



newsletter

ON INTELLECTUAL FREEDOM

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NO. 1

ALA Civil Rights Position Affirmed

The American Library Association took action at its Midwinter Meeting in Chicago, in February, to make clear its position on the right of all citizens to use libraries, through the approval by the Council of an amendment to the Library Bill of Rights. As reported in this issue by Archie L. McNeal, Chairman of the ALA's Intellectual Freedom Committee, a paragraph has been added which specifies that no individual shall be denied the use of a library for reasons of "race, religion, national origins, or political views."

Herman Fussler, Chairman of the Committee on Civil Liberties, had reported to the Council that the committee was "well aware that in the present tense situation in some parts of the country, the adoption of almost any kind of statement in respect to civil rights may seem offensive or unnecessary to some, while it may seem overdue to others. Furthermore, there are those who sincerely believe that the adoption of such a statement may adversely affect the access to libraries on the part of the very persons whose interests the policy seeks to protect. The committee believes these risks, whatever they may be, must be accepted by the Association."

PROGRESS REPORT FROM THE INTELLECTUAL FREEDOM COMMITTEE

By Archie L. McNeal, Chairman

The Committee on Intellectual Freedom has been in existence since the 1940 Conference of ALA in Cincinnati. It was established as a result of the report by a special committee on censorship of which Forrest B. Spaulding was chairman. In part, his recommendation called for the establishment of a standing committee "to throw the force and influence of the ALA behind any individual librarian or any library board confronted with any demands for censorship of books or other material upon a library's shelves."

During the past twenty years, the Committee has faced many problems involving censorship, and has concerned itself with supporting certain basic principles as set forth in the Library Bill of Rights. It has sponsored conferences and publications in an effort to further these principles. Unlike the American Civil Liberties Union, it has no funds to engage legal assistance or to support the individual in a local situation. (It should be noted that matters of tenure do not come within the area of the Intellectual Freedom Committee, but are now a responsibility of the Library Administration Division.)

The action taken by the ALA Council during the Midwinter meeting in Chicago with regard to amending the Library Bill of Rights is of importance to the Committee, since it is charged "to recommend such steps as may be necessary to safeguard the rights of library users in accordance with the Bill of Rights of the United States and the Library Bill of Rights as adopted by the Council."

Upon recommendation of the Special Committee on Civil Liberties, a new paragraph was added to the Library Bill of Rights, reading: "The rights of an individual to the use of a library should not be denied or abridged because of his race, religion, national origins, or political views."

This statement makes the matter of segregation in libraries of direct concern to the Committee, and serves to emphasize the position of the American Library Association. Contrary to uninformed opinion, as expressed in other publications, this Committee has not ignored the plight of the segregated person. For the past two years the Committee has been working on the problem. Extensive correspondence with librarians of public libraries and state libraries throughout the South has produced a considerable body of data on existing conditions.

One of the most useful suggestions to come to the Committee proposed that an effort be made to learn what procedures had been followed in various communities where integration of library services had been successfully accomplished.

Along with this, a proposal has come from two different sources for a survey of existing conditions. Such a study would cover items as: which libraries are integrated, factors involved in the integration process, services now provided Negroes in segregated libraries, and what libraries provide no service for Negroes. This proposal would require financial support and was considered by the Intellectual Freedom Committee at the ALA Midwinter meeting. It was felt that this might be productive of useful information if funds can be found to conduct it. In the meantime, it is hoped that information already collected by the Committee can be consolidated and published.

The work of the Committee will continue, with efforts being made to encourage the establishment of similar

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committees in all state library associations, in order to secure closer contact with local situations and to facilitate communication.

Local Movie Censorship Uphe'd

The U.S. Supreme Court has refused representatives of the film industry a rehearing on the Court's January 23 ruling that supported the practice of state and local movie censorship.

The Court's decision, which upheld the city of Chicago's film licensing ordinance, has now brought radio, television, book, and motion picture organizations closer to a common front against censorship than has heretofore existed. According to a report in the *New York Times*, February 21, the Motion Picture Association of America and the National Association of Broadcasters have joined with book publishers' and authors' groups in an agreement to assist one another in any censorship issue.

The Supreme Court divided 5 to 4 against the Times Film Corporation which refused to show its movie, "Don Juan," for inspection by the Chicago Movie Censor Bureau in 1957.

Justice Tom Clark, who wrote the majority opinion, said the Times Corporation made a "broadside attack"

on censorship and sought to do away with it completely. Justice Clark said that "Constitutional protection" does not provide for "complete and absolute freedom to exhibit . . . any and every kind of motion picture." He added that Chicago, in its licensing system, was meeting "its duty to protect its members against the dangers of obscenity."

