



newsletter

ON INTELLECTUAL FREEDOM

PUBLISHED BY THE INTELLECTUAL FREEDOM COMMITTEE OF THE AMERICAN LIBRARY ASSOCIATION, ARCHIE L. McNEAL, UNIVERSITY OF MIAMI, CHAIRMAN, EDITED BY LEROY CHARLES MERRITT, UNIVERSITY OF CALIFORNIA SCHOOL OF LIBRARIANSHIP, BERKELEY.

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Study of Access to Libraries Under Way

The American Library Association Study of Freedom of Access to Libraries sponsored by the Intellectual Freedom Committee and the Library Administration Division was begun on January 1, 1963 by the International Research Associates, Inc. of New York. The INRA is an independent research organization which has for more than fifteen years been engaged in social science research, opinion and attitude research, communications and marketing research. Mr. Robert Brown will serve as Study Director, Michael Rosenbaum as Assistant Study Director, and Miss Helen Dinerman as Staff Consultant. A meeting of the Advisory Committee for the study and the INRA staff was held in New York on December 4. Plans call for a conference to consider preliminary results in July 1963, and a final report is to be completed by the end of the year.

David H. Clift described the study in a December 2 press release in these words:

"Society has long been faced with the problems of free and equal access to library buildings, resources and services. Information on the effect and intensity of the problem of free access is all too sparse and subjective.

"This study will help the library profession and the nation to understand the extent of the problem, give a valid basis for working toward improvement and also point up the good work in this area that has already been accomplished by many libraries. It will seek to determine the extent to which individuals and groups have been deprived of the use of services; reasons for restrictions; changes during the last five years in making libraries accessible to all; method of accomplishment, and regional differences in resources and services."

Renewal Notice

All readers are reminded that this is the last issue they will receive on their 1962 subscriptions. This January issue is the first of six to be published in 1963. Your renewal check for \$3.00 sent now will save billing expense. We suggest the money-saving possibilities of multiple orders to the same address: Five subscriptions for twelve dollars; Ten or more for \$2.25 each. Do it now — before you read the next page!

A Dissenting Opinion

Freedom of the Mind. By William O. Douglas. New York: Public Affairs Committee, 1962. 44p. \$0.60. (American Library Association Reading for an Age of Change Series No. 3)

All *Newsletter* readers and intellectual freedom supporters will welcome this pamphlet. It is both a forceful essay by the great Associate Justice presenting the mid-century libertarian view, and a short annotated bibliography in the field prepared by specialist librarians, designed to encourage further reading. Public librarians and librarians in high schools and colleges will find it useful for its text and its list. Who knows? A reading of the pamphlet itself and some of the works it lists might stiffen a few backbones in preparation for the censorship conflicts in which librarians occasionally find themselves embroiled. Since his appointment to the high court over twenty years ago, Mr. Justice Douglas has been a vigorous advocate and defender of our freedoms. His contributions to the law and his labors off the bench as author and speaker entitle his opinions to the most careful consideration.

In his essay, Douglas documents a dominant trend toward conformity in this country since the War. This damper on freedom of the mind is due, Douglas believes, to many intricate and related factors. Among them are the real and imagined threat posed by Russia and Communism, the social and moral implications of the scientific revolution, the growth of governmental power and influence, the leveling hand of the mass communications industry and the stress on the status quo in an affluent society. (His critique of the increased dominance of the Pentagon and the C. I. A., which has attracted some newspaper interest, is incidental to his theme of the augmented authority of the government. This position is not a new one for Douglas; he has developed it in his earlier works such as *The Right of the People*.) He then shows how the traditional American view of freedom is based on the premise that man's beliefs must be beyond the reach of government and how the First, Fourth, Fifth, Sixth and Fourteenth Amendments were calculated to achieve this end. His words on loyalty oaths, legislative investigating committees and obscenity actions are particularly illuminating and relevant. Essential to his position are the themes that "... this struggle of man to be unafraid of ideas has marked human history" and that the "safety of the Republic lies in unlimited discourse."

With Douglas' basic postulates and conclusions one can only concur. He has been the teacher of too many of us for any other response. But, with some of his arguments and with the way he uses some of his facts, this

reviewer must take issue. The essay is, in the first place, marred by an evident haste in composition. This results in an intellectual shorthand which assumes more than is tolerable and tolerates more than is admissible.

Let us take the matter of conformity as an example. To help support his thesis of growing conformity in the U.S. in the late 1940's, he asserts that Russian language studies declined in our colleges (presumably) because students feared they would be labeled "Reds" if they showed too much interest in this subject. Now, my investigations suggest that *more* rather than fewer students studied Russian during this period — not because of conformity or lack of it — but probably because becoming a "Russian expert" was considered desirable training in the Cold War. More important, however, is the way Douglas sidesteps many issues in dealing with the problem. Technology certainly has not resulted in the complete stultification of the intellect. What about the impact of the paperback book which provides a vehicle for making more ideas available to more people? The publisher of C. Wright Mills' minoritarian *Listen, Yankee!*, for example, declares it sold over 400,000 copies in its paper edition. If one deplores the disappearing daily, then such development as the paperback should also be put into the scale. In the domain of radio and phonograph recordings, FM and LPs have both vastly increased our areas of meaningful choice. Low cost and rapid travel has brought millions to American shores and millions of us to foreign lands not just to homogenize all cultures but to enrich many of us with different views and outlooks.

Some gaps in his discussion on conformity deprive his material of the fullest dimension. All these questions cannot of course be answered, but they should at least be posed: What of the conflicts between the public's right to know and the rights of individual privacy? Does adherence to a constitutional system depending in large measure on social conformity conflict at all with Douglas' non-conformist ideal? Does the need of the government to grow stronger in order to protect our liberties at home challenge at all the survival of some of those very freedoms themselves?

One would be puzzled if an American jurist did not stress Anglo-American tradition and the U.S. Constitution in such a pamphlet. But, freedom of the mind is a universal concept and must ultimately be propounded and defended in terms of universal value. What does the cherished First Amendment mean to a Burman or to a Ghanean or to a Venezuelan? What would it really mean to many millions of Americans if the Constitution were not garbed with a mantle of patriotic and sacred awe? The free-market-place-of-ideas justification of untrammelled expression advanced by such men as Holmes is a valid proposition, but there must be more to it than that.

The supporting bibliography contains valuable selections, by and large. It has drawn my attention to several books I should have read but have not and has rekindled my interest in some I should read once again. Short lists invariably reveal omissions. There probably should have been some books by freedom advocates who were not either English or American. Could not there also have been found some place a more impressive presentation of the arguments for censorship than Father Gardiner's *Catholic Viewpoint on Censorship*?

On the "sins of commission" side, I was nettled by the unlikely inclusion of Rachel Carson's *Silent Spring* and Barbara Ward's *Five Ideas that Changed the World*. just because they were used as examples in the text. Ostensibly, *Silent Spring* was added to show readers how a sensitive problem was covered up by the mass media under the possible influence of important "interests". On that basis of selection, any first exposé of any vested group could have been a likely candidate. Actually, Miss Carson's study of the uses of insecticides was late in coming not because of commercial pressures and a lack of public concern, but, I suspect, because of our society's preoccupation with science and its gadgets. In any event, *Silent Spring* (an otherwise important and provocative book) does not belong on the same list with Gellhorn, Konvitz, Chafee and Feldman.

—Marc Gittelsohn

A Hiatus Filled

This *Newsletter* has been remiss in failing to report the news of what may very well be the most important censorship issue of our time: The withholding of information about birth control from the peoples of the world. There follows the first report in what will probably be a long series:

A plan for the U. N. to study population problems among member nations was adopted by a General Assembly committee on December 13. When the proposal comes before the full Assembly, however, a bitter debate is expected because of a clause that opponents said would put the U. N. in the position of supplying information on birth control.

A move, backed by Roman Catholic countries, to eliminate that provision was defeated 32 to 30, with the U. S. abstaining. Later, however, the U. S. voted for the plan as a whole. Passage by the full Assembly requires a two-thirds vote.

Still later, on December 18, the plan was killed by the General Assembly by a vote of 34 to 34, with the U.S. and 31 other countries abstaining.

The federal government was shown on December 28 to be financing well over half of the \$6,000,000 worth of known research projects dealing directly or indirectly with birth control. The disclosure was made in a long-delayed report compiled by the National Institutes of Health, the principal research arm of the United States Public Health Service. The report is an updated revision of one that was suppressed last summer by Dr. Luther L. Terry, the Surgeon General. He was overruled by the new Secretary of Health, Education and Welfare, Anthony J. Celebreeze.

Box Score

This January issue of the *Newsletter* goes to 1077 subscribers — about one subscription to each 25 ALA members. We persist in thinking this to be a phenomenally low figure. Who has an idea for bringing the number up to where it ought to be?

The Last Temptation of Christ

I. The News

Nikos Kazantzakis' book came into the news again, this time in Long Beach, California, where Mrs. Dorothy Hanna on November 8 asked the city council to remove it from the city's public libraries for being "utterly shocking, sacrilegious and blasphemous." City council referred the complaint to city manager John Mansell for investigation. By November 27, four members of the 9-man council favored removal of the book despite a strong defense of the library's right to retain controversial literature by Mansell and city librarian Blanche Collins. One of them, Emmet Sullivan, is quoted as saying that only "a few nuts would like to read it."

