newsletter ON INTELLECTUAL FREEDOM

PUBLISHED BY THE INTELLECTUAL FREEDOM COMMITTEE OF THE AMERICAN LIBRARY ASSOCIATION, MARTHA BOAZ, DEAN, UNIVERSITY OF SOUTHERN CALIFORNIA SCHOOL OF LIBRARY SCIENCE, CHAIRMAN, EDITED BY LEROY CHARLES MERRITT, UNIVERSITY OF CALIFORNIA SCHOOL OF LIBRARIANSHIP, BERKELEY.

VOL. XV | MAY, 1966 | No. 3

Intellectual Freedom in Chicago

We are indebted to the March 1 issue of the *Library Journal* for much of the information and language of the following report of the Midwinter Meeting activity in the area of intellectual freedom.

Of major interest at the two meetings of the A.L.A. Council was the resolution passed by the membership in Detroit in July which sought to amend the ALA Constitution in order to provide for the exclusion from institutional membership of any institution or organization practicing discrimination among users on the basis of race, religion, or personal beliefs.

Pursuant to that resolution President Castagna appointed a five-man committee, chaired by Verner Clapp, to review the proposed amendments and submit its recommendations to the Executive Board last fall. Its recommendation was that the Detroit resolution, which had been proposed by Eli Oboler, be rejected. The Executive Board rejected the recommendation by a vote of 8 to 4, and asked the Constitution and Bylaws Committee to draft the necessary amendments. These were presented to Council by its chairman, Howard Rovelstad, and Council, after much debate, rejected them—and the Detroit membership resolution was dead. Or almost.

Ernestine Grafton moved "that Council urges the Executive Board to make the fullest possible use of its authority, as already provided for in Article III, Section I of the Constitution to reject all or any applications for institutional membership from institutions known to practice discrimination in services to readers, in staff employment, in use of facilities, and/or in any other manner."

This motion carried, along with an amendment by Ralph Shaw that it be referred to the Executive Board for report to Council in New York in July. At the second meeting of Council the following resolution, presented by Verner Clapp, also carried:

"That the President appoint a committee of Councilors to review action taken by the Association in the execution of its expressed intention to 'continue to promote freedom of access to libraries for all people, using every means at its disposal,' [this is quoted from the LAD "Review and Evaluation of *Access to Public Libraries*"] and to make recommendations to the Executive Board and Council at the Annual Conference, 1966."

Executive Director David Clift reported to Council that he had received applications from the Georgia and Mississippi Library Associations for readmission to ALA as chapters. Both were enthusiastically readmitted by Council. Only Alabama now remains outside the Association, and there are indications that it may be ready for readmission in New York in Jurly.

Miss Martha Boaz, Chairman of the Intellectual Freedom Committee, reported the following matters to Council: The new ALA Intellectual Freedom Office had been funded, and that the Association was now looking for the right person to head it up. Secondly, the committee was trying to arrange a special preconference on censorship problems as related to reading materials for young people, to be held before the ALA Conference in San Francisco in 1967. The committee, she said, was also taking a look at some possible minor revisions in the Library Bill of Rights and the Freedom to Read Statement.

Supreme Court Backs Off

The U.S. Supreme Court on 21 March upheld (5-4) the obscenity conviction of Ralph Ginzburg, publisher of *Eros*, and decided that "titalating" advertising could be proof that the advertised material is obscene.

The Court also affirmed (6-3) the conviction of Edward Mishkin on charges of publishing material admitted to be "sadistic and masochistic." The two cases are the first in which the Supreme Court has held publications to be obscene.

In a third decision the Court reversed (6-3) the decision of the Massachusetts Supreme Judicial Court that *Fanny Hill*, by John Cleland, is obscene. The Court did, however, hold that the State could still find the book obscene if its advertising and promotion led to that conclusion. The notable quotes are from dissenting opinions in the Ginzburg case:

I.

The sexy advertisement neither adds to nor detracts from the quality of the merchandise being offered for sale. And I do not see how it adds to or detracts one whit from the legality of the book being distributed. A book should stand on its own, irrespective of the reasons why it was written or the wiles used in selling it.

I cannot imagine any promotional effort that would make chapters 7 and 8 of the Song of Solomon any the less or any more worthy of First Amendment protection than does its unostentatious inclusion in the average edition of the Bible.—Justice Douglas.

II.

Censorship reflects a society's lack of confidence in itself. It is a hallmark of an authoritarian regime. Long ago those who wrote our First Amendment charted a different course. They believed a society can be truly strong only when it is truly free. In the realm of expression they put their faith, for better or for worse, in the enlightened choice of the people, free from the interference of a policeman's intrusive thumb or a judge's

heavy hand. So it is that the Constitution protects coarse expression as well as refined, and vulgarity no less than elegance. A book worthless to me may convey something of value to my neighbor. In the free society to which our Constitution has committed us, it is for each to choose for himself.—Justice Stewart.

The first repercussion was felt that same Monday evening in Albany, California, when the city council voted (4-1) to ask the library board once again to remove *Fact,* published by Ralph Ginzburg, from the shelves of the public library. No coincidence this, for councilman Joe W. Parker, mover of the motion, specifically mentioned that day's Supreme Court decision. Councilman Richard O. Clark voted against the motion.

On 28 March Ralph Ginzburg announced he will file for a rehearing on his appeal to the Supreme Court. He was supported by the ACLU, which filed a brief protesting the new ruling as "replete with dangerous implications for freedom of expression," according to an 18 April AP report. The ACLU said the decision operates "to suppress publications with conceded social importance. And it does so on the basis of advertising which was itself not obscene and which described materials which were by definition not obscene either."