The dissenting opinion delivered by Chief Justice Earl Warren attacked the majority view as a "retreat" from free speech and asserted that the Court in no way explained why moving pictures should be treated differently from any other form of expression. His opinion warned that the Court "comes perilously close to holding that not only may motion pictures be censored but that a licensing scheme may also be applied to newspapers, books and periodicals, radio, television, and public speeches. . ."

The Times Corporation, a leading distributor of foreign films in this country, had appealed the test case on the grounds that by forcing the firm to give the censors a film preview before granting a license, the Chicago board was exercising a prior restraint on freedom of speech and that it thereby violated rights guaranteed by the First and Fourteenth Amendments.

Sergeant Vincent Nolan of the Chicago Movie Censor Bureau said the Court's decision was a victory for his city. "Now we can continue to protect the morals of the public," he said.

Four states, Kansas, Maryland, New York, and Virginia, have similar licensing systems. Cities with such systems, in addition to Chicago, are Atlanta, Detroit, Fort Worth, Kansas City, Mo., Pasadena, Portland, Ore., Providence, Sacramento, San Angelo, Texas, and Wichita Falls, Texas.

"I Enjoyed Censoring the Movie so Much, One of These Days I'd Like to Censor the Book"



Herblock in the Washington Post

Heir's Wishes Support Petersburg Integration

Concerning the integration of the William R. McKenney Free Library in Petersburg, Virginia, the *Wilson Library Bulletin* reported in December that this had been done in spite of segregation provisions in the deed of gift. When the property was given to the city in 1923 by Mr. McKenney's widow, it was with the understanding that only the basement would be used by Negroes.

The *WLB* notes in its January 1961 issue that Mrs. McKenney's daughter and heir has long been in favor of integrating the library. "In a letter last spring to Mayor Walter B. Edens," the *WLB* says, "Mrs. Robert W. Clairborne, the former Virginia McKenney, urged the Petersburg council to maintain the library for all citizens for the following reasons:

"(1) A memorial to my father . . . should not cause humiliation to Petersburg's Negro citizens, since his relationship to them was unique in his generation, believing as he did that to be treated with dignity breeds dignity.

"(2) The pioneering facilities for Negroes . . . as prescribed in the 1923 and even the 1935 deeds of gift represented dignity as it was understood then, but not as it is regarded today.

"(3) My mother, if alive today, would in my judgment wish the views of the husband she wished to honor,

so far in advance of his time, translated into terms of 1960. . . .”

Mr. McKenney, a lawyer, had worked as a member of the city council for new and better Negro schools.

SLIGHT LIBERALIZATION AT DANVILLE

At the end of the ninety-day trial period in Danville, Virginia, last December, some slight liberalization of the Public Library's operating policy was announced. (During the trial period, chairs and tables had been removed, no books were to be read in the library, and a fee of \$2.50 was charged for the privilege of borrowing books. This was the basis on which the library had been reopened, after it had been closed since May, as a "desegregated" library. See *Newsletter*, December 1960.)

City Manager Edward Temple extended the hours of service from 9 a.m. to 6 p.m. to 9 a.m. to 9 p.m., and persons engaged in research were permitted to use books at assigned tables.

As reported previously, there was little use of the library by Negroes, not more than two a week having been reported. Most of these were teachers.

'Inoffensiveness' Not a Test For Literature

A chapter of the National Association for the Advancement of Colored People sought last December to have an English textbook banned from use in a high school in Torrington, Connecticut, because it contained stories with references derogatory to Negroes. A delegation to the Torrington board of education said that Negro students would be embarrassed by passages in Edgar Allen Poe's "The Gold Bug," which used the word "nigger," Joel Chandler Harris's "Br'er Rabbit," and Ruth Stuart's "Sonny's Christening," in the anthology, *Short Stories for English Classes*.

Frank Jacobs, chairman of the NAACP chapter, said, "It isolates and humiliates the colored child, making him reluctant to recite or to participate in any discussion of the lesson. We have seen some pretty painful reactions to this sort of thing, and we don't think our children should be exposed to them."

The New York *Herald Tribune* protested editorially against the chapter's effort. "We sympathize, certainly, with the feelings of the colored children," it said. "But if schools are to teach only that which is inoffensive and unembarrassing, education is going to be in a pretty sad state. And a test of inoffensiveness would spell the end of any body of literature worth its name. . . ."