Meanwhile the flap, running true to form, swelled the library's waiting lists for the book — exceeded in number only by the telephone calls backing Miss Collin's stand against the ban. A tally of letters received at the city clerk's office ran 5 to 1 against censorship. Similar protests against the Kazantzakis novel have blossomed in other southern California cities in recent weeks, notably in Arcadia, home of Wilbur E. Smith, Chairman of The Americanism Committee of "The Watch Dogs of Freedom, Inc." An October 9 letter of his to "Dear Fellow Americans," and widely distributed among clergymen, was accompanied by a 4-page list of allegedly objectionable excerpts — complete with page numbers for quick reference.

Pressure also continued to build up to compel the removal of the book from the Arcadia Public Library. The Arcadia Council of Protestant Churches on November 29 tenuously supported the demand with a 14 to 7 vote in favor of the ban — with ten members abstaining. Two days later Rev. Hugh Nelson, president of the Council, vigorously opposed the ban. In the heat of the controversy the Library placed on display 41 books which have been banned for one reason or another, from Anderson's *Fairy Tales*, to *Leaves of Grass*. While one faction sought 5,000 signatures on a petition to ban the book, citizen Herbert J. Meier set about forming a committee against censorship. Meanwhile the book, 2 copies of which have stood neglected on the shelves for 18 months, accumulated more than 100 reserves. On December 4 the city council without discussion referred the matter to the library board, with a request that the board report back to the council. On December 20, in deference to a request from the Arcadia Council of Churches that, "because this is the Christmas season, and the spirit of brotherhood prevails", discussion of the book was put over until January. Board president J. L. Young suggested that a joint committee of the library board and the council of churches discuss the issue before the January board meeting.

Young announced further that "due to the unusual attention which this book has received, and the feeling of concern toward its possible effect on our young readers, the Librarian has made arrangements for it to be unavailable for circulation to library patrons under 18 years of age without written parental consent." Librarian Homer Fletcher said after the meeting that this is not an unusual procedure and that a number of books have been limited in this way always at the library.

He said that he did not interpret an action of this kind as being in any sense contrary to the spirit of the Constitution and Bill of Rights.

By December 2, the Los Angeles *Times* was able to report a spreading campaign to prevent circulation of the book throughout Orange and Los Angeles counties. Both city and county libraries received numerous complaints, but took no action other than to restrict its circulation among readers under 18. The controversy was discussed at the November 27 meeting of the Public Library Executives of Southern California. They took no action, but the 40 or 50 librarians present "seemed generally agreed they would not bow to any pressures for banning the book." Letters to the editor of the Arcadia *Tribune and News*, published on December 2, were preponderantly in opposition to the ban, included one from California Library Association Intellectual Freedom chairman Virginia L. Ross, librarian of (northern) San Mateo County.

In Long Beach the battle was won (almost) on December 4, when the city council rejected the banning of the Kazantzakis novel from the public libraries of Long Beach. The council did, however, recommend restriction of the book to adult readers. And in a separate motion, adopted hours later after another 90 minutes of heated argument — and after the defenders of the freedom to read had gone home — the council asked the city manager to obtain an opinion of the novel from the library book committee. This opinion, predictably favorable to retaining the book, was presented to Council on December 18, received and placed on file.

Fullerton library trustees decided on December 12 to leave LTOC in circulation. Also supporting its librarian in refusing to ban the book is a resolution adopted by the Monrovia library board. The Anaheim library board on December 17 postponed action until January 21 "to allow all board members the opportunity to read the book before passing judgment." Santa Ana library board did likewise until January 16.

II. Editorial

An attempt is being made in many Southern California communities to remove a book from public libraries. The book is *The Last Temptation of Christ* by Nikos Kazantzakis and the charge is blasphemy. The movement has become so violent in Arcadia that the librarian has been threatened with removal as well. This organized campaign was started by an acknowledged member of the John Birch Society aided by The Americanism Committee (Watchdogs of Freedom) and church groups. They have now formed a "Committee

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for Clean Books" to secure 5,000 to 10,000 signatures on a petition to the City Council asking for the book to be withdrawn from circulation and removed from the library.

The Library Board has unanimously backed the librarian, reaffirmed its book selection policy, and opposed censorship. The library's position is that for a group to force the removal of this book would violate the First Amendment to the Constitution which guarantees freedom of speech, press, and the right to read. Unforeseen by the book banners, the controversy has now become an issue of religious freedom also.

Fortunately, the local newspaper, the *Arcadia Tribune*, has editorially favored the library's stand from the beginning. Support for the library, Library Board, librarian, and the right to read has been tremendous. From all sides have come expressions of support that have cut across all lines, political and religious, and have been translated into action through letters, personal visits, and telephone calls.

With optimism and certainty this struggle will end in favor of the library. Although we did not wish this controversy to develop, our feeling is that the final result will be beneficial because citizens will have become more aware of their basic freedoms and the vital role their public library plays.

It seems to me that the gravest danger faced by all libraries and librarians thrust into this situation or similar situations is that we may win the battle but lose the war. This can happen if the librarian, because of the traumatic experience undergone, tries to avoid trouble by deliberately not adding controversial books to the collection. This action dilutes the very life blood of a library, is a discredit to the profession, and a disservice to the community.

The basic responsibility of the American public library is to bring people and ideas together. Our efforts must be directed to achieve and maintain a free flow of ideas and access to them and to vigorously fight any encroachment upon the individual's right to read. This fundamental premise, upon which all public library service rests, must be strongly upheld if we are to truly call ourselves public librarians.

—Homer L. Fletcher

Pennsylvania Moves Ahead

We are pleased to announce that the Pennsylvania Library Association has appointed its first Intellectual Freedom Committee, with Dorothy Bendix as chairman, and charged it "To maintain freedom of selection of materials for libraries, to oppose any infringement of intellectual freedom, and to promote equal opportunity for employment of librarians." By way of getting started, the committee will work at providing education and information for PLA members. Specifically, it plans to distribute selected basic documents on the freedom to read to all public and high school libraries in Pennsylvania, to ask for program time at 1963 PLA district meetings and at the 1964 state conference, and to be responsible for an Intellectual Freedom issue of the *PLA Bulletin*. Other state associations please copy.

Censorship in Crisis

Sigma Delta Chi, professional journalistic society, at its national meeting in Tulsa, on November 17 called on President Kennedy to repudiate a policy of using news as a government weapon as "contrary to American precepts and more in keeping with the totalitarian philosophy it purports to combat." In a separate resolution, SDC called on Congress to adopt a national freedom of information law.

President Kennedy, when asked about censorship during the Cuban crisis in his November 20 press conference, made no apology for security restrictions before and during the crisis, but did say, "Now, if the procedures which have been set up, which are really to protect the interests or security of the United States, are being used in a way inimical to the free flow of news, then we'll change those procedures." The following day the Pentagon was reported to be considering relaxation of restrictions.

The State department on November 27 revoked its order that officials giving interviews to newsmen must report to an assistant secretary the name of the correspondent, his organization and the subject matter of the interview. Arthur Sylvester, Assistant Secretary of Defense for Public Affairs, under fire from the National Editorial Association, contended on November 29 that the Pentagon's record of the last 22 months did not support the Association's view that the release of legitimate news had been curtailed, but he did not lift his directive about reporting interviews.

President Kennedy has taken firm control of the management of Government news in a manner that was "unique in peacetime", according to Democratic congressman John E. Moss, chairman of a special House subcommittee on Government information, in a November 30th address to the California Press Association in San Francisco. He called for a broad public discussion "to make sure the people's need to know the facts of Government is fulfilled."

During the week ending December 9, when the story broke in the press, White House Press Secretary Pierre Salinger granted an hour-long exclusive interview to five reporters in which he defended the administration's press policy. He did say, however, that he was not in favor of the State and Defense departments' policies spreading to other agencies. Questioned about the leak which caused the flap about Stevenson's alleged softer approach to the Cuban crisis, Salinger said he did not know how Alsop and Bartlett got their information — nor did he deny he was trying to find out. He had not long to wait, for the next day's papers broke the *Life* (14 Dec.) story by John Steele that President Kennedy himself provided Bartlett and Alsop with access to top-level deliberations of his Cuban crisis advisors. The White House promptly labeled the *Life* article to be "completely without foundation." At this point we lost interest.

December 9 also brought a story from the *Miami News* to the effect that the Administration has adopted a "hands-off Cuba" policy in exercising a tight censorship on radio broadcasts to that country. Commentators broadcasting to Cuba from the U.S. have been ordered to make no disparaging remarks about Castro, and a ban has been placed on any material designed to raise the hope of freedom inside Cuba.

Government did it again on December 14, this time with no excuse of national crisis or national security, in connection with the receipt of information about Planet Venus from Mariner II, which had been launched on August 27 from Canaveral. In the not-quite-deathless prose of the San Francisco *Chronicle* under the editorial page headline, "Venus Heard but Pasadena Silent":

"The tub-thumpers for the National Aeronautics and Space Administration (NASA) insisted on filtering the historic achievement through a sock-o press conference in Washington, while completely blacking out the source of the momentous news at the Jet Propulsion Laboratory in Pasadena. The control room of the laboratory, where signals were being received across 36 million miles of space, was barred to the press, and so were the scientists who had sent the Mariner and its instruments on a 182-million-mile journey to reconnoiter the planet Venus."