You Can Go to Jail, Don't Pass 'Go', Don't Collect $200

With President Johnson, Attorney General Katzenbach, the new Crime Commissions and practically everybody else bending their efforts to eliminate crime from the Great Society, many people thought the U.S. Supreme Court would unbend enough to pitch in, wherever it could. But on March 23 it handed down ("strew" I thought to say) fourteen separate opinions whose main impact one fears will be to keep the crime of obscenity smoldering in the minds and hearts of our countrymen. The cases before the Court afforded a rare opportunity to wipe out obscenity; instead, a majority of the Court acted to fan-up our dying belief in, and anxiety about, sex literature as a commodity demonically inspired to engender a condition of "itching; longing; uneasy with desire or longing" bad enough to send a man to jail. The specific results of the decisions in *Ginzburg v. United States,* No. 42, and *Mishkin v. New York,* No. 49, were to send both Mr. Ginzsburg and Mr. Mishkin to jail for five years. Their crime? "pandering" to our people's prurient interests, promoting the "leer of the sensualist," among them and trying to make a buck from the nation's "widespread weakness for titillation by pornography."

Not surprisingly, the judgments gave rise to strong dissents. First—faithful as the reappearance of the sun after no-matter-how-long-and-dreary a rain—came Justices Black and Douglas; Black denounced the convictions, and hacked away at each of the three (now, possibly four) wobbly legs upon which the prevailing obscenity test rests. Douglas reminded us that the employment of sex symbols in the marketing of books by Ginzburg can scarcely be distinguished from the promotion practices followed rather religiously by Detroit when it sells cars, or Madison Avenue when it sells anything from stockings to insurance policies. Mr. Justice Stewart feared the Court was making scapegoats of Ginzburg and Mishkin on account of a "disapproval" of their stock-in-trade, by applying the First Amendment's guarantees to them with "less completeness and force" than to other publishers, such as G. P. Putnam's Sons, publisher of "Fanny Hill" (*Memoirs v. Massachusetts,* No. 368). Mr. Justice Harlan said that adding a "panderers" wrinkle to the much patched-up *Roth* test seemed but a way to permit the punishment of a person who mails otherwise constitutionally protected material, "just because a judge or jury may not find him or his business agreeable." And indeed, Mr. Ginzburg's convictions were upheld not because the publications he traded in were obscene, but because he hawked them through the mails as though they were obscene. Justice Brennan's majority opinion twice sought to say that, *censorship-wise,* sending Ginzburg to jail for obscenely selling non-obscene books was better than suppressing all sales of those books, i.e., better than finding the books themselves obscene. I think he deliberately left the door open for Ginzburg in his jail cell to peddle Eros to all takers—so long as he prepares his advertisements pristinely and employs plain envelopes, like old-fashioned pornographers used to do. U.S. Treasury may hope so, for the luckless Mr. Ginzburg has $28,000 in fines to be paid.

The Stewart and Harlan dissents seem to have touched on a sensitive nerve. Publishers and booksellers have gone to jail before now, on account of selling obscenity, but these latest dispositions appear likely to leave a particularly bad taste in the mouth. I think it is because they somehow make it look as if our system of criminal justice discriminates against the little man, even his pornographer. If the Court had discriminated against him solely on literary or artistic grounds, as it well might have, there would not have been quite this sense that Ginzburg and Mishkin may be going to jail because they don't own handsome publishing houses and, perhaps, don't belong to the right clubs or boast cheery Dun & Bradstreet ratings. I wonder if some such nagging doubt about the rectitude of the decisions in which he joined was not responsible for the surprising, resorts by Mr. Justice Brennan to Comstockian epithets like "calculated purveyance of filth" and "pandering" and "commercial exploitation" and "titillation" and "sordid business" and "leer of the sensualist," and the rest.

As Andrew Kopkind made crystal clear a while back, in the pages of the *New Republic,* the Supreme Court's views on obscenity have since *Roth* and until now meant that before a book might be banned, or its publisher imprisoned, the book had to be shown not only to have plenty of PO (patient offensiveness), and at least some BDA (basic dominant appeal—to prurient

Leave it to Us

Commenting on the Supreme Court's latest decisions on pornography, Russell Baker of the *New York Times* says that since "the rest of us out here" have never had the least difficulty determining what is obscene and what is not, why shouldn't the court save itself further embarrassment by simply leaving it up to us?—Chicago *News,* 25 March.

interest), but no RSI (redeeming social importance)! This is only slightly different now. The smashing achievement of the "Fanny Hill" decision was that Mr. Justice Brennan could reaffirm that when he said no RSI, he meant *utterly* no RSI, and the Massachusetts Supreme Court was dead wrong if it thought Fanny could be found obscene just because she was so big in the PO and BDA and had such a tiny little RSI. Mishkin's trouble, simply, was that he had no interest in RSI, and wouldn't know it if it were in front of his nose, whereas, as he very well knew, because he paid people to make them this way, the pulp books were packed to the brim with PO and BDA—even if only for our perverts (that is, those who secretly derive pleasure from "unusual sex scenes between men and women, and women and women, and men and men. . . ."

Finally, the fatal flaw of Ginzburg was how his sales-pitch shook the Court's confidence in the sincerity of that publisher's pitch that his merchandise really had RSI. Put another way, the Ginzburg case stands for the proposition that even if what you sell does have some RSI, if you are really trading on its BDA, you can go to jail, don't pass GO, don't collect $200!—Edward de Grazia.

The Power of Anonymity

J. D. Salinger's *The Catcher in the Rye,* considered by some critics as among the best pieces of modern fiction, has been banned from the library at Northwest Classen High School, according to principal J. Frank Malone. He said the volume was removed after he received an anonymous letter questioning whether students should read several books.

Malone said he disregarded the writer's suggestion on other books, keeping *Gone With the Wind* and *Hawaii* on the book shelves. Other books in the anonymous list were not in the library and will not be put on the shelf, Malone said.