"We don't like the word 'nigger' either; we find it, in its present-day context, abhorrent and offensive. But a lot of the classics of our literature have used it, and a lot of them picture the Negro as he was, or was thought to be, a century or more ago. . . ."

"Today's Negro, though understandably often sensitive, will get no farther running away from history than today's Southern white will get trying to drag the past dead with him. . . ."

R. I. Commission's Activities Ruled Unconstitutional

A Providence municipal judge ruled in February that the book blacklisting of the Rhode Island Commission to Encourage Morality in Youth violated the federal and state constitutions (*Providence Journal*, Feb. 15).

Judge William M. Mackenzie upheld the charges of four New York publishing houses that the Commission acted unconstitutionally when it sent notices to book and magazine distributors warning them against selling publications on the Commission's blacklist or else expect criminal prosecution. Judge Mackenzie said the effect of the notices was "clearly intimidation," and that sending them violated the due process of law provisions of the Fourteenth Amendment.

Though he decided to leave the ultimate decision to the U.S. Supreme Court, the judge expressed doubt as to the constitutionality of the state General Assembly resolution which established the Commission in 1956. "The effect of the resolution . . . is to appoint the members of the Commission as censors and to give them the power to determine which books and magazines will be distributed and sold in Rhode Island," the judge said.

The Executive Secretary of the Commission, Albert J. MacAloon, asserted there was no book banning involved, but that the Commission had only "advised" the distributors to remove the books. Mr. MacAloon testified that the Commission "took no concerted action" to check on whether their recommendations were followed.

Judge Mackenzie remarked that the evidence belied MacAloon's testimony, pointing out that the Commission's report for 1960 commented on the number of distributors who had withdrawn questionable materials from circulation. The judge read to the court some of the notices sent by the Commission. One said: "Your cooperation in removing the listed and other objectionable publications from your newsstands will be appreciated. Cooperative action will eliminate the necessity of our recommending prosecution to the Attorney General's Department." The same notices and lists were sent to the police department.

Mackenzie also cited testimony by a magazine distributor who withdrew from his retail outlets all the publications on the list to avoid prosecution.

The four publishing houses, Bantam Books, Inc., Pocket Books, Inc., Dell Publishing Company, and the New American Library of World Literature, had sought a declaratory judgment against the unconstitutionality of the resolution. Only two firms were directly involved. These were the publishers of *Peyton Place* and *Bramble Bush*, two of the one hundred publications on the Commission's blacklist.

The Commission has announced it will appeal the case to the State Supreme Court.

'Borderline Books for Young Adults'

Recognizing that some very popular recent books are "problem types" which require defense and interpretation by librarians, *Maryland Libraries* published an annotated list of "Borderline Books for Young Adults" in its Fall 1960 issue. "Adult books often present many 'touchy' areas such as the use of profanity or frankness in dealing with sex," says the prefatory note. "These are

deplored, but when a book opens a clearer vision of life, develops understanding of other peoples, or breaks down intolerance, the librarian must weigh these virtues against the possible harm to be done by some regrettable word or passage in the book, particularly where taste rather than morals is offended.

“ . . . These books contain positive values as well as touchy areas and must be read and believed in by the librarian before they can be recommended as enriching experiences for the mature teenager.”

The books discussed in this list are *Advise and Consent*, by Allen Drury, *Hawaii*, by James Michener, *The King Must Die*, by Mary Renault, *The Catcher in the Rye*, by J. D. Salinger, *Exodus*, by Leon Uris, and *Marjorie Morningstar*, by Herman Wouk.

‘Freedom to Read’ Resolution Adopted by NCTE

The following resolutions were adopted by the National Council of Teachers of English at their convention last November in Chicago:

WHEREAS many forms of censorship continue to remove from schools and colleges books which are an important part of our intellectual and literary heritage; and

WHEREAS the National Council of Teachers of English has reaffirmed the following positions of “Freedom to Read” taken in 1953 by the Committee on Censorship and Controversy:

1. The freedom to read is essential to democracy.
2. Attempts at suppression of this freedom rest on a denial of the fundamental premise of democracy — that the ordinary citizen, by exercising his critical judgment, will accept the good and reject the bad.
3. Americans are able to recognize propaganda and to reject obscenity without the aid of censors.
4. Suppression of books leads to an even larger curtailment of expression by those who seek to avoid controversy.
5. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it less able to deal with stress.
6. Books are among our greatest instruments of freedom.
7. Every American community must jealously guard the freedom to read.
8. Those with faith in free men will stand firm on our constitutional guarantees of freedom to read and will exercise the responsibilities that accompany this right.