Piers Anderton, NBC correspondent in Germany, speaking to a National Press Club luncheon on January 2, accused the State Department of censoring news from Germany and giving the American people a false impression of conditions in West Germany. In commenting on the charges, most of which were not denied, luncheon guest Assistant Secretary of State for Public Affairs Robert J. Manning said that Berlin is a "tricky news problem" because of the complexities of civilian and military responsibilities and the British, French and American jurisdictions.

Out of This World

Robert A. Heinlein's *Starman Jones* came into question in Lancaster, Pennsylvania on 1 December, first at the high school and then at the public library. Mrs. Frances D. Walton, mother of a student, called on Mrs. Edith R. Ankrum several weeks earlier to protest the objectionable nature of the book, the precise area of objection not being defined by Mrs. Ankrum when interviewed for the 1 December story. Mrs. Walton told the high school librarian she was turning it over to her attorney, Daniel B. Strickler. Whereupon Strickler called Miss Esther Flory, acting public librarian, to inquire whether the library had the book, and why it had not been removed. Strickler said he knew nothing about the book, was merely calling for another person. Both librarians set about reading the book, could find nothing objectionable. So Mrs. Walton set forth her objections in a long letter to the editor published on December 12. We've read it carefully, but we still don't know what the objection is. The closest we can come is this: "too many of the conversations of his (the hero's) colorful friends are anything but uplifting to an impressionable boy."

At this writing the book has not been removed from either library, but the two librarians with a third, Millersville state college librarian John Maine, have been appointed to a special intellectual freedom committee of the Lancaster County Library Association by its acting president, John Maine. The committee is charged with formulating policy on matters of book censorship, and with promoting intellectual freedom. We wish it a long and active life.

Question

Whatever the merits of the argument between California and New York on the basis of population, how does New York account for the fact that it can boast only 95 subscriptions to this *Newsletter* to California's 187?

Groves of Academe

The American Federation of Teachers at the University of COLORADO on November 15 compared threatened reporting of classroom lectures to political spying of students on professors in the Soviet Union. In a three-page resolution the teachers denounced an editorial in the October 30th *New Conservative*, a weekly newspaper published by the campus Conservative Club.

The editorial had threatened to report lectures by professors allegedly "propagandizing their personal, political or economic philosophies." The editorial was also censured by the CU Student Senate (11-5) "for its dangerous implication and destructive tone."

The FLORIDA State Board of Control, governing body of the state's public institutions of higher education, issued a directive regarding communism among students and faculty, obscenity in books and teaching materials, homosexuality and religion. The directive sets up procedures for the president to follow in screening candidates for teaching positions, guest speakers, and students, in making sure that teaching materials are within "the purview of good taste and common decency, in controlling homosexuality, and in causing the faculty to refrain from advocating their own religious beliefs or their own personal convictions concerning religion."

First action came in re obscenity with the suspension of Dr. Sheldon F. Grebstein at the University of South Florida for his choice of teaching materials in his course in advanced writing. Specific case in point was an essay by Norman Podhoretz entitled "The Know-Nothing Bohemians", which originally appeared in the *Partisan Review* and has been several times anthologized, most notably in *A Case Book on the Beat*, the source Grebstein used. The following paragraph is quoted from a memorandum prepared on October 22 by the Language-Literature Division of USF:

"The Know-Nothing Bohemians" is agreed to be the most complete and systematic analysis of the so-called "Beat" movement in literature. In it Podhoretz delivers a scathing indictment of the "Beats," pointing to the intellectual and emotional poverty of this broad field of literature. To illustrate and support his generalizations, especially on the "Beat" view of sex, Podhoretz selects several quotations from the work of Jack Kerouac, the acknowledged leader of this movement. It is ironic that Dr. Grebstein should be suspended for putting in the hands of his students an essay which attacks and denounces one type of literature so recently deplored by some critics of the University.

The directive and the suspension of Grebstein have stirred a Florida-wide discussion of academic freedom resulting in a November 10 Tampa *Tribune* headline: Moves to Quiet Protests on Policy — Board Agrees to Talks on Academic Freedom.

Florida Librarians Protest Board Action

Librarians in Florida, as throughout this nation, have long been concerned with freedom of citizens and teachers to read, to think, and to have easy access to printed and audio-visual materials as they investigate the controversial issues of our times.

For this reason, one standing committee of the Florida Library Association is the Intellectual Freedom Committee, required:

1. To maintain vigilance with regard to encroachments on intellectual freedom.
2. To act in an advisory capacity in safeguarding the rights of Florida library users in accordance with the Bill of Rights of the United States of America and the Library Bill of Rights as adopted by ALA.
3. To investigate any cases of pressure on libraries in Florida to censor their book selections or label their existing collections.
4. To encourage the provision of information in libraries on all sides of a question so far as practicable.
5. To make a report in writing at annual meeting for distribution when action during the year justifies it."

Librarians in Florida have long recognized that any threat to academic freedom generally poses a threat to the free use of a library in that situation. Teachers or students who live and work in a climate of fear and distrust, or in which they do not feel free to choose and use materials as their judgment suggests, consequently do not feel free to use libraries or to participate in building great library collections. It is assumed by professional librarians that such a threat affects the democratic way of life in this country, while at the same time seriously affects such educational institutions as schools and libraries, designed to perpetuate democracy.

Recent developments in Florida's state system of higher education indicate that Florida's librarians should clarify their position regarding libraries and freedom. The recent directive of the state Board of Control with particular reference to "Obscenity in Books and Teaching Materials" (September 14, 1962) poses a clear threat to academic freedom and to libraries in the academic world. As long as there is such general disagreement among literary critics, scholars, jurists, and citizens generally as to what constitutes obscenity in books and teaching materials, and as long as there is no definition in the State Board of Control's policy as to who shall decide what is "within the purview of good taste and common decency", librarians and other educators would find it impossible to implement such policy as they build or use the libraries in the state's university system.

Florida's librarians believe that they must assume the responsibilities as well as the privileges of living in a free society. They must be free to use their professional knowledge and judgment in leadership in developing the libraries which good universities require. They must make clear to all their concern for the rights of those who teach and those who learn to use library materials in a climate of freedom, without fear of reprisal.

Therefore, it should be a matter of record that the

Florida Library Association is opposed to the recent policy of the State Board of Control regarding "Obscenity in Books and Teaching Materials". The Intellectual Freedom Committee of the Florida Library Association has prepared this statement to be sent to the State Board of Control and to be released to the citizens of Florida.

—*Intellectual Freedom Committee*
Florida Library Association

Taking the Offensive

"Censorship and the Right to Read" was the subject of a panel discussion in Miami on November 23 during the 52d annual convention of the National Council of Teachers of English. Participants were Sumner Ives of Syracuse University, David H. Russell of the University of California, and ALA IFC Chairman Archie McNeal. Consensus of the panel: Best way to handle hot classics is to teach students to appraise values for themselves.

Back home in Berkeley, Russell, newly elected president of NCTE, had this to say on December 1: Each school should appoint a teacher committee to consider citizen complaints against books. The committee should be armed with a questionnaire for full identification of the objector, whom he represents, how much of the book he has read and whether he is aware of the judgment of literary critics. The committee should also inform the community of book choices and enlist public support, thus creating a climate in which "malicious gossip, ignorant rumors, and deceptive letters to the editor will not be circulated without challenge."

The story from Miami suggesting that the censorship of books in school libraries is not uncommon set Dave Hudson, news editor of the Great Bend, KANSAS, *Daily Tribune* to interviewing the local school librarians. They shall here be nameless, but here are some quotes: They "find it necessary" to exercise censorship controls either by keeping books off the shelves or eliminating "objectionable passages". One admitted censoring books when they contained pictures she felt would "not be good for the children." Pix of native children undressed in a work of jungle doctor Tom Dooley were cited as an example. On the other hand, she does not attempt to censor *National Geographic Magazine*. "I tell all new seventh graders what to expect and warn them I'd better not catch them sitting around snickering at the pictures." The story was followed on November 28 by a long editorial taking the librarians severely to task.

Hazel Park Repeals Ordinance

Though we had nothing to do with it, we are pleased to announce that the Hazel Park, Michigan, city council in October repealed the ordinance it had passed in September which prohibited the circulation of anonymous political handbills. Major credit goes to the MCLU, whose executive director noticed its similarity to a California ordinance voided by the Supreme Court in 1959. (*Talley vs. California*)

Diagnosis

Under this title the January 1 *Library Journal* published "A New Year Collection of (27) views on some of the major problems which still face the library profession," written by leaders in the profession in answer to this question: "What, in your opinion, is *one* major problem or issue facing the library profession which requires more attention and effort than it is now receiving?" We think it significant that both a public librarian and a university librarian chose IF as their subject:

LAY THE GHOSTS OF FEAR

The most immediate single problem facing libraries today is increased student use, but there is a second problem, not as obvious, but far more dangerous in its implications. This is the fear which permeates book selection, the tendency to select with constant vigilance to the *possibility* of public objection. The book selector is thus replaced by a timid self censor.

Is it necessary to be *afraid* of what people will say if the library fails to have on its shelves every potential best seller before the ink is dry, regardless of content, of quality, of real value to the collection or to the community?

Is it valid to exclude a title because a pressure group may possibly question the librarian's choice?