These include *God's Little Acre, Kitty, Forever Amber, Fanny Hill, Tropic of Cancer, Peyton Place* and *Candy,* he said.

"I have talked to my English teachers and suggested they offer literature that will elevate," Malone said. "There is enough good literature available that it is unnecessary to assign some of it (apparently, such as the book he banned) to students or even make it available." Malone said his librarian works to read all new books received in the library and "co-operates closely with parents."—Oklahoma City *Times,* 16 February.

Obscenity and the Courts

Two new documents in this area have been published by the University of Missouri School of Journalism Freedom of Information Center which bring the state of the legal art of defining obscenity up to date: Publication No. 154 is entitled *Obscenity and the Supreme Court,* and Publication No. 155 is called State Regulation of Obscenity. Write the Center for copies.

Library Sit-In OK

More than usually interesting reading is the docket of opinions written by several members of the U. S. Supreme Court in reversing the decision of the Louisiana Supreme Court in the case of Henry Brown, et al, v. State of Louisiana. (No. 41—October Term, 1965). The case involves the peaceful sit-in of five young Negro males in the Audubon Regional Library in Clinton, Parish of East Feliciana, Louisiana, on 7 March 1964. The opinions are a significant contribution to the literature of equal access to library service.

The Kienholz Dispute

Now that the fuss over the Edward Kienholz exhibit at the County Museum of Art has been resolved, presumably to the satisfaction of the Board of Supervisors, the museum trustees, the artist, and the public, it would be well to look again at the central issue raised by this tempest.

That issue, stripped to the core, was neither the "morality" of the two Kienholz works criticized by the supervisors, nor the answering claim that an artist ought to be free to express himself in whatever way he chooses, though each of these positions is worthy of consideration.

The central question highlighted by this controversy, rather, was quite simply whether government at any level has the right or—acting in the name of "the people"—the imperative to determine what is or isn't acceptable art, what should or should not be permitted to go on public display.

The answer, so obvious that it hardly needs restating, is that no government and no elected official has or should assume the right to determine as a matter of policy what standards are to prevail in any of the arts. This rule is as valid when applied to the Board of Supervisors as it is when applied to the Soviet regime's insistence on "socialist realism" in the arts.

The furor over the Kienholz exhibit, with all the contradictory statements by politicians, clergymen, art critics and private citizens, once again underlines the fact that there are no universal standards of artistic judgment or taste. This being the case, it hardly makes sense for elected officials, claiming to speak in the name of "the people," to attempt to determine what "the people" will or won't accept in the arts.

No one denies that the Board of Supervisors has certain administrative responsibilities involving the County Museum of Art, which is in part taxpayer-supported. But in matters of artistic selection, as Supervisors Debs and Chace both noted on Tuesday, the board has quite properly delegated authority to the museum's trustees and professional staff.

The board, said Debs, "should not be involved in the selection of exhibits, nor should we undertake to impose censorship. To do so would establish a dangerous precedent and, I believe, would impair Los Angeles' national reputation as a cultural center."

If only this eminently sound position had been supported by all the supervisors earlier!—Los Angeles *Times,* 31 March.

Reprints Still Available

Twenty thousand copies of "What to Do Before the Censor Comes—And After," reprinted from the September issue, are now in print. Copies are available at ten cents each or $5.00 per hundred. Please send cash with order to the editor at 48 Arlington Avenue, Kensington, California, 94707.

Censorship in Grosse Point?

Books Limited under Pressure

By Saul Friedman

Robert M. Orr is a belt-and-suspender man. Which is to say, he plays it safe. He is director of public libraries in Grosse Pointe and he likes his job. The main library building is modern and beautiful and there are plans to expand it. As a professional librarian, Orr dislikes censorship. But he dislikes controversy more.

At least once a week, says Orr, someone complains about a book that has been published or placed on the library shelves. In virtually every case the book is restricted. This means that a restricted label is placed in the book, and it is put on "reserve" or in the "stacks." Orr says: "We'd rather have the librarians watch the book and who it goes to than have a patron complain."

Since about 1960 more than 200 books have been placed on "reserve" or in the "stacks" because patrons have complained. Half are books which are about sex or have the word "sex" in the title. They include the Kinsey reports, Simone de Beauvoir's *The Second Sex,* Helen Gurley Brown's *Sex and the Single Girl,* a text on *The Anatomy of the Human Body,* a volume on maternity and pregnancy, one called *Natural Figure Drawing* and even *The Sex Life of Wild Animals.*

But also restricted are Edward Steichen's photographic masterpieces, *The Family of Man,* Bennet Cerf's anthology, *Reading for Pleasure,* James Baldwin's *Another Country* and Boccaccio's *Decameron* written in the 14th Century. And: Howard Fast's *Spartacus,* Aldous Huxley's *Point Counterpoint,* James Joyce's *Ulysses,* Meyer Levin's *Compulsion, The Clock Without Hands* by Carson McCullers, James Michener's *Tales of the South Pacific,* Christopher Morley's *Kitty Foyle,* Robert Ruark's *Something of Value,* Irving Wallace's *The Prize* and *The Chapman Report,* Morris West's *Devil's Advocate,* Richard Wright's *Native Son,* Vladimir Nabokov's *Lolita* and several books by John O'Hara, including *Appointment in Samarra, A Rage To Live,* and *Ten North Frederick.*

Orr acknowledged that the restrictions on some books were "absurd" and he said he may go over the list and perhaps put some back on the open shelves. But, he said, he is caught between complaining patrons and the school administration. Would the administration back him in a controversy? "No one ever told Orr he has to pay such attention to complaints," said Asst. Supt. Harold Husband. "I didn't even know all those books were restricted."—Abridged from story in Detroit *Free Press,* 6 March.