Be it RESOLVED that the National Council reaffirm its trust in the right of teachers to select books most appropriate to the purposes of their teaching without interference from either administrators or outside groups intent on any form of censorship; and be it further

RESOLVED that teachers of English everywhere be alert to efforts of censorship, be informed about the issues involved in these efforts, and be prepared to

defend the freedom to read as well as to give leadership to others who respect this freedom; and be it further

RESOLVED that the Executive Committee appoint a committee to revise and publish the bulletin on censorship and controversy.

EDITORIAL

CATCHER AND MICE

(From the *ALA Bulletin*, March 1961)

Some of the parents and other citizens who have been objecting to *The Catcher in the Rye* as recommended reading for high school students may themselves have read no farther than the second page of J. D. Salinger's novel, where young Holden Caulfield takes a disenchanting look at his own school, from which he has just been expelled. Although Pencey Prep advertises that “Since 1888 we have been molding boys into splendid, clear-thinking young men,” Holden thinks this is “Strictly for the birds.”

“They don't do any damn more *molding* at Pencey than they do at any other school,” says Holden. “And I didn't know anybody there that was splendid and clear-thinking and all. Maybe two guys. If that many. And they probably *came* to Pencey that way.”

Inelegance of language and a precociously earthy view of life on the part of our hero have apparently offended many adults who would rather their youngsters were given a blander diet. But their efforts to discourage interest in this book, which has delighted discerning teachers and perceptive students alike, have been running into the difficulties censors usually encounter sooner or later: the book becomes more popular than ever. Its paperback edition has occupied a strong position on best-seller lists for some time.

Within the past year or so *The Catcher in the Rye* has been in trouble — or has got teachers in trouble for assigning or recommending it — in such places as Tulsa, Oklahoma, Louisville, Kentucky, and San Jose and Marin County in California.

In Tulsa, a high school English teacher assigned the book to her 11th grade English class. Eight parents protested and demanded the teacher be fired. She was given a reprieve, but the book was banned.

In Louisville, a 10th grade English teacher who assigned *The Catcher* to a class of boys was told he would be released at the end of the year.

In San Jose, a high school removed the Salinger book from its supplementary reading list for the 12th year advanced English course, along with Hemingway's *The Sun Also Rises*, Huxley's *Brave New World*, Wolfe's *Look Homeward, Angel*, and Saroyan's *The Human Comedy*. The teacher who had compiled the list was transferred out of the school.

In Marin County, California, officials of the Tamalpais Union High School District received a complaint last November from a Baptist minister in Larkspur, the Rev. Michael Barkowska, about the use of *The Catcher in the Rye* and Steinbeck's *Of Mice and Men* in the schools. “They bring reproach upon the name of God,” he said, and contain “profanity, lewd words, and poor English.” The minister said he had read only excerpts from the books, because he found the language so sickening that he could not continue.

Twenty persons joined the minister in signing a petition to the board of trustees of the high school district denouncing use of the two books in Redwood High School, where they were on a list of recommended reading for the 11th year English students. School officials said the books were also available in the libraries of two other schools in the district.

Several weeks later, after the matter had received publicity (Herb Caen had noted in the *San Francisco Chronicle* that "Another book-burning hassle is in the making over in Marin. . ."), the minister added another list of twenty-five signatures to the petition, including seven more ministers.

Two ministers, however, issued open letters opposing the efforts to ban the books from the school libraries. The Rev. Samuel A. Wright, of the Unitarian Church in San Rafael, said he thought the Rev. Mr. Barkowska was "dead wrong" and praised Salinger's book as "one of the better aids in helping change the path of young men on the road to delinquency," and said the Steinbeck novel "has become a classic." The other minister, the pastor of the Holy City Apocalyptic Church, in the Santa Cruz mountains, several counties away, thought no good would come of the drive to suppress the two books. The director of education of the Episcopal Diocese of San Francisco, Canon Trevor A. Hoy, joined in the defense

'THE AMERICAN RIGHT WING'

A useful background study of rightist groups has been published by the University of Illinois Graduate School of Library Science as *Occasional Paper* Number 59 (November 1960). *The American Right Wing* is a report by Ralph E. Ellsworth and Sarah M. Harris to the Fund for the Republic, Inc., which sponsored the study through a grant. The facts and interpretations in the report have not been carried beyond the summer of 1958, because of the death of Miss Harris in 1959, but Mr. Ellsworth remarks that the changes that have occurred since that time among the American Right Wing are matters of degree, not of nature. (\$1.00)

of the books. He wrote the directors of the high school district that the attempt to ban them was "irresponsible and hasty censorship."