Is there any evidence of a professional standard when a librarian trained in the evaluation of books, knowledgeable about adolescents, their needs and their interests says, "It's a fine book which has something important to say to young adults but *I am afraid* to buy it because a parent may object"?

Are we not, out of fear, catering to minority after minority? Do we not by so doing diminish ourselves and our profession? For surely this is the heart of librarianship. If not as skilled book selectors, how then do we qualify as "professionals"?

I should like to see a study made of *how many*. How many individuals, how many groups *actually* question the librarian's judgment within a given period?

There is a fighting chance that such a study might once and for all lay the ghost of fear, might, at long last, give the profession the reassurance it apparently needs to restore strength and integrity to the art of selecting books.

—Doris Ryder Watts, Nassau Library System

This Is Not Censorship

The Long Beach, California, Public Library came under attack on December 13 by citizen Coulter F. Irwin for deleting Hoover's *Masters of Deceit* from a revised edition of a list of books on communism. He charged the library with "slandering JEH" and with "deliberately suppressing information of literature written in defense of freedom." Irwin demanded that the city council "remove immediately those responsible for this attack upon our country." Council voted to receive and file the charges, and then referred them to the city manager, city librarian, and library committee.

WANTED: A DEFENSE APPARATUS

The task of choosing one of the many library problems gives me a feeling of kinship with Buridan's ass. The longer I contemplate the various haystacks, the more difficult the choice becomes, I think, however, that I should pick the problem of support for librarians who find themselves engaged in the struggle to defend intellectual freedom and the Library Bill of Rights.

Even a very cautious appraisal seems to indicate that the pressures toward orthodoxy and conformity are increasing as the cold war drags on without prospect of ending. Despite the excellent record of our Intellectual Freedom Committee, our informational service on efforts to suppress the freedom to read, our readiness to testify against proposed legislation that might restrict this freedom, we have no organized method of supporting the librarian who finds himself under attack in his community for observing our policies. The absence of a defense apparatus for librarians to call on if needed not only leaves our members in a very exposed position should they try to defy illiberal pressures in their community, it actually fosters unconscious censorship by our own colleagues through the exclusion of controversial books on the grounds of qualitative inadequacy.

I would suggest: that ALA set up a defense fund for legal assistance to any librarian involved in a local struggle because he tries to carry out our policies; that the Intellectual Freedom Committee be authorized to draw on this fund when the chairman judges its use to be justified in such cases, without clearing with the administrative machinery of the national organization; that an agreement be sought with the national office of the American Civil Liberties Union, and comparable agreements with the state branches of that organization, to investigate immediately where such a case is reported and to provide prompt counsel and legal assistance when the ACLU office in the state concerned agrees that it is justified.

—Frederick H. Wagman, University of Michigan

Governmental Facilities

Libraries—Alabama

Robert L. Cobb, et. v. Montgomery Library Board, et al.

United States District Court, Middle District, Alabama, Northern Division, August 7, 1962, Civil Action No. 1807-N, 207 F. Supp. 880.

SUMMARY: A Negro brought a class action in a federal district court seeking injunctive relief against further segregation of the Montgomery, Alabama, public library system and the Montgomery museum. The court found that the library system is operated on a segregated basis, the main library serving white persons and a branch library serving Negroes, and held that this practice denies Negroes rights guaranteed by the Fourteenth Amendment. Racial discrimination in the operation of the museum also was found to exist. Defendants were therefore preliminarily enjoined from discriminating against Negroes in their operation of the library and museum facilities.

—Race Relations Law Reporter, Fall, 1962

In the Tropics

The LOS ANGELES District Court of Appeal on November 15 declined to hear Bradley R. Smith's appeal from a jury conviction for offering *Tropic of Cancer* for sale. Presiding Justice Clement L. Shinn and Justice John J. Ford signed the order refusing to accept transfer of the case from the appellate department of the Superior Court. Justice Gordon L. Files said he would have granted the transfer. The order cannot be appealed.

The same District Court of Appeal — with three other justices on the bench — on November 28 began hearing oral arguments in the appeal by bookseller Jacob Zeitlin and English teacher Paul Ferguson to enjoin city attorney Roger Arnebergh from "scourging" the novel from the city's bookshelves. This is the case in which the California Library Association has filed a friend of the court brief in support of the appeal. Said Attorney A. L. Wirin to the three justices, one of whom is a woman, "You have read this book as part of your duties. You will have to determine whether you can buy it in your own community. The right of people to read the book is the basic issue."

The Court ruled on December 18 that the book is obscene and may not be sold in Los Angeles bookstores. The unanimous decision was written by Justice Mildred L. Lillie, who wrote in part:

"We have read the book and we agree that parts of it 'will hammer away at some of the strongest stomachs.'

"*Tropic* has been defended by some writers and

Customs Will Release Some (!) Girlie Mags

As a result of conferences between Cecil Poole, U.S. Attorney in San Francisco, and George K. Brokaw, Collector of Customs, many of the twenty thousand Girlie Magazines seized by the Customs Service during the past eleven months will be released. Mr. Poole informed the ACLU he will proceed against eight magazines to have the U.S. District Court declare them to be obscene and to permit their destruction.

The yardstick for measuring obscenity in the Girlie Magazine cases is obscure. The U.S. Attorney is apparently going to proceed merely against the magazines containing pictures of *partially clothed* females and not against the magazines containing pictures of *nude* females. There is nothing evil about the poses of the girls in either case, nor has any complaint been made about the accompanying text, which is usually Swedish, Danish, French or English. The magazines may be cheap and tawdry but they would hardly seem to satisfy the Supreme Court's definition of obscene.—December ACLUSF News.

SF *Chronicle* on December 7 reported Brokaw's admission that copies of the 8 magazines comprise only 30 to 50% of those seized. Rest are being held under Customs' "rotten apple" doctrine. And on December 27 U.S. Attorney Cecil F. Poole asked for a Federal Court order to destroy all of the magazines — including the good apples.

reviewers as possessed of literary merit. But the standards of the litterateur are not necessarily those of the average reader. After all, the book is proposed to be sold not only to scholars and litterateurs but to the general public."

A Marion County, INDIANA, grand jury on October 30 indicted Christian Theological Seminary student Keith Cuffel, manager of Curry's Book Store, for selling a book it called "obscene, lewd, indecent and lascivious." The book: *Tropic of Cancer*. The action followed an Indianapolis prosecutor's earlier fulminations against the two *Tropics*, Bayt which the grand jury rose to. Attorneys for Cuffel on November 16 filed a motion to quash the indictment, presenting in evidence a petition bearing the names of 80 IU students and instructors endorsing both *Tropics*. On the following day the Indianapolis *News* printed a list of 13 religious leaders and educators who had signed a letter of protest written to Criminal Court Judge Thomas J. Faulconer. The judge filed them without reading on the ground that "to expose himself to outside influences on any pending case was not correct judicial procedure."

Montgomery County, MARYLAND, circuit court judge Ralph G. Shure, after hearing expert testimony in October, on December 28 ruled that *Tropic of Cancer* "is predominantly an appeal to prurient interests" and denied the petition of Mr. and Mrs. Aaron Levine to restore the book to county library shelves. Shure also ruled that county manager Mason Butcher was "within the scope of his authority" in banning the book.

A test suit seeking a ruling on whether *Tropic of Cancer* is obscene was reinstated on November 13 in Rochester, NEW YORK, by the Appellate Division's Fourth Department. The unanimous decision reversed an order of Supreme Court Justice Jacob Ark, who had dismissed the suit of Nathan J. Bunis, owner of the Clinton Book Shop, without deciding the obscenity issue.

In Re 'Obscenity' in General

The U.S. Supreme Court on December 4 began hearing arguments in opposition to the censorship activities of the Rhode Island Commission to Encourage Morality in Youth, created by state legislation in 1956. Horace S. Manges, representing four publishers of paperbooks, seeks to have the whole statute creating the Commission declared unconstitutional. Alternatively, the suit asks the Court to enjoin the Commission from sending notices to booksellers of books it considers to be obscene, notices which booksellers are prone to follow, lest they be haled into court for selling material they know (i.e. have been warned) is obscene.

The U.S. Customs Service on October 20 seized a 450-page MSS of a novel entitled "Way" from John Schultz at Laredo, Texas, when he re-entered the U.S. after a visit to Mexico. Other MSS were also seized, all on the ground of obscenity. The action was protested on November 7 by the ACLU in a letter to Secretary of the Treasury Douglas Dillon. The action was also protested by Grove Press' Washington counsel Edward de Grazia, in part in these words, "... it exceeds all reason for federal employees to seek to censor a literary work in advance of its creation." The MSS was returned to Schultz.

Anonymity Okay in New York

The "historical right" to publish a book or pamphlet anonymously has been upheld by the Appellate Division of State Supreme Court. In a unanimous decision, the five-man court declared unconstitutional a state law requiring that the name and address of the publisher or printer appear conspicuously on the cover, title page or copyright page.

The ruling was handed down in the case of Edward Mishkin, a bookseller with three shops here, who was convicted in 1960 of publishing and selling obscene books and of violating the name-imprint law.

Charles Locks, operator of a store which sells magazines and books in Phoenix, ARIZONA, who was on October 9 convicted of selling obscene literature, on November 14 won a new trial because of the misconduct of a deputy county attorney who prosecuted the case.