Not So, Says Librarian

I read with interest Saul Friedman's article on the Grosse Pointe Public Library, and my first impulse was to ignore it. However, in fairness to all concerned, I feel that some clarification is required.

The key to the Grosse Pointe picture was ignored: that our library is one of the few in America that has had absolutely no pressure to take books off the shelves. This is the type of censorship we worry about.

I pointed out that we did have pressure to put books on the shelves, in itself an implied compliment.

The article says: "Since about 1960 more than 200 books have been placed on 'reserve' or in the 'stacks' because patrons have complained. Half are books which are about sex or have the word 'sex' in the title." As a matter of fact, we have probably 20,000 in the Central Library stacks, simply because there is no room on the open shelves for them. The 'reserve' books have nothing to do with restricted books.

The Grosse Pointe Library does restrict a number of books which have been the subject of complaint by residents, have been reviewed by the professional staff as to whether they could be considered unsuitable for high school students, and in many cases have been given a restricted label.

While I am not entirely sold on this policy, it has been supported by the school administration as a matter of working with the community. These books are periodically checked by the professional staff, in order to review whether or not the restricted status is still justified.

Finally, on behalf of a fine staff serving what is considered "the most ideal library-use community in America," I deeply resent the distortions in this newspaper item. Our library is fortunate in being free of pressures applied to most of the nation's public libraries in recent years, i.e., to take books off the shelves.—Robert M. Orr. Abridged from Detroit *Free Press,* 22 March.

JBS Challenges "The American Pageant"

Anne Arundel County, Maryland, and Annapolis High School in particular, was the scene in February of a controversy over the use of Stanford University professor Thomas A. Bailey's *The American Pageant: A History of the Republic* in a junior year course in American history. The book was challenged by the Glen Burnie chapter of the John Birch Society on the basis of an unfavorable review by Grove City (Pa.) College professor of history Clarence B. Carson for America's Future, a conservative group operating out of New Rochelle, New York. Said Carson, the book is "a parody of the findings of historical research, a vulgarization of the men and events of the past, a cheapening of history and a distortion of the record." The book was defended by Mrs. Dorothy Noble, Anne Arundel county supervisor of social studies, and Mrs. Christiana Alexander, a teacher who uses the book in an advanced class at Annapolis High. Mrs. Noble said it was selected because it is a college-level text and is written in a highly readable manner that stirs the interest of high school juniors. More detail may be found in the Baltimore *Sun* for 17 February.

One Man's Ordeal

In September, 1965, a story appeared in the NEWSLETTER headed "Birchers Lash Back at N. H. Librarian." A personal report from Mr. Joseph Sakey, Librarian of the Nashua Public Library, on the aftermath follows:

The worst time was probably just after an editorial in an out-of-town newspaper attacked the librarian as a dangerously radical person.

The editorial culminated a campaign of vilification that had started about a year before when the Nashua, New Hampshire, library suddenly became the center of some mysterious "subversion."

The campaign was carried on by telephone on a number ironically listed as "Let Freedom Ring" which attacked the library. The librarian was called "Snaky Jack, Red Librarian," a play on my last name, Sakey.

There were also anonymous phone calls to a local radio station's "open-line" program asking, "What are all those communist books doing in the Nashua library?"

More frightening was the underground campaign. Library workers were asked about "dangerous" books given out to students. Anonymous phone calls came into my house questioning my "patriotism." Friends stopped me on the street.

This is not to say that our city of 42,000 had suddenly been taken over by the right-wingers and Birch Society. But it appeared that way to someone in the crossfire of their first concentrated attack in Nashua. As it turned out their numbers were small, but they were dedicated.

The attacks were so vague as to almost preclude logical answers. It was the anonymity that was so unsettling. I felt like a character in one of Kafka's stories. I kept waiting for the crime to be spelled out on my back.

Whenever I could, I answered any honest questions. I explained why the library bought "controversial" books. I wrote an article for the local newspaper and for a state church magazine. But, a logical response did not seem to be enough.

The attacks were stepped up during the last state legislative session. As a member of the Intellectual Freedom Committee of the New Hampshire Library Association, I appeared at a State House hearing to oppose a bill to bar speakers believed to be communists from the state university campus. The Committee thought it was a dangerous bill. Personally, I thought it was a dangerous interference with academic freedom.

And I said so.

Well, that did it.

More calls, more letters, more whispering, some shouting now, and then the editorial.

And then the overdue dawn.

After the out-of-town paper attack the moderates got the message. The next day there was a call from Dartmouth College, in Hanover, and the state university, in Durham. Educators there pledged support.

A leading businessman in the city offered me the use of his lawyer. Another lawyer called up to offer help. One man started a collection. The mayor called, and the chairman of the Board of Trustees. A lot of calls came from friends of the library I didn't know we had.

The home-town paper rallied around as did the radio station. Some of the names of the whisperers came out. Up close and without the mask they didn't look as dangerous. Then all of a sudden it was all over.

Then I had a chance to recapitulate.

I checked over the list of those who offered help. All of them at one time or another had been helped by the library or had used the library.

Over the past eight years the library has been involved in the life of the community. Students have come for help. Parents have met in the library. Discussion groups have started and flourished in the library.

Every cultural or artistic group, from the city symphony to the theater guild, has made use of the library, and vice versa. The local painters showed their paintings in the library. Greek and French language programs have been held for the foreign language groups in the city.

The library encouraged an intellectual ferment. It was eager to help city officials in research projects for a better city.

In short, the library programs were designed to be an integral part of the city. And finally all of this paid off.

When the right-wing groups launched their attack they were in a real sense attacking the city itself.

In retrospect, too, I have found ways to even increase the effectiveness of the library by including more groups.