The geographical setting of the case was of more than passing interest to Californians, for Larkspur, in Marin County, was the home of Mrs. Anne Smart, who in 1954 had led a fight to have fifteen books banned from the Tamalpais Union High School District as subversive and obscene. She had withdrawn the books from one of the high school libraries and turned them over to the county grand jury, which declared that they had been "definitely placed in our school libraries to plant the seeds of communism in the minds of our children." (Included were *Emotional Problems of Living*, by English and Pearson, Steinbeck's *A Russian Journal*, Embree's *Thirteen Against the Odds*, McWilliams' *Brothers Under the Skin*, and *American Argument*, by Pearl Buck and Eslanda Robeson. The fifteen were only samples, Mrs. Smart reminded her followers, of the many books she had found to be obscene or immoral.) On that occasion the trustees of the

school district had rejected the findings of the grand jury and declared that all fifteen books should be retained in the school libraries.

Last December the trustees of the same school district voted to deny the petition for removal of *The Catcher in the Rye* and *Of Mice and Men* from Marin County high school libraries. The *San Francisco Chronicle*, in an editorial headed "Good Sense in Marin," said, "Not every school board would have moxie enough to stand up against the sanctimony of a passel of parsons setting out to protect other people's children from literature they disapprove of."

There is no evidence in press reports that Mrs. Smart had any part in inspiring the attack on the Salinger and Steinbeck books in Marin County. Nor is there evidence of any generally circulated lists that are inspiring would-be censors in such widely separated points as Tulsa, Louisville, and Marin to concentrate on much the same group of "objectionable" books.

In perhaps most communities of the United States teachers of English who assign or recommend the reading of such a book as *The Catcher in the Rye*, and their librarians who stock the book, are risking censure from parents or others who have strong objections to exposing youngsters to this kind of literature. What backing are they likely to have from their administrators?

At the conference last fall of the New England Association of Teachers of English, the chairman of a meeting on "Censorship and the Teacher of English" asked how many teachers in the room felt their school administration would back them in a crisis. Only eight out of about sixty said they did. The rest thought they would be "thrown to the wolves" if they assigned reading that aroused some parent or pressure group.

As reported in the *Secondary Principal's Letter* (Arthur C. Croft Publications, New London, Connecticut), December 1960, the question had been asked after Thomas Aquila, Principal of North Haven High School, had said, "I feel English teachers are putting themselves in the position where their freedom to teach is in jeopardy. I'm even more upset at the complacency with which teachers are taking a pushing around." Asked how he copes with pressure from irate parents, citizens, or religious and civic groups he said, "Principals should anticipate a visit from the bookburners in whatever form they may take. They should be sure they have read books being assigned by teachers."

"If you haven't read the book," Mr. Aquila continued, "you're immediately in trouble. . . Once the bookburners have you on the run, you're done for." He said that when parents complained about a book he first established he had read the book by telling why he thought it had literary merit. Then he told them that if they did not want their children to read it that was all right with him, but the other students were going to. "This method usually brings results, especially with status-seeking parents who want their children to be on a par with their peers," he said.

Holden Caulfield, late of Pencey Prep, might have found such a snob appeal "very depressing," but teachers and librarians may manage to find some comfort in any effort to preserve their freedom of action. What will mean more to them in the long run will be the kind of strong community support that was demonstrated by the school board in Marin County.

E.T.M.

Congressman Suspects 'Conflict of Interest'

Postmaster General J. Edward Day announced on February 2 that he planned to close the private museum on pornography which had been assembled by his predecessor, Arthur E. Summerfield. The collection had been made up of materials found in the mails in the course of the Postmaster General's campaign against obscenity. Mr. Day said its contents would be returned to Post Office files. He announced plans for bringing charges against violators of laws against mailing pornographic materials, but "without fanfare."

Several weeks later, when news was published about Mr. Day's own literary efforts (he had written a novel, *Bartholf Street*, described as "racy," to pass the time when he was a naval officer on a destroyer in World War II, and had paid for an edition of 2000 copies himself), Representative William E. Miller of New York, chairman of the Republican Congressional Campaign Committee, wondered about a possible "conflict of interest" if the 1947 book should now become a best seller. He wanted to know if another recent action of Mr. Day's (ending the use of the "Report obscene material to your postmaster" stamp on letters) had any connection with the literary revelation.

The book, as described in a UPI wire story, concerned an "intellectual belly dancer and a Viennese doctor with a yen for his wife's sister." But the book also had its serious side, for some theories of universal government were put forth through the medium of a young radical friend of the doctor, with the encouragement of the belly dancer. Although the book is narrated in the first person, it was said not to be autobiographical.