The May, 1961 conviction of a Daly City, CALIFORNIA, couple for the sale of 3 allegedly obscene books was reversed by the Appellate Department of the San Mateo county Superior Court on November 1 because they were denied due process of law in that the trial judge had refused to admit evidence concerning contemporary community standards.

In a similar action the Los Angeles District Court of Appeals on November 29 ordered local law enforcement agencies to return 400,000 allegedly obscene books to their owners because they were seized from a Burbank bindery in violation of civil rights. In the opinion, Presiding Justice Allen W. Ashburn declared the decision should not be interpreted as an endorsement of obscenity, but added, "It has been necessary for us to cling steadfastly to the basic truth that the rights of good men are secure only so long as the rights of bad men are also protected. We are required to remember when the government itself becomes lawbreakers the foundations of our freedoms are weakened and unless official oppressors are restrained, those foundations may completely collapse."

On December 19 the DA and the Burbank city attorney petitioned the Court for a rehearing on the order because they considered the books vital to their case against the four persons charged with their publication and distribution.

CONNECTICUT legislator William C. Hogan on November 15 filed a bill at the capitol in Hartford which would create a 15-member commission appointed by the governor to explore ways in which sales of obscene literature could be banned "once and for all". Admitting the state does have laws against such sale, Hogan said that "enforcement seems to fluctuate between strictness and laxness." He wants the commission to find ways to permanently bar the doors.

Five days later the State Supreme Court of Errors unanimously upheld the conviction of two Meriden newsdealers for violating Connecticut's antiobscenity law, girlie magazines being the material in question. Chief Justice Raymond E. Baldwin also set forth three elements for determining illegal obscenity: Must appeal to prurient interests when taken as a whole, applying contemporary community standards; evidence that the accused had knowledge of the obscenity of the

material; his own court is final arbiter of obscenity.

Still later, by 5 more days, State Senator Charles Alfano filed a bill which would increase penalties for the sale or distribution to minors of indecent publications from \$500 and 6 months to \$1,000 and 12. On the same day Enfield police arrested four store proprietors on charges of "displaying obscene magazines and other publications to minors," and released each on \$50 bond. Magazines involved were *Playboy*, *Man*, *Men*, *Cavalier*, *Photography*, and *Playboy Calendar*.

The proprietor of The Smoke Shop in Elmhurst, ILLINOIS, was arrested on October 22 on a charge of selling pornographic literature. Four paperback books were in question: *The Hunger and the Hate*, *The Erotic in Literature*, *Philosopher of Evil*, and *Abnormal*. Chicago *Sun-Times* Columnist Hoke Norris, mindful of the Supreme Court ruling that a book must be considered in its entirety, rather than in fragments, to be adjudged obscene, set about finding out who had read all of all of these books. Score: zero. The chairman of the juvenile protection committee of the local PTA, who had instigated the action, had not read them. Neither had the officer who signed the complaint, nor the arresting officer, nor the magistrate who signed the warrant.

Chicago police were given an additional assignment on October 31 by Supt. O. W. Wilson: Stop the rising flow of obscene literature. Patrolmen making inspections of newsstands will provide a copy of material suspected of being obscene to the corporation counsel who will determine whether it is or not. Arrests will be made only after a finding of obscenity. All stores and newsstands will be checked regularly, and a card file is being compiled to aid in the check. Wilson also urged that church, social and neighborhood groups, and citizens report locations where obscene matter is sold. He also encouraged parents to supervise the purchase of reading material by their children.

State's attorney's police armed with five search warrants confiscated 20,000 allegedly obscene pocketbooks on December 5 in a raid on Evanston's All States News Co. The five warrants were issued by four judges — so as not to burden one judge with examining all 55 books.

Dude and *Escapade* magazines, seized from Dominion News, Ltd. on September 21 by Winnipeg, MANITOBA, morality officers, were on November 4 ruled obscene and ordered forfeited to the Crown by County Judge A. R. MacDonnell. The judge said he arrived at his conclusion under the guidance of Section 150 of the Criminal Code which deems obscene any publication a dominant characteristic of which is the undue exploitation of sex. The judgment applies only to the September issues of the magazines, and the vendors are not liable beyond the extent of their lost equity.

Complete abolition of the MASSACHUSETTS Obscene Literature Commission, which passes on the moral impact of the printed word, is being urged in a bill filed in the state legislature by the MCLU.

Action against obscene pocketbooks was sought in Royal Oak, MICHIGAN, by Dondero High School Teacher William Bennett, who shocked city commissioners by bringing copies to city hall and reading titles aloud in the presence of a score of his students, whom he had brought along to the meeting. He emphasized his point by pointing out that the books in the

commissioners' hands had been bought in Royal Oak by the students in the audience. City attorney Allan G. Hertler, however, advised his clients to go slow, cautioning them about the difficulty of defining obscenity. He suggested that city officials contact store owners in an effort at voluntary removal.

The Highland Park case involving confiscation of 423 nudist magazines saw the filing of a cross suit by Associate Municipal Judge Travilla G. Daines in behalf of the city's police chief, city attorney, and assistant city attorney which denied that the magazines were not obscene. The suit includes a permanent injunction against selling the magazines. The November 23rd *Highland Parker*, in reporting this development, also reported a deluge of letters commending the city officials on their action—not all of them from citizens of Highland Park.

A bill to stop tie-in sales of pornographic magazines to newsstands was signed into law by NEW JERSEY governor Richard J. Hughes on December 4. The measure requires dealers to stop delivering any published material which the operator of a retail outlet finds undesirable or objectionable. The League of Municipalities' proposal for a uniform obscene literature ordinance came under fire at the Rutherford Borough Council on November 19. Councilman Willard Reenstra said he would oppose it on the ground of censorship. In Metuchen the borough council on December 3 turned down a one-man campaign to ban the sale of sexy magazines by saying that it would undertake no censorship. The council did accept the offer of one of its members, who is also police commissioner, to call a meeting of merchants to downgrade the display of such magazines.

The Youth Protection Committee of Salt Lake City on November 8 approved the draft of a proposed bill to be introduced in the UTAH legislature in 1963. The draft would amend present law to provide more protection against the sale of obscene material to persons less than 18 years of age. On the other hand, the Utah Committee on Children and Youth, meeting a week later, suggested that legislative means of controlling such material be sought "only as a last resort."

The Roanoke, VIRGINIA, PTA pornography committee is edging toward book-burning, according to local newsdealers checked by the *World-News* on November 21. They added that censorship is properly the concern of the home, not the newsstand and not the PTA. "You can't censor the activities of people, so how can you censor what is written about those activities? People are doing the wrong thing when they start book-burning; every man should be able to express his own views."

New Wrinkle

A cigar store at 1601 W. 63rd lost its cigarette and food dispensing licenses last week for selling allegedly obscene literature. The action was taken by Mayor Richard J. Daley, upon recommendation of the Police Department, who said the store was the object of frequent complaints.—*Chicago Journal Back of the Yards*, December 12.

Censorship Not Answer to Obscenity—Clergy

The question of "obscene literature" was the principal subject at a meeting of the Ministerial Assn. of Danbury on October 25 at New Fairfield Congregational Church, with 17 clergymen in attendance.

The group heard a report of its Social Action Committee on the problem of obscene literature and its availability to the public, in regard to it being sold in local places of business. The report of the committee was adopted by the association as representing its position on the issue. Highlights in the report are:

"We do not question the fact of the availability of such 'obscene literature' in stores of the community, nor do we question the fact that it is sold in sufficiently large quantities to warrant serious concern on the part of the citizenry of our community. We do feel, however, that the problem cannot be handled by the simple suggestion that some form of policing action—voluntarily self-imposed by merchants or coerced by public pressure—is the answer. We believe that such a program would be unwise for the following reasons:

OPPOSES CENSOR

"1. It is difficult to censure literature without abridging the fundamental right in a free society to write or speak the truth. Censorship of any kind can be the first step towards the curtailment of freedom of expression, a fundamental doctrine of any free and creative society.

"2. We question the possibility of any kind of general agreement as to what constitutes 'obscene' literature.' All writing that deals with sexual relations need not necessarily be classified as obscene. Who shall be the final judge?

"3. But more fundamental than either of the above reasons: We are convinced that the problem of 'obscene literature' is only a part of a symptom of a larger cultural problem. Our culture has encouraged the worship of sensate values, especially those appealing to the erotic emotions. It has enshrined the goddess, Aphrodite. Consider here how advertisers promote the sex image to sell their products. In short, we would hope that the 'watch dogs' of our reading habits would be more acutely aware of what we see to be a direct correlation between the general cultural value structure and the problem of so-called 'obscene literature.' It would not seem to us that their position of moral indignation on this issue of obscene literature might be interpreted as an easy substitute for a more radical probing of cultural values which, consciously or unconsciously, they condone.

MORE POSITIVE

"For the above reasons we would like to see a more positive approach to this community problem. Something of what we have in mind would possibly take the following direction:

"1. Encouragement to families to cultivate in the home good reading tastes and habits. Exposure of the child to good reading sources, we feel, is the best antidote to the temptation to feed the mind on cheap, low grade literature.

"2. Promote within the community a desire for a more attractive library which is conducive to reading. Our present facilities are far from adequate in this regard.