A happy postscript to the affair was an agreement by the phone company to have the voices on the "Let Freedom Ring" lines identify themselves. The New England Anti-Defamation League used the Nashua phone calls as evidence in its drive to strip the mask from the defamers.

Post Office and Pornography

Supreme Court decision has cleared the way for officials to prosecute more cases of obscenity in the mails. A long list of publications is being screened for legal action soon.—*Kiplinger Washington Letter,* 25 March.

Chicago Organizes Anti-Censorship Committee

A new group called the Illinois Freedom to Read Committee will hold its organization meeting at 8 p.m. April 6 in the National Design Center at Marina City.

Hoke Norris, Sun-Times literary critic; Robert Cromie, Tribune literary editor, and Elmer Gertz, Chicago lawyer and author, will take part in a panel discussion on the problems and future of censorship.

Sponsors of the organization said its purpose will be to protect the public's right to buy literature and to preserve the right of booksellers to sell it.—Chicago *Sun-Times,* 31 March.

ULA Takes a Stand

To the Editor:

Utah is now going through an anti-obscenity movement which should be of interest. While action is being taken generally on the basis of locally organized committees, it has received impetus from the circulation of an open letter by the First Presidency of the LDS Church. Much of the energy behind the movement has come from PTA groups.

In Provo, a committee was organized which appears to have rather strong public support. They had no trouble at all getting the City Council to pass an anti-obscenity ordinance. At the present time, however, the Federal Court has placed an injunction on the ordinance. The Provo committee has said they intend to carry the fight to the Supreme Court if necessary.

In Ogden, the City Council declared war on obscenity and is attempting to establish a program to combat it. Working closely with them is the school administration and PTA. After a good deal of discussion, they have decided against legislation and are moving in the direction of a positive education program coupled with voluntary cooperation of the stores and movie houses.

Since this movement was under way when the Utah Library Association met March 11-12, I thought it important that librarians be heard on this issue. Consequently, as Chairman of the ULA Legislative Committee, I drafted a resolution which was approved unanimously by the Association, a copy of which is enclosed.

I have been pleased with the response we have received on our stand. While it is never very pleasant to have to go through this sort of controversy, it has given us an opportunity to stand up and be counted and to let others know that our Association does care.—M. P. Marchant, Librarian, Ogden Carnegie Free Library.

RESOLUTION ON CENSORSHIP

Approved by the Utah Library Association

March 12, 1966

Whereas much has been said recently throughout large parts of Utah concerning the establishment of anti-obscenity laws regarding books and magazines;

And, whereas libraries are the collectors and dispensors of written materials;

Now, therefore, the Utah Library Association reaffirms its endorsement of the Library Bill of Rights and Freedom to Read Statement.

We affirm the belief that censorship is a dangerous threat to personal freedom and should be used only with extreme caution.

Whereas juvenile delinquency is coupled with non-reading rather than reading of poor books, we recommend to governing bodies and legislators that they give more serious consideration to making good books more readily available through improved library budgets rather than relying on legal restrictions which should more properly be the domain of the home.

'Tropic of Cancer' Returns to Library

Emerson Greenaway, director of the Free Library of Philadelphia, announced on 22 March that copies of Henry Miller's *Tropic of Cancer* are back in circulation.

His announcement followed the lifting of the ban on the sale of the book yesterday by the State Supreme Court. The high court reversed a decision of Philadelphia Common Pleas Court Judge Vincent A. Carroll, who had banned the book in 1962.

Greenaway said the book will be on a reserve list that includes volumes not available to persons under 18 and must be asked for specifically. —Philadelphia *Bulletin,* 23 March.

In First Test, Oklahoma Bans 14 'Obscene' Books

The Oklahoma Literature Commission banned the sale or distribution of 14 "obscene and pornographic" books in the first official test of the 1957 Oklahoma law against obscenity.

The commission consists of Attorney General Charles Nesbitt; Dr. Oliver Hodge, state Superintendent of Public Instruction, and Ivan Gates, Assistant Commissioner for Charities and Corrections.

The action is expected to bring a court test of the constitutionality of the commission. Under the law, sellers and distributors must be given 10 days' notice before a commission order becomes final.

The 14 paperback books are among 232 exhibits labeled obscene and pornographic and presented to the commission by Citizens for Decent Literature, Inc., headed by Al Kavanaugh, one of 16 Democratic candidates for Governor.

At a hearing Monday, in the first test of the anti-smut legislation, an attorney for a distributor said the commission is unconstitutional and threatened a Federal court suit.

Late Wednesday, the commission found that each of the books "is obscene and pornographic under the law of Oklahoma and the standard enunciated by the Supreme Court of the United States." It said: "Their primary appeal is to prurience. They go beyond the customary bounds of candor in sex matters and they have no redeeming social value whatever."

The banned books are: *Summer Heat,* by Morgana Garson; *Night Train to Sodom,* by Tony Calvano; *That Kind of Girl,* by Stanley Curson; *The Abnormal Ones,* by Herbert O. Pruett; *Naked in the Night,* by Rea Michales; *Sodom,* by Johny Shearer; *Man for Hire,* by Robert N. Owen; *Sister for Sale,* by Stanley Curson; *Campus Nymphs,* by John Carver; *The Tease,* by George McNeill; *Two-Way Mistress,* by Mark Savage; *The Pleasure Salesman,* by Gus Stevens; *Strange Desire,* by Wayne Wallace, and *The Strange Ones,* by Ben Travis.—New York *Herald Tribune,* 1 April.

CDL Oklahoma City Campaign Draws Negative Reactions

Reaction to the current smut campaign in Oklahoma City was gathering steam Saturday and most of it was unfavorable. University of Oklahoma professors, officials, students and an Oklahoma City psychiatrist criticized the Citizens for Decent Literature in general and Al Kavanaugh in specific for attempting to ban the sale of what they call pornographic magazines and books.