A Short Chat on Censorship

The following editorial comment by Roger Griffith is reprinted, with permission, from the Barre, Vermont Times-Argus, October 8, 1960.

The famed lawyer of the Army-McCarthy hearings died Thursday. It's doubtful that there was a better-known lawyer in the nation than the homely, deceptively easy-going Joseph N. Welch, or one to whom public fame meant so little.

Millions watched him during those televised hearings in Washington, when he showed what it took to stand up against the rantings of Senator McCarthy.

There was another hearing at which Welch appeared. Few saw or heard about it, because few were there. Those who watched him there will never forget it.

It was a legislative hearing on a bill to ban the circulation of "obscene" literature. Like many such bills, the idea behind it was fine, but the measure would have gone so far that chapters of the Bible would have been ripped out and censored.

The backers of the bill had their inning first. In the midst of their talks, Welch walked in, something of a sheepish smile on his face as he nodded to those he knew.

He looked like a man with an hour to spare, and that hearing room the only place to go into out of the rain.

And he sat quietly, watching as irate women blasted the "obscene" literature of the day. To hear them tell it, the youth of the nation was headed for Hell in a hand-

basket, and each toddler aboard was deep in a dirty magazine.

Finally they had exhausted themselves. The chairman rapped a gavel, and asked the opponents of the measure to step forth.

Welch looked around, perfectly willing to have someone else start the assault. No one else rose.

He stretched his lean form upright and grinned at the chairman.

The chairman looked at his watch, hoping the hearing would end quickly. "State your name and whom you represent," he snapped.

"Well," Welch said in easygoing fashion, "I'm Joseph Welch. I'm a lawyer. And, well, I guess I'm representing myself here today."

He was, he said, surprised at himself, to find he was lined up alone against so many distinguished speakers, all of whom, he was sure, knew more than he about the subject of obscene literature.

Then he said he had a few ideas he'd like to give the committee. First of all, he pointed out, someone was going to have to decide what was dirty, and what wasn't. That would be hard work, Welch thought. One man's obscene writing is another man's literature.

Welch never once mentioned freedom of the press, but he explained — that there's danger when one man can tell another what he can and what he can't read.

Welch said he'd run across some of those dirty books when he was a boy, and he expected his sons, both now engineers, had as well. But when they were growing up, Welch said, he never tried to tell them what not to read. "There's so much good to read in the world that I just tried to tell them they'd enjoy something good a lot more.

"They turned out pretty good — and good readers too," he said, with a hint of pride in his voice.

It seemed to him, Welch said, that kids growing up couldn't be protected entirely by laws, or guided entirely in their reading by laws. Their mothers and fathers had to help out on that.

Then apologizing for the length of his speech, Welch sat down. There was no applause. There had been no raving, no pounding of the table. Just a short chat on censorship by a man who understood and feared it.

That day the censorship bill died in committee.

'Climate' in Print Again

The Climate of Book Selection: Social Influences on School and Public Libraries, edited by J. Periam Danton (School of Librarianship, University of California, Berkeley, 1959) is back in print at \$2.50, according to an announcement by LeRoy C. Merritt, Acting Dean of the School. Orders should be sent direct to the School.

The volume consists of papers by James D. Hart, Max Lerner, John William Albig, Norton E. Long, Ralph W. Tyler, Harold D. Lasswell, Fredric J. Mosher, Marjorie Fiske, and Talcott Parsons which were presented at a symposium held on the Berkeley campus of the University of California in 1958. The symposium was a direct outgrowth of Marjorie Fiske's study, reported in *Book Selection and Censorship* (Univ. of Calif. Press, 1960), an abstract of which appears in the present volume.

Mr. Merritt states that the book will be kept in print so long as there is a demand for it.

ACLU Seeks Clarification Of Customs Procedures

The American Civil Liberties Union, in a letter to Secretary of the Treasury C. Douglas Dillon, has asked him to "state publicly" what criteria are being used by customs officials who seize books being brought into this country by returning Americans (*New York Post*, February 7).

The request was prompted by what the ACLU calls "capricious and unintelligent" censorship by customs men. Patrick Murphy Malin, Executive Director of the ACLU, cited a recent case in which an American woman had three books taken from her at the Port of New York. The books were a collection of three Samuel Beckett stories ("Molloy," "Malone Dies," and "The Unnamables"), Lawrence Durrell's *The Black Book*, and Paul Abelman's *I Hear Voices*.