"3. The matter of library personnel might be surveyed to ascertain if there is a sufficient number of people on the staff who are endowed with the ability, training and personality to direct and stimulate children to the reading of good books.

"4. Publish monthly or bi-monthly for community circulation in the homes a list of suggested good books or magazines, classified by age levels.

"5. Promote the formation of neighborhood groups of parents who will get together and discuss directed reading for their children."

—Danbury, Conn. *News-Times*

The Fourth Estate

The Roman Catholic Church's Ecumenical Council in Rome was having so much trouble communicating with the press with its terse and generally uninformative news bulletins that a panel of U.S. bishops set up an informal seminar to answer reporters' questions about the official releases. This mild ecclesiastical protest against the secrecy cloaking the conference was strengthened by *Christian Century* editor Harold Fey's protest against Fulton J. Sheen's criticism of the press for treating the council as a political convention. Even Pope John XXIII, Fey reminded the bishop, has stated that "the church has nothing to hide."

James E. Mills, editor of the Birmingham *Post-Herald* was on November 14 charged with violation of ALABAMA'S corrupt practices act because of an election day editorial which objected to Mayor Arthur J. Hanes November 5 order to city employees to refuse to talk to newsmen. According to Alabama law it is a corrupt practice to electioneer on election day. Said Mills, "The editorial complained of was fair comment on a question of vital public interest . . . Had we failed to make it we would have been guilty of defaulting our responsibility as a newspaper to the people of Birmingham and the area surrounding it."

Henry C. MacArthur, Sacramento-based syndicated CALIFORNIA columnist on November 7 turned up a new area of censorship. It seems that in recent weeks widespread reports have reached his office to the effect that certain schools are establishing censorship on young reporters who furnish news to newspapers in their communities and surrounding area. A unit of the California Newspaper Publishers Association has instituted a study of the extent to which school officials censor the copy students submit to newspapers, with a view to legislative action if necessary.

Yale University on December 3 cracked down on its campus security director, former FBI-man John W. Powell, and ordered him to stop investigating the political activities of students and faculty. The order constitutes a victory for the Yale Daily News, which had been campaigning against Powell's activities for three weeks. University Provost King-Brewster's order to Powell was couched in this language: "It is understood you are not authorized to engage in the investigation of student or faculty political activities or views. Second, it is understood you are not authorized to respond to any outside inquiry with regard to student or faculty political activities." Powell remains free to keep records on non-Yale people "who seek to use Yale facilities for unauthorized purposes, including political purposes."

January, 1963

Grove Drops Book Following Protests

(The following story, under the above headline, is quoted in full from the November 18 Santa Ana, California, *Register*, not because it represents a case of censorship, but because it does not. Taking the story at its face value, it stands as an almost classic example of a librarian seriously considering a patron's protest, finding a mistake has been made, and withdrawing the book.)

A fiction book entitled *The Little Man Dressed in Red* has been removed from the school library following protests from parents of a student, Arline Schiller, chief librarian for the Garden Grove Elementary District said.

The protest against the work by author Carl Raymond was led by Mr. and Mrs. Andre Palumbo. The Palumbos conferred with Mrs. Schiller, who agreed with the couple that the novel was not suitable for distribution among school children at this level.

Mrs. Palumbo said she thinks the book unsuitable because it permits crime to go unpunished; unnecessarily alludes to the destruction of homes and churches; and seems generally to have no basic point. She said she believed possible communist influence could be detected in it.

Library officials said that the book was removed, not because of the complaint by the Palumbos, but rather because the book did not measure up to district standards.

"If any blame is to be attached to it," said Mrs. Schiller, "let's say I goofed."

She said that in spite of careful book selection by professionals under terms of a district policy adopted in 1960 — and further screening by herself — questionable books sometimes get onto district shelves.

In the book, the "Little Man" to which the title refers, enters town one day, and "knocks down all the trees, all the churches, all the houses, and all the stores" and is chased out of town by the citizens who then rebuild the town.

Trustees Resolve To Aid in Fighting Censorship

The Board of Directors of the American Library Trustee Association received a report at Miami Beach that the National Assembly of Library Trustees had passed the following resolution:

Resolved that a special committee be appointed to study possible methods by which ALTA, alone or in conjunction with others, could assist and encourage libraries in withstanding any pressures to depart from the highest professional standards in book selection and aid in the support of those involved in controversies regarding censorship.

Whereupon the Board voted that the resolution be approved and implemented.

Baptists Versus Censorship— A Losing Game

Two controversial books stirred talk among delegates to the North Carolina State Baptist Convention in Raleigh on November 14. Concerning *The Message of Genesis*, over which author Ralph Elliott lost his job at Midwest Seminary (Cf. p.35), the Rev. R. D. Davis of Lumber Bridge in Robeson County proposed that the convention go on record as expressing its alarm over Elliott's dismissal, and reaffirming "long-held Baptist beliefs in freedom of speech and the printed word by members of Baptist institutions."

The Education of Jonathan Beam, by Russell Brantley, PRO at Wake Forest College, is something else again. Viewed by literary critics as a well-written light account of life in a denominational college laboring under the strong criticism of fundamentalist preachers, the book is said by some convention delegates to be filled with "indescribable filth."

A group of 21 pastors, led by Dr. Casper C. Warren of Charlotte, has said that if *Jonathan Beam* truly represents life at Wake Forest, where Brantley is employed, then it's time to send Tar Heel Baptist boys and girls to college elsewhere.

The 21 pastors have put the book high on their list of charges against the college. They are seeking to have the convention reject a slate of nine proposed trustees for the college and instead name nine persons whom they feel will more vigorously carry out their views on the operation of the college.

Some delegates see a question of freedom of expression in Brantley's case as well as that of Elliott. Wake Forest College's board of trustees last spring gave Brantley a vote of confidence, not on the novel itself, but his right to write it.

Baylor University president Abner McCall said on December 7 the Baylor Theater production of "Long Day's Journey Into Night" is being cancelled after four performances because "the language of the play is not in keeping with the university ideals." McCall's order to close the Pulitzer Prize play came Thursday after a delegation of Baptist pastors demanded the action. Baylor is a Baptist school. McCall said he received numerous complaints of excessive profanity and offensive words and phrases in the play. Baylor Theater's contract with the widow of Author Eugene O'Neill stipulated the play could not be cut or altered. Paul Baker, chairman of the Baylor drama department, expressed dismay, calling the play "the greatest play written by the greatest playwright that America has produced."

Eros' Publisher Indicted

A federal grand jury on December 19 returned a 19-count (i.e. on 19 copies) indictment against Ralph Guinzburg and Documentary Books, Inc., charging use of the mails to advertise and deliver an "obscene" book, Rey Anthony's *The Housewives' Handbook on Selective Promiscuity — A Psychosexual Document*. Chief U.S. District Judge Thomas J. Clary signed a bench warrant for Guinzburg's arrest, setting bail at \$1,000, and signed a summons for the company, setting bail for a like amount.

Jesuits Shackle Theologian

Respected by his colleagues as "the world's greatest theologian", Jesuit Karl Rahner, Professor of Dogmatic Theology at Innsbruck University, was much sought after at the Second Vatican Council in Rome for his penetrating theological counsel, so penetrating that three attempts have been made to formally condemn his work, now amounting to 700 items. An attempt was also made to send him from Rome back to Innsbruck — vetoed by Pope John.

Rahner is sometimes called an existentialist, and he has indeed found inspiration and challenge in existentialist thinkers. He burns with a passionate conviction that the church has failed to grapple effectively with the existential problems of the 20th century. "For modern man the faith is too far away," he says. "The theological problem today is to find the art of drawing religion out of a man, not pumping it into him. The Redemption has happened. The Holy Ghost is in men. The art is to help men become what they really are."

Ironically, Rahner at the moment is in no position to assist in this theological task. Last July, despite strenuous objections from his friends in the Austrian and German hierarchies, the Holy Office ordered him to submit all future writings for clearance by his Jesuit superiors in Rome. Since then, Rahner has written no new theological work; friends say that he will not speak out again until the ban is lifted.—*Time*, 14 December.

Textbooks Under Fire

Controversy over a world history text book used in the Phoenix, ARIZONA, high schools was reported on October 30. A Southern Baptist clergyman objected to an interpretation of world history which allegedly favored the Roman Catholic viewpoint, and to the theory of evolution being presented as fact. Compromise proposal by the school administration: Retain the 1960 edition of *The Story of Nations*, a Holt imprint by several authors, and substitute five pages from the 1956 edition. This proposal was approved by the school board on November 1, which also agreed that both the story of the creation as described in the Bible and the theory of evolution be discussed as explanations of the rise of early man.

Charges of Communist subversion in the LOS ANGELES school curriculum were made to the board of education on October 29 by Mrs. Lucinda Benge, who cited six social science textbooks as containing planned Communist subversion. The board asked Supt. Jack P. Crowther to evaluate the charges and report later. Books in question: "Real People Series" used in 7th grade; *The Present in Perspective and Background of World Affairs*, used in 12th grade; *Documents of American History and Heritage of America*, used in the 11th grade; and 8th grade text, *Story of American Democracy*.

Two trustees of California's Cajon Valley Union School District during the week of November 15 objected to a PTA gift of the *Golden Book Encyclopedia* because a page of 35 flags did not include the American, though it did include those of the UN and USSR. Despite the fact that a facing page carries several illustrations of the American flag, trustees Harvey Hanenberg and Robin Dvorak argued that omission of American flag from page of 35 "dilutes our American heritage."