And an OU law professor thinks the anti-smut drive is being built on a shaky legal foundation. Herbert Titus declared the Oklahoma Literature Commission "unconstitutional." That is the panel which CDL hopes will rule selected publications pornographic.

"The supreme court has indicated that the decision of obscenity must be made by a court and not an administrative body," he said.

The smut campaign also was labeled "ridiculous," "dangerous," and "an infringement upon free speech and free press." Saturday morning a group of OU students picketed Kavanaugh's paving company, then carried protest signs in downtown Oklahoma City.—Sidney Draper in *The Daily Oklahoman,* 27 February.

The debate continued on 8 March on the campus of the University of Oklahoma in Norman, where Professor of English Calvin Thayer and Associate Professor of Philosophy Francis Kovach spoke in opposition to the CDL activities being promoted by Al Kavanaugh, president of the Oklahoma CDL and candidate for governor, who was also on the program. Particularly offensive to the two professors was Kavanaugh's announced investigation of Supreme Court Justice William O. Douglas' personal life in an effort to prove him incompetent to sit on the Court in obscenity cases. On 16 March Kavanaugh called on Justice Douglas to resign, or at least disqualify himself from participating in obscenity cases then pending before the high court.

Obscenity Case Conviction Upset

SPRINGFIELD, Ill.—The Illinois Supreme Court Thursday held that seven paperback books found obscene by Cook County Circuit Court are not obscene by U.S. Supreme Court standards.

The state high court reversed the conviction of the Universal Publishing and Distributing Corp., 400 W. Madison, Chicago, of the books.

The books are *Instant Love, The Shame of Jenny, Theater's Paradise, Her Young Lover, Love Hostess, High School Scandal,* and *Marriage Club.*

The court's opinion said, "The material here contains substantially less violence, there is less abnormal sexual conduct, the descriptions of both normal and perverted sexual episodes are less bizarre in the total effect, less erotic" than do books previously found to be not obscene.

A postscript in the opinion, however, said the books "are clearly inappropriate for other than adults."

The publisher had appealed directly to the state Supreme Court on the ground that the Illinois and U.S. constitutions were involved.—Chicago *News,* 24 March.

Censorship Ends in Spain

The Spanish Parliament approved a new press bill ending censorship regulations in effect since the Spanish Civil War. The bill becomes law with the signature of Generalissimo Francisco Franco, expected shortly. There were only three negative votes in the 299-member Spanish Cortes (parliament), Parliament President Jose Iturmendi announced.

The Spanish press has been under strict government control since the 1939 civil war and articles in newspapers and magazines were subjected to censorship before publication. The 72-article bill grants publishers the right to appoint their own editors, allows the establishment of new newspapers without government consent and lifts pre-publication censorship.—UP, 16 March.

Clean Sweep Spawns Anti-dote

Another organization concerned with what people can and cannot read has sprung up in Montgomery County. Calling itself the Freedom to Read Committee of Suburban Maryland, it has been formed to counteract efforts of a campaign known as "Operation Clean Sweep."

"We oppose censorship in principle and practice," said Leonard Siger, Gallaudet College English professor and one of the group's seven-member steering committee. "We believe that the rights of citizens are threatened by the stated aims and proposed action of the self-appointed censors who direct the movement in Montgomery County, Maryland, known variously as Operation Clean Sweep, Citizens for Decent Literature, and National Organization for Decent Literature," he said. Operation Clean Sweep and its counterparts have been carrying on a campaign to rid Montgomery news and book stands of literature "unfit for children to read."

In announcing formation of the counter-organization, Siger said his group sympathized with those "who may feel that some reading matter is not within the moral context in which they would raise their families. "We nevertheless insist on the right of all citizens to make their own decisions, as individuals and as heads of households," he added.—Washington *Star,* 6 March.

Censors Censured

NEW YORK—A group of prominent authors, clergymen, publishers and critics have formed a "Committee to Protest Absurd Censorship"—in particular the five-year sentence of Eros magazine publisher Ralph Ginzburg.

"Is everyone forever going to take for granted our practice of condoning bloodshed for children and recoiling from sex for adults," asked the committee, which includes playwright Arthur Miller, authors James Jones, Harry Golden and Sloan Wilson and producer Otto Preminger.—Washington *Post,* 3 April.

'Extremist' Charge in Bay Area School Row

A group which opposes discussion of controversial issues in the classroom is trying to gain control of the Castro Valley Unified School District, the California Teachers Association and the National Education Association said here yesterday.

"The campaign to recall Board of Education President Edward Newman on April 12 is a 'classic example' of an extremist attack on schools," said John Muir, the CTA's director of field service.

Muir told a news conference that the two education associations have conducted a joint study that criticized the Castro Valley Committee for Better Schools, sponsor of the recall.

The Committee, Muir said, "is charging that, under Newman's leadership, the school board has encouraged the discussion of controversial political and social issues. It contends that such discussions are detracting from basic subject matter."

Muir said the Committee wants to "indoctrinate the children with its views." Among other things, he said, the Committee has objected to the use of two books in the schools: *Lord of the Flies,* the novel by William Golding, and *J.B.,* the play by Archibald MacLeish.—S.F. *Chronicle,* 31 March.

On 12 April Edward Newman was recalled (5135-4038), and Dr. Mary Margaret Castle, who won the two-candidate election for his post on the five-member board (3958-3091), immediately called for the resignation of the other four members of the board and the superintendent of schools, all of whom had supported Newman.