Mr. Malin said that the books were returned to the woman by the Customs Bureau only after the ACLU had demanded the Bureau institute proceedings as provided by law or release the books. Hundreds of other cases of book seizures have never come to the courts, he said, because the average citizen cannot afford litigation.

'Black Boy' One of Forty On Blacklist

At Garden Grove, California, last month, the Rev. Riley F. Marquis, Jr., minister of the Church of Christ, complained to officials of Bolsa Grande High School about the presence of Richard Wright's *Black Boy* in the school library, and, according to the *Santa Ana Register* (February 15), "had the library card removed from the school catalog." He said the book was "so offensive that certain passages could not be recited aloud in public." The library's copy of the book was reported to be checked out, so he could not lay hands on it. The date slip had shown it had had active use.

This was only one of 40 books which Mr. Marquis and Mr. Frank McDonald, Chairman of the Committee for Fundamental Education, had objected to as "improper for student consumption." Mr. McDonald said that "Lists of authors indicate that many having representative books available at Bolsa are what I believe to be of Communistic inclination. Some of these books appear in published compilations of writings of questionable motive and flavor." He said that a common defense of school people is that some noted writers like Carl Sandburg, Louis Adamic, John Steinbeck, Clifford Odets, and William Saroyan cannot very well be ignored in stocking a library.

"This is a typical approach to the issue," Mr. McDonald said to the *Register*. "There is no reason why the foulest writings of famous authors need be included in a tax-supported school library utilized by youngsters of an impressionable age. Their better, cleaner works might be included, perhaps, but the mere fact that an author has won a Nobel or Pulitzer prize is no indication that what he has written adheres to traditional concepts of patriotism, morals, and the proper respect for religions."

Mr. McDonald said, "A common trait of atheistic totalitarianists is an intense preoccupation in matters of sex. Human dignity is something they want eliminated from the world. If it is possible to shock and undermine young people by criminally lewd writing available in school libraries, these silly agnostics feel they are helping the cause. It is part of their campaign to make an animal of the human being."

Young Soviet Writers Are Restless

A clandestine traffic in foreign manuscripts among young Soviet writers was described by Marc Slonim in an interview last January before a lecture at the Library of Congress (*Washington Post*, January 10). Mr. Slonim, author of *Modern Russian Literature* and *The Epic of Russian Literature*, and a member of the faculty of Sarah Lawrence College, said in defiance of the Communist Party's literary dogma of "socialist realism," the young literati are passing around poems they would not dare publish, and are feasting on smuggled books by such Western innovators as Gide, Proust, Kafka, and Joyce. He emphasized, though, that their fight is not against the Communist Party or its ideology, but against the cast-iron bureaucratic control of artistic endeavor that has grown up since 1928.

The new trend, he said, has resulted in "tensions, conflicts, hidden opposition, and in extreme cases, open revolt," is "irreversible," and has taken such a hold that bureaucrats are beginning to wink at it.

Boris Pasternak, although of an older generation, and whose novel, *Doctor Zhivago*, remains unpublished, was one of the writers who engaged in the underground poetry traffic, Mr. Slonim said.

But the official line, set by the large and powerful Union of Soviet Writers, is still rigid, he pointed out. One short story writer had been condemned recently in a flood of articles for writing a story, "Three, Seven and Ace," about a card sharp who corrupted an entire community of woodcutters with his gambling. His story was denounced (six months after publication) for presenting the false notion that a single individual could undo the work of a socialist, collective enterprise.

Though the general literary atmosphere is "less forbidding" than during Stalin's reign, Mr. Slonim said, it is not as mild as during the so-called "thaw" of 1953-57.

'Evergreen' Case Bookseller Is Acquitted

James Sweet Shaw, Los Angeles bookseller, was acquitted this month in Los Angeles Municipal Court on charges of exhibiting obscene pictures in a display window (*Newsletter*, December 1960). The pictures accompanied the article by Mulk Raj Anand in *Evergreen Review*, Number 9, entitled "The Great Delight, An Essay on the Spiritual Background of the Erotic Sculpture of Konarak."

Judge Parks Stillwell ruled that as a matter of law the reproductions of the works of sculpture were within the area of free speech and free press provisions of the Constitution, and should be considered as protected thereby.

President Orders End To Mail Confiscation

President Kennedy, on March 17, ordered an immediate end to the interception and impounding of mail deemed to be foreign political propaganda. An administration review of the policy which had been in effect to varying degrees since World War II found that it "serves no useful intelligence at this time." Secretary of State Rusk had been concerned about the practice, it was reported, in view of efforts to improve cultural exchanges with Communist countries.