SRA reading materials, "Reading for Understanding," have been under attack in several San Gabriel Valley school districts, particularly Glendora, where a group began in October charging that the kits are "subversive." After a lengthy document containing these charges was presented to the superintendent, he appointed a review committee of teachers and administrators. They spent over 400 hours on the materials and unanimously endorsed the kits at a public meeting on Nov. 27 with 1500 in attendance. The majority of the audience approved the report, according to the *Pasadena Star-News* (Nov. 28).

A layman's committee is to investigate social studies textbooks used in Indianapolis, INDIANA schools to see if they are patriotic or un-American, in accordance with an action approved by the school board on October 30. Mrs. Ralph Coble, chairman of the board's curriculum committee, will appoint the investigating committee and serve as chairman. She plans to name five or seven interested citizens, including no members of the board and no members of the school staff.

In the news again are *Catcher in the Rye* and *1984*, this time in Noblesville, Indiana, where, on November 5 a father of a high school junior began working on barring "smut in books" in his son's English assignments. Name of father: Police Chief Harry Horn. By November 9 Horn conceded he had no authority to censor high school material, so he turned his attention to the three drug stores in his jurisdiction.

The junior high school principal and ninth grade history teacher in Worcester, MASSACHUSETTS, who had deleted a chapter from a history textbook (December, p.35), were indirectly chastized by the School Committee on December 7, when it unanimously passed a rule barring any member of the school system from censoring or defacing books. The rule will apply to books approved by the Committee for regular use and those being tried out on approval of the school superintendent or appropriate administrator.

The NAACP got into the act in Detroit in a protest to the Supt. of Schools that a 7th and 8th grade history text — *Our United States*, by Eibling, King and Harlow—"is an insult to every Negro in Detroit and promotes an image of the Negro . . . that is not only false, but helps to lay the foundation for future community problems." Supt. Samuel M. Brownell, admitting parts of the book to be inadequate, said it would not be withdrawn until a better text is found. Though that statement apparently stands, the Board of Education on December 23 adopted a policy insisting that textbooks and teaching materials portray minority groups in their historical perspectives.

NEW YORK City Superintendent of Schools John J. Theobald announced on October 27 that he will not recommend any social studies textbooks or other instructional material which do not adequately treat the roles of various minority groups in American culture, or do not realistically deal with present-day intergroup tensions and efforts made to relieve them. "This action is not an attempt at censorship or dictation. It is a response to community expectations that the textbooks we approve will reflect our educational objectives, as set forth in the course of study and curriculum bulletins issued by the Board of Education."

Aldous Huxley's *Brave New World* came into question before the Northmont, OHIO, school board on December 3 by a group of parents who considered it "unfit material to be in the schools". The board took the protest under advisement.

Overemphasis of Catholicism was the charge against *Men and Nations, a World History*, by Mazour and Peoples, made by Jack Newell in a protest to the Fort Worth, TEXAS, Board of Education on November 14. Newell directed most of his criticism to Texas' method of selecting textbooks, and used the allegedly pro-Catholic text as a case in point. Superintendent Joe P. Moore, after referring to the law at the request of the Fort Worth *Press* (it says) reported on December 12 that the book must stay in use for the next five years. State law says that once a board of education has adopted a textbook the decision is final and cannot be reconsidered.

Chessman Checks Library

An irate deputy marshal stormed into the Chula Vista, California, public library on December 12 because his 14-year-old daughter had brought home a book "not fit for her to read," to make a book report. The book, *Beyond a Reasonable Doubt*, by William Kunstler, is an account of the Caryl Chessman trial and vividly describes the details of Chessman's sex crimes. "I don't care if the library has such books," said Lou Manning, "I just object to the fact that the library let my daughter have it. I don't believe that type of book should be out where teenagers can get it."

Acting librarian Bluma Levine expressed amazement the girl ever found the book in the stacks, and agreed that she would not want her 14-year-old daughter to read it either. Mrs. Levine said that library policy calls for keeping of books containing sex information under the desk and available only on call. "That's probably what we will do with that book now. But there's no way we can censor books. Our shelves are open to all. If the girl had asked for help, no librarian would have recommended such a book."

Censorship — Once Removed

Marjorie Fiske to the contrary notwithstanding, we know that libraries do not engage in censorship. And yet, we wonder how many of the 800 libraries using the services of McNaughton Libraries, Inc. objected to this question in the questionnaire which establishes the pattern McNaughton follows: "15. How much censorship do you want us to apply? (Carpet Baggers [sic], From the Terrace, Peyton Place, etc.) A brief statement of your standards of book selection would be helpful. (As opposed to some agencies of supply, we do not care for 'drug store fiction,' and will not send it unless specifically requested. Usually we try to advise the librarian in advance of publication about most questionable books.)"

"So Who Am I To Complain?"

"To Deprave and Corrupt . . . ; Original Studies in the Nature and Definition of 'Obscenity'. Edited by John Chandos. New York: Association Press, 1962. 207p. \$3.75.

This collection of nine essays is one more addition to a growing body of literature relating to the Librarian's recurring nightmare — censorship. The essays are of such specialized and historical nature as to attract only the hobbyist or researcher. Their almost total preoccupation with the British scene may strain the American reader's patience. There is sufficient collective and individual disorganization to partially infect the most ardent disciple with somnolence. A recurring element of pessimistic contrast between the logic of the situation and the unreasonable presence of a censorial atmosphere is characterized in one of the essays (Russell & Russell. "The natural history of censorship.") by the statement "It (censorship) never truly gives ground: it only shifts it". Such information may evoke a more sober resolve on the part of Librarians. Yet we must admit that rather a lot has been written of late about this very dilemma, perhaps more than is warranted by the state of the battle at present. We seem to be well supplied with advice, details of studies (or the lack of studies), shining examples, and inspiring battle-cries, but rather short on individual courage and conviction — something that essays of this sort fail to provide.

Librarians will be inclined to agree with the judgment of several of the essayists that it is virtually impossible to frame a legal definition of obscenity. They will also concur (though many, perhaps, with less conviction) with the findings of several of the essayists that there is no real evidence to support the contention that reading pornography leads to the commission of anti-social acts. Unfortunately these judgments, plus their supporting evidence and literature, make very few converts. A badgered and blocked censor may retire from the field but he is no less the censor for it and will only bide his time until the next opportunity. Perhaps the soberist realization of all is that those whom we most need to influence will probably never sample the contents of these or even less formidable essays.

Be this as it may, it does not seem proper to summarily dismiss the individuality of the essays. Each essayist has seriously presented a brief aimed at giving us his special clarification of the issues. At the very minimum we should skim such collections for gems with which to reinforce our own predilections.

The essay of greatest consequence, as far as our understanding of censorship is concerned, is "The natural history of censorship" by Claire Russell and W. M. S. Russell. The Russells, who are behavioral scientists, have some disquieting news for us. They regretfully inform us that censorship in the individual is automatic and that at present it is beyond our control. They point out that since it is automatic in the individual it is also automatic in society and that "No subject will be altogether immune from automatic censorship until all subjects are". Working within a very narrow range of optimism, the Russells urge that in attempting to understand censorship we should not be

exclusively obsessed with formal legislation since it is in the open. Rather we should explore informal censorship for it is "hiding all around us, permeating even the figures of everyday speech".

The most provocative essay, in this reviewer's opinion, is "Quia ineptum" by Ernest Van Den Haag. According to Professor Van Den Haag, who is a social philosopher and a practicing psychoanalyst, the right of censorship is implied in a society and this includes the right to censor literature. To make this statement more palatable he assures us that "A harsh official act often functions to ward off even harsher and more capricious extra-legal acts". In an aside he makes a deft thrust at what may be a serious blind spot for defenders of freedom. Commenting on the affair of *Lady Chatterly's Lover*, which he thinks is a "dull and often silly book" he states "I marvel at the serious critics who testified otherwise and wonder whether their principle of freedom has not corrupted them as much as others were corrupted by their need to suppress it". Actually throughout the essay Professor Van Den Haag is in the process of disengaging himself from the conflict. He remarks that "the uncertainty as to what censors and ultimately courts will find 'obscene' is unavoidable, does little harm, and has its uses". He then proceeds to minimize the situation by declaring "I should be unwilling anyway to give up civilization for so paltry a gain as the absence of taboos". As he departs from the field he lectures us that "Censorship of obscenity in art and fiction must be regarded as a ceremonial rear-guard action. To battle against it, however, seems to me to engage in behavior even more quixotic than that of the censors".

Certainly the most audacious essay is by Maurice Girodias entitled "More heat than light". Mr. Girodias is the managing Director of Olympia Press in Paris. He freely admits the intentional publishing of pornography because "I wanted to see how far I could go, single-handed, in a deliberate attempt to destroy censorship as a moral institution, as a tradition, as a method of government". The essay is marred by historical inaccuracy and over-simplification, but Mr. Girodias may well have provided us with our future battle-cry — "We are sending astronauts to the moon and we forbid them to read Henry Miller".