Braden Chides CASL

Thomas W. Braden, president of the California State Board of Education, in a speech before the annual conference of the California Association of School Libraries on 5 March, chided the school librarians for not defending Mrs. Geri Turner Davis, whose teaching credential was threatened with revocation by a committee headed by Everett T. Calvert, chief deputy superintendent of public instruction under Max Rafferty. (Cf. March, p. 22)

"The other day a teacher who wrote a play was publicly rebuked for doing so and in words far more embarrassing than any in her play—by a man who holds of all things the post of chief deputy superintendent of public instruction."

"The other day in Marin County, a book recommended by teachers of English for reading by superior students was banned from school library shelves because of the protests of the uninformed and by those who do not read.

"Where was your association?" he asked. Braden said it was the group's "chief business' to step into "public quarrels about books and the freedom of writers to write."

"If you who guard the written word will not defend the freedom to write and read, can you expect that freedom to be defended by the ignorant, by those who do not read or by the man who holds the post of chief deputy superintendent of public instruction," he said.

Braden said since a librarian would not suppress an idea or book that disappointed his preconceptions, "why not try to prevent others—even those who have risen to become chief deputy state superintendent of public instruction—from doing so.'—S.F. *Chronicle,* 6 March.

AAUP Finds No AF at MSU

The Memphis State University chapter of the American Association of University Professors on 1 March voted down (14-2) a motion to the effect that the faculty enjoys full academic freedom. The meeting was called in regard to the publicity the school received in connection with the dismissal of Edgar D. Welch, MSU Assistant Professor of Law and Law Librarian, allegedly because he picketed a Ku Klux Klan meeting in November.

The AAUP vote drew this reaction from MSU President C. C. Humphreys: "I am all for a free atmosphere on the campus, but there has got to be some responsibility too. When you start encouraging a few non-conformists and troublemakers, and make heroes out of them, you get a situation like they had out in California.—Memphis *Press-Scimitar,* 2 March.

Boycott Is Not Censorship

April 11, 1966

To the Editor:

I was surprised to see the . . . article [on AFT boycott of books whose manufacture is involved in a labor dispute, p. 23] printed in your March, 1966 *Newsletter* with no comment, which I assume means you agree with the point of view.

The weapon of economic blockage or boycott is a proven and traditional one in America's history, going back to Colonial days.

To ask the public to refuse to buy the products of a striking business organization is a valid strike weapon, and is no less valid if the product happens to be a book.

This is not censorship. It is simply an application of the only pressure that can truly be felt in such a situation—pressure on the cash register.—Myra Silver, 525 Neptune Ave., Brooklyn.

Scopes Trial Revisited

In Little Rock, Arkansas, on 1 April Mrs. Susan Epperson testified in a trial she had initiated that she will teach the theory of evolution in defiance of a state law forbidding it. After hearing testimony for two hours, the court gave both sides 30 days to file briefs. Mrs. Epperson said there was a chapter on evolution in a new biology textbook at Central High and it was her duty to teach what the book contained. The courtroom was crowded with spectators including ministers and civil-rights workers and apparently was not sympathetic with the questions of Attorney General Bruce Bennett, whose job it is to defend the law Mrs. Epperson was challenging.

Seek and Ye Shall Find

Indianapolis had an obscenity time for itself early in February which resulted in the passage of a new ordinance by a vote of 6-2 at a stormy 7 February session of the city council attended by some 300 persons. Sparked by the local CDL, bolstered by its national prexy Chuck Keating, the meeting was all agin sin, and boisterously so. One councilman, potentially harboring a vote against the ordinance, stalked out early in high dudgeon. When councilman Daniel P. Moriarty, sponsor of the measure, asked if there was anyone in opposition, no one came forward. The two local papers split on the issue, and the local radio station obligingly broadcast editorials on both sides. Though approved by the mayor and legal counsel in advance of its introduction, several amendments made in the heat of the fracas raised constitutional questions which resulted in a pocket veto. A new bill was scheduled for presentation on 21 February, and became effective on 25 April.

Provo, Utah has a new obscenity ordinance as of 9 February which restricts admission to movies and sale of magazines "not suitable for young people." Movies must be labeled "adult," and magazines must be kept out of the reach of children. Matters not suitable for young persons is anything "describing or portraying brutality, criminality, sadistic behavior, nudity, or depravity in such a manner to be likely to incite or encourage crime or delinquency on the part of young persons." City Librarian Ed Dowling stated that the law does not pertain to material handled by the Provo City Library because the latter is not a retail outlet.—Provo *Herald*, 11 February.

Minneapolis art gallery owner, Ronald L. Brodigan, was found not guilty on 25 February of displaying a painting the police and city attorney maintained was obscene. Hennepin county municipal judge Neil A. Riley announced the verdict after the curator of the Minneapolis Institute of Art and three other expert witnesses said the painting has artistic merit. The oil painting, entitled *The Lovers*, shows two nude couples. The artist was not identified.

The Indiana Supreme Court on 16 March reversed the conviction of Indianapolis minister Keith Cuffel on an obscene literature charge in connection with the sale of Henry Miller's *Tropic of Cancer* in 1963. The conviction had drawn a fine of $500.

Index Now Ready

Part I of the long-awaited cumulative index to the *Newsletter on Intellectual Freedom* is now ready for distribution. Part I covers the period from the first issue in March 1952 through calendar year 1962. Part II, to be published next spring, will cover the years 1963-1965. In subsequent years annual indexes will be published. Part I is approximately 100 pages long; the price has been set at $5.00 for both Parts I and II. Orders received now will be filled with Part I and Part II will follow automatically when it is published. Please send cash with order to the Editor at 48 Arlington Avenue, Kensington, California, 94707.

A Fair Trial v. Freedom of the Press

The Press in the Jury Box. By Howard Felsher and Michael Rosen. New York: The Macmillan Co., 1966. 239 pp. $5.95.