The President's decision was made after consulting with Secretary Rusk, Postmaster General Day, Secretary of the Treasury Dillon, and Attorney General Robert F. Kennedy. The White House announced that a committee of the planning board of the National Security Council had recommended discontinuance of the confiscation policy on June 29, 1960. The board had unanimously concurred in the recommendation but it "was not carried forward."

Because of the program, research libraries, bookstores, and individuals had often not received books and journals they had ordered. By 1955, pressures from libraries and scholars, particularly in Asian studies, brought about preparation by the government of a "white list" of those eligible to receive such materials, provided they were addressed to a recognized institution.

In 1958 the Post Office adopted a policy of notifying all addressees that it was holding mail containing foreign political propaganda, which, though non-mailable, would be delivered provided it had been "ordered, subscribed to, or desired, and is not for dissemination." What was meant by "dissemination" was never explained.

The legal basis of the program (it had no statutory basis) was a 1940 ruling by the Attorney General that rested on an interpretation of the Foreign Agents Registration Act of 1938 and the Espionage Act of 1917.

As reported in the *Newsletter*, December 1960, two lawsuits were filed in Washington, D.C., last September, by attorneys of the American Civil Liberties Union against three federal officials for allegedly confiscating and destroying mail. The Department of Justice had asked for an extension of time to permit a review of the entire question. At the time of the President's action the suits were still pending.

Most Expensive Seminar

The trial and acquittal of D. H. Lawrence's *Lady Chatterley's Lover* in London last October, under Great Britain's new Obscene Publications Act, has resulted in the publication by Penguin Books (publishers of the unexpurgated *Lady Chatterley*) of yet another Penguin book. This is *The Trial of Lady Chatterley*, edited by C. H. Rolph (Penguin, 1961. 3s.6d.). It contains the transcript of the trial: the complete evidence and speeches of this astonishing case. The publishers call the trial "probably the most thorough and expensive seminar on Lawrence's work ever given."

Among the professors in the seminar at Old Bailey were Miss Helen Gardner, Dame Rebecca West, The Bishop of Woolwich, Mr. Richard Hoggart (who wrote

the introduction to the new edition of *Lady Chatterley*), Dr. C. V. Wedgwood, Mr. E. M. Forster, Sir Stanley Unwin, Mr. C. Day Lewis, Mr. Stephen Potter — and many more distinguished experts.

Mr. Rolph notes that the Defence had prepared its case "with a monumental thoroughness that had two noteworthy consequences. First, it brought home to multitudes of people the importance of the trial — not only to the memory of Lawrence and the appreciation of his book and his integrity, but to the control of the criminal law in penalizing the literary imagination. Secondly, it showed by contrast the moral and intellectual difficulties of the Prosecution, which found itself unable to produce one witness of opinion to say that the publication of the book was not justified within the terms of the new Act."

CALIFORNIA DRUGGISTS POST DISCLAIMERS

In California, where the war against newsstand "smut" has been gathering steam, the California Pharmaceutical Society has moved to comply with complaints, actual or anticipated. Posters have been sent to three thousand member druggists to be posted at their newsstands. They read: "We want to sell only acceptable reading material. If a magazine seems objectionable to you, please call it to the attention of the management."

Bill for Commission On Obscenity Reintroduced

The bill to create a Commission on Noxious and Obscene Matters and Materials, which had been introduced in the 86th Congress (*Newsletter*, September 1960), and was passed by the Senate, has been introduced in the present session as S.162. Senator Karl Mundt is joined by Senators Scott, Prouty, Kefauver, Bible, Kuchel, Bush, Keating, Schoepfel, Fong, Bridges, Young (S.D.), Bennett, Cooper, Case (N.J.), Holland, Humphrey, Thurmond, Randolph, Smathers, Carroll, and Dworshak in sponsoring it. The bill is identical with H.R. 1826, H.R. 417, and H.R. 1761, introduced by Representatives Scherer, C. Kearns, and James C. Davis, respectively.

As in the previous bill, the proposed commission of seventeen, though it would include three clergymen, a secondary school educator, and a representative of the publishing industry, would not include a representative of the library profession. Other members would include one from the Senate, one from the House, two from the Department of Justice (one of them from the F.B.I.), one from the Department of Health, Education, and Welfare, one representative each from the motion picture industry and the radio and television industries, one from among the attorneys general of the several States, one chief prosecutor of a city or county government, and one chief law enforcement officer of a city or county government.

The purpose of the bill is "to bring about a coordinated effort at the various government levels, and by public and private groups, to combat by all constitutional means this pernicious traffic" in obscene materials.