that the number of comic book series has declined from 323 in 1955 to 268 this year, and the number of publishers from 103 in 1955 to 54 today. This, it reports, "is indicative of two trends: First, the sale of bad comics has fallen off, and second, movements have set in for control or elimination of undesirable comic magazines in many communities."...

Judge Charles F. Murphy, who will complete two years as administrator of the Code for comics set up for the Comics Magazine Association next October 1, will resign at that time. He believes that by the expiration of his contract "the major problems confronting the industry when I assumed this office will have been resolved." (Christian Science Monitor, June 12)...

Mrs. Walter Magee, chairman of the Youth Conservation Division of the General Federation of Women's Clubs, reporting on the federation's two year drive to clean up crime, sex and horror comics, said that 19 states have recently passed legislation to curb the sale of such books and that 19 other states "considered" but did not pass restrictive laws (Milwaukee Journal, May 17). Club women have also "shown great initiative in following up the progress of the bills and in pressing for their consideration by legislators." Mrs. Magee also reported progress in buying books for public and school libraries, supplying parents with reading lists, establishing libraries where there have been none, and having special youth corners and story hours in libraries. She said comic publishers were missing the boat in not supplying good comic books for girls....

Distributors and news dealers, claiming violations of freedom of the press, have brought suit to test the constitutionality of a Washington state law passed last year which permits comic strips to appear in newspapers but not in booklet form (Olympia Olympian, June 14).... Censorship of comics has been resisted in Colorado, also to date in Chicago where calls for legislation against objectionable material have attracted much public attention.

If one is to judge from the number of news stories, comic books as

an issue are slowly coming back into the news, but they are not the focus of dispute which they were a year or more ago.

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THE RIGHT TO HEAR. Most publicized event of the last few months in the area of intellectual freedom was the speech by Alger Hiss on "The Meaning of Geneva" at Princeton University on invitation by the American Whig-Clisosophic Society, oldest campus debating society in the country. Under fire from many quarters for permitting the speech to take place, President Harold Dodds and the university's Board of Trustees agreed that the invitation to Hiss was unwise but refused to step in and ask its withdrawal.

Perhaps of equal note, though it attracted far less public attention, was a similar event a month later on the campus of the University of New Hampshire, a publicly supported institution. There university officials authorized the use of a building for a lecture by Paul M. Sweezy, Co-editor of the Monthly Review, on the coming victory of socialism over capitalism. Paired with Sweezy's address on a later date was one of opposite view by Leonard E. Read, president of the Foundation for Economic Freedom. Sponsorship of both talks was by Senior Skulls, a male undergraduate honor society.

Sweezy had delivered earlier lectures on socialism in the university's classes, and had been convicted in a lower court (the case is now under appeal) for refusing a year ago to tell a New Hampshire anti-subversive committee the content of those lectures. The Governor of the state opposed the new invitation to Sweezy, and the Manchester Union Leader devoted columns of criticism to the case, ending one long editorial on the note that "What is wrong with the state university" can only be solved by applying "the purse-string power of the Legislature."

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OBSCENE MATERIALS. A recent government publication "Obscene and Pornographic Literature and Juvenile Delinquency," (Interim Report of the Subcommittee to Investigate Juvenile Delinquency to the Committee on the Judiciary) offers some evidence of the impact of pornography on youth, takes note of laws on pornographic literature, and gives some idea of the extent of pornography as a current industry. The report makes plain that it is not "discussing questionable comic books or salacious magazines," though it indicates its belief that pornography is a related problem.

Action against objectionable materials went forward elsewhere on different levels. In the New York area 21 sellers, 11 distributors and one publisher of allegedly obscene booklets were arraigned in county court in what District Attorney Edward S. Silver described as the beginning of a war against purveyors of "filth" and "rubbish" (N. Y. Herald Tribune, May 30). Defending lawyers pleaded freedom of speech and press, while Judge Samuel Leibowitz produced a letter from the New York State Bar Association, pointing out that a state "may impose criminal penalties upon dissemination of obscene matter." Retailers complained in court that they had to take what distributors offered them in "tie-in" sales

and five days later, a committee of the 500-member Newsdealers Association adopted a resolution declaring that dealers and storekeepers should "unitedly refuse to accept tie-ins of these undesirable magazines." Eight other publishers, some individuals and some corporations were indicted in addition to the 33 who were arraigned.

In Albany the Court of Appeals decided that a 1954 New York State law adding injunctive procedures to regulations against obscene publications is not a threat to the press and ruled the paperbound Nights of Horror "indisputably pornographic, indisputably obscene and filthy." Sale of a magazine was suppressed in Syracuse. Community action against objectionable literature occurred in Elmira where a Parent Teachers Association group took the lead, in Utica where leadership came from church groups, and in Rochester where the barbers association joined a more general campaign.

Similar campaigns against objectionable materials have also taken place in more than a dozen towns and cities in New Jersey recently. In Pennsylvania interest and action has centered in a state law outlawing the sale and distribution of "obscene, lewd, lascivious, filthy indecent or disgusting" publications to persons under 18.

Elsewhere across the country there have been similar reactions to the problem of objectionable materials. Promotion, introduction and passage of state and local laws remains a popular approach. But there appears to be a trend toward more frequent arrests and test actions under existing laws, toward more deliberation in considering the total problem and toward wider public participation in seeking solutions.

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POSTSCRIPTS. A bill introduced in the Mississippi state legislature would require members of the Parent Teachers Association to take a loyalty oath in order to prevent subversive activities defined as "any act or omission which has as its purpose the destruction of the American way of life, including its traditions, customs or laws."...

A correspondent takes the Newsletter to task for attributing to Harvard University what was more specifically the decision of a Harvard teacher, Professor Hiram J. McLendon--dropping the book Morals and Medicine from discussions by mixed groups in his course in philosophy (Newsletter IV: 3, p. 12). The point seems well taken since the decision was not handed down nor even suggested by the university administration. Nor, it now appears, was the incident as significant an item as it seemed at first glance, for the book was retained on the course reading list....

The San Angelo (Tex.) Standard-Times, Lincoln (Neb.) Journal, Des Moines (Ia.) Register (among other newspapers) have taken editorial notice of recent opinions of the federal courts that the Post Office violates constitutional guarantees of freedom of the press when it refuses arbitrarily to handle allegedly obscene publications....

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