The other essayists combine forces to give us a legal and historical survey of censorship. John Chandos with "My brother's keeper" and "Unicorns at play", Dean William B. Lockhart and Robert C. McClure with "Why obscene?", Lord Birkett with "The Changing law", Norman St. John-Stevas with "The Church and censorship", and Walter Allen with "The Writer and the frontiers of tolerance". Together they raise the many questions we have raised so many times and for which we have yet to receive adequate answers.

Sometimes the fight for freedom and the search for standards exhausts our patience, narrows our vision, and destroys our sense of perspective. It is at just such a time that one can get a fresh start by remembering gems such as this one from Walter Allen's essay: "Mr. (Micky) Spillane, one understands, is the favorite light reading of ex-Vice President Nixon; President Kennedy relaxes from the cares of state with Mr. (Ian) Fleming; So who am I to complain?"

—Robert G. Sumpter

Radio, Movies and TV

The appearance of Alger Hiss on Howard K. Smith's November 11 TV show entitled "The Political Obituary of Richard M. Nixon" raised a storm of protest, particularly from firms trying to cancel their contracts with ABC. The show's own sponsor, Nationwide Insurance Company, refused to have anything to do with censoring Mr. Smith. Said president Murray D. Lincoln: "We are sponsoring Howard K. Smith in the conviction that his shows deal with subjects and issues that are important to all of us, and that he has the professional skills and integrity to present these subjects fairly and effectively. We have never tried to tell him what he should talk about or whom he should have on his show. To do so would be a violation of our contract."

On the following Sunday Jim Hagerty, press secretary to President Eisenhower and now head of the ABC news department, used five minutes of Smith's time to read a ringing defense of the program in the name of the freedom of the press. He was echoed on November 18 by FCC chairman Minow in these words: "Whether this particular program was in good taste is for the public to decide . . . The basic issue is the freedom and responsibility of broadcast journalism." The following evening President Kennedy was drawn into the fray at his press conference. His response: "I didn't see the program, but I thought Mr. Hagerty and Mr. Minow expressed a view with which I was in sympathy."

The U.S. Senate Internal Security Subcommittee subpoenaed several directors, officers and patrons of the Pacifica Foundation, operators of radio stations KPFA, KPFK and WBAI, to appear at a closed session on January 10. Reasons were not made public, but the San Francisco *Chronicle* headlined its exclusive January 4 story as a "Senate 'Red' Probe". The following day Lawrence Speiser, Washington director of the ACLU, branded the secret investigation an "improper activity. Our position is that this whole thing is an infringement of the freedom of speech guaranteed by the First Amendment."

The Roman Catholic Episcopal Committee for Motion Pictures, Radio and Television, meeting in Washington on December 6, pledged support of legislation for advisory film classification wherever exhibitors do not voluntarily label film suitable for children.

Reported on December 14 was a new Washington, D.C. censorship regulation banning films showing drinking or promoting smoking from being shown in the public schools. The regulation, drawn by an eight-member committee appointed by Supt. Carl F. Hansen permits no films sponsored by liquor and tobacco industries.

CALIFORNIA'S Supreme Court on December 18 ordered San Francisco's lewd movie law stricken from the books as having been made invalid by laws enacted by the state legislature. The ruling affirmed an earlier decision by a San Francisco Superior Court ordering authorities not to prosecute a ticket taker arrested in 1960.

The Marietta, GEORGIA, city council on December 8 began setting up a movie rating board to classify January, 1963

There Are Newsletters and Newsletters and . . .

Believing that those concerned with intellectual freedom might be interested in knowing the source of some of their problems, we hereby inform them that a subscription to the monthly newsletter of The Network of Patriotic Letter Writers may be had for \$2.00 from Box 2003D, Pasadena, California. The December issue speaks letter-writing campaigns against *The Last Temptation of Christ*, for freedom of the press, against a domestic peace corps, against appeasement in Cuba, and provides some of the impetus behind the currently spreading campaign to eliminate "slave labor" goods from U.S. stores. (Not an advt.)

motion pictures. The ministerial association, the PTA, the YMCA, the YWCA, and the movie theaters were asked to appoint representatives to the board, after which the council will accept recommendations from the board as to action it should take.

The OREGON District Attorneys Association will this winter sponsor legislation to include the exhibition of motion pictures in the State's obscenity law, passed two years ago. Impetus derives from the July 18 Supreme Court dismissal of a case against "The Lovers."

The Memphis, TENNESSEE, Censor Board on November 6 banned the first "nudie" film, entitled "Paradisio," to be booked by a Memphis theater, on the grounds of obscenity. Board chairman Mrs. Minter Somerville Hooker is quoted as saying, "Bill Kendall (manager of the Studio) couldn't have been nicer, and agreed with us that the movie would do more harm than good for business at the theater." The action of the board did not hamper the film's run in West Memphis, outside its jurisdiction.

Notes From Abroad

The problem of censorship facing the press seems to be diminishing all over the world, according to Frank H. Bartholomew, chairman of the board of United Press International, in a speech in Salt Lake City on October 17. "News is as easy to suppress as a full head of steam; it will always explode." Furthermore, the gradual rise in education is probably the answer to the easing of censorship in most countries, he observed.

Algerian authorities seized the printing matrices of the ALGIERS edition of the Paris newspaper *Le Figaro*, preventing publication on November 10. Officials said several articles were objectionable.

The government of Argentina announced on October 4 that it had closed two political weeklies, the Peronist-leaning *Causa* and the extreme-leftist *Vanguardia Roja*.

"Despite the Government's firm decision to uphold freedom of the press . . . it should not and cannot permit subversive activities to develop under the shelter of that freedom."

A satirical American revue, "The Premise," in the midst of a successful 11-week run in London, was in October running afoul of the British censor for not sticking to the approved script. "About half the show is improvised," said impressario William Donaldson, "and unless the lord chamberlain softens his order, the show will have to close."

This hassle could have been the impetus for the introduction, for the fifth time in a century, of a bill in the House of Commons which would have made it optional to submit a play to the Lord Chamberlain for license. The bill was defeated on December 5, by a vote of 137 to 77.

Oxford University proctors have banned the undergraduate magazine *Oxford Circus* for the rest of the term on the ground of blasphemy. Another undergraduate magazine, *Isis*, was also this term told not to print articles on sex. Said *Circus* editor Machael Harris, of Magdalen College, "It seems that the proctors are taking a tougher line lately."

Because of a protest against what is alleged to be government interference in the presentation of the news, all French radio and television were blacked out for an hour on the evening of November 5 by the labor unions concerned. French radio and television are under the control of Minister of Information Christian Fouchet, a member of deGaulle's inner circle, and sympathetic to him in the recent referendum. TV reporters felt that these views were filtering down and coloring newscasts on the referendum. Four announcers who walked out just before air time, blacking out France's main evening news program during the height of the referendum, were disciplined. The November 5 blackout represented a union gesture toward protecting the right of all employees of RTF "from being arbitrarily punished for having applied the rules of their profession or for exercising union rights as recognized by law."

The weekly newsmagazine *Der Spiegel*, which prides itself in being a sharp, sarcastic gadfly and a relentless conductor of exposés, was in trouble early in November with the Adenauer administration for publishing information on West Germany's defense preparedness that was not in the nation's interest. The publisher and four assistants were arrested on suspicion of treason, treasonable forgery and bribery, an action which brought about the downfall of the West German government and forced the resignation of Defense Minister Franz Josef Strauss. The uproar seemed to center in the Nazi-like tactics used in apprehending the publisher and staff of *Der Spiegel*, rather than in the possible invalidity of the charges; the five men remained in jail. After six weeks, all those arrested, who finally numbered 10, were released, except publisher Rudolf Augstein and editor Hans Schmeltz.

October 4 saw the banning of the International Edition of the *New York Times* by the government of Iraq, presumably because of a recent series of articles on the revolt by Kurdish tribes written by Dana Adams Schmidt.

Going in the other direction, the minister of information and tourism promised on October 10 that Spain would have a "truthful, free and responsible" press in the near future and liberalization of "other aspects of information" later. Minister Manuel de Fraga Iribarne said he intended to submit a new press law soon in a talk at the monthly luncheon of the Madrid American Club at which Ambassador Robert F. Woodward presided.

On the other hand, the Spanish government acted in October to ban the importation of *The Rise and Fall of the Third Reich*, by William L. Shirer, probably because of the many references to the friendly relations between Franco and Hitler. Back to the first hand, it was reported on January 5 that attempts to ease the government's notoriously stringent censorship of foreign and domestic films have made considerable headway in the last six months. But the battle goes on. Several pictures have been banned and unbanned, or vice versa in this period.

Portugal was having problems too. On December 9 the evening *Diario E Lisboa* appealed for freedom of information and openly protested against the way authorities handle official news releases. Apparently the news reaches the paper when it happens, but must be considered premature until its release is officially authorized, often a day later.

The difference between censorship and selection plagued the AUCKLAND, New Zealand public libraries service when a debate on library services was organized for a panel of children as part of Book Week. Some of the youngsters challenged the policy of excluding best-selling children's authors Enid Blyton, W. E. Johns, and Richmal Crompton. Library authorities say there is no question of "banning," but simply of concentrating on what they feel is the best available reading for children.

Kayhan Saglemmer, editor of the Istanbul independent daily *Cumhuriyet*, was arrested on Christmas day on charges of printing an article containing Communist propaganda.

The United Arab Republic on October 17 lifted all censorship on outgoing press cables and radio broadcasts, according to an official at the Ministry of Information.

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