Anyone who reads the newspapers knows that pretrial publicity seriously jeopardizes the fairness of the criminal cause célèbre. The tragic aftermath of the assassination of our late President brought home far more vividly than anything ever written on the subject the nature of the threat. Most Americans concluded that Lee Harvey Oswald could never have had a fair trial if he had lived to face a jury. The Report of the Warren Commission revived the deep public concern about the power and sometimes the irresponsibility of the media in covering criminal proceedings. Most recently the plight of Billie Sol Estes has reinforced our concern. And the United States Supreme Court's willingness to review the claims of Dr. Sam Sheppard promises before very long a major constitutional decision clarifying some of the murky law on the effects of pretrial publicity.

All that has happened in the last few years has sharpened, rather than answered, the central questions. We badly need a careful scholarly inquiry which endeavors to provide the answers. This book is not such an undertaking, nor does it purport to be. It is mainly descriptive rather than analytical. Nonetheless, it makes a very useful contribution to the literature, in large part because it is interesting and lively reading and because it takes a very critical look at the role and responsibility of the press.

The Press in the Jury Box is in substantial part a collection of horribles. The worst examples of prejudicial pretrial and during-trial publicity have been collected and lavishly recounted. There is not only Sam Sheppard, of course, and Lee Oswald, but a number of other victims of the pen and the camera—Leslie Irvin, Wilbert Rideau, Johnny Dioguardi, George Whitmore and others. This gallery of hapless rogues suggests a point which the authors do not make in so many words, though they imply it: Only a small fraction of all those who are prejudiced or injured by sensational coverage in the media ever get to the United States Supreme Court. Indeed, not all of them are even criminal defendants; some, who are charged with crimes (sometimes erroneously because of the influence of the press upon the investigation) are never brought to bar and thus afforded the opportunity to vindicate those interests which the media may have breached. So the theoretical availability of a reversal on the ground of harmful publicity is not an adequate answer for most victims of sensational overexposure.

A central question which is sharply raised and thoughtfully answered in this book is the question of *why*—what pressures and conditions make for the kind of coverage that prejudges guilt in the public forum before formal charges have been lodged? Several factors are isolated and considered: (1) the economics of circulation; (2) competition not only within a particular medium but increasingly between the two powerful media of television and newspapers; (3) the constant temptations offered the press by prosecutors and occasionally defense attorneys who leak choice news mor-

ABPC as *Amicus Curiae*

The American Book Publishers Council has filed an *amicus curiae* brief before the New York Court of Appeals in an action for a declaratory judgment of the constitutionality of the 1965 New York law barring sales to persons under 18 of materials considered harmful to them. The basic action was brought by The Bookcase, Inc. and Irwin Weisfeld against Vincent L. Broderick, as Commissioner of Police of the City of New York and Frank S. Hogan, as District Attorney of New York County. The Council sought to file the brief because it believes that Section 484-h and 484-i of the Penal Law violate freedom of the press as guaranteed by the First and Fourteenth Amendments to the Constitution of the United States and Article 1, Section 8, of the Constitution of the State of New York.

sels to accessible reporters; and (4) the virtual absence of any effective private remedies (except where the publicity defames as well as pretries the suspect).

The author's principal concern, however, is with the failure of courts, legislatures, and the affected private groups to put a stop to prejudicial publicity. Looking enviously at the rigid pretrial curbs which regulate the British newspaper, they disparage the American performance. There is no doubt, as they point out, that the *ad hoc* remedies available to check the effect of publicity already circulated—changes of venue and venire, delaying the start of trial, and solemn caveats to the jury—are not very effective in the cause célèbre. Self-regulation, even if undertaken in the best of faith, is meaningful only if all sources of leakage are plugged. A newspaper industry code (in which all journals are unlikely to participate, as the recent Massachusetts experience shows), not only does not bind radio and television but is unenforceable even against the press. Bar association or state bar rules and rules of court bind only lawyers. Even the sternest of warnings by the district attorney to his staff and to the police cannot keep the diligent reporter from prying information out of the defense attorney. Thus only a comprehensive muzzle, enforced vigorously by the judiciary, would seem to answer the need. Although the authors do not refer to it (perhaps its enactment came too late for inclusion), the new Massachusetts statute seems to be what they seek. That law makes criminal the release to, or publication by, any of the media of information "prejudicial to a defendant's right to a fair and impartial trial by jury in a criminal proceeding."

The trouble with this statute, or with any American emulation of the British curbs on pretrial disclosure, is of course the freedom of the press guaranteed by our First Amendment. The Massachusetts Supreme Judicial Court recognized, but then avoided, the serious constitutional problems raised by the language of the new statute quoted above, when that law came before it for an advisory opinion a few months ago. The plain fact is that the United States Supreme Court has consistently dissolved contempt orders against newspapers based upon manifestly prejudicial publicity. Although keeping open the possibility that such coverage might indeed pose a "clear and present danger" to the administration of justice, and thus be constitutionally punishable, no such danger has been found in any of the cases coming to the Court over a twenty-five year period. Nor has the Court's recent treatment of similar questions shown any change in this view; a brief look at the 1965 reversal of Billie Sol Estes' conviction because of television in the courtroom will demonstrate that. Establishing a clear and present danger in this area must obviously involve more than a showing of prejudice that would require reversal of the criminal conviction of the celebrity. How much more than this will constitute jeopardy to the *court* rather than to the *defendant* still remains to be seen.

One has to conclude that Felsher and Rosen have done a better job of showing us what the problem is, and what has created it, than of helping us to solve it. Yet they have raised a number of possible remedies, running the gamut from those which everyone concedes are ineffective, to those which trouble the constitutional conscience of even the severest critic of the press. The book is a challenging invitation to think harder about possible curbs before the American system of criminal justice is again shamed in public by mistreating another Sheppard, or Hauptmann, or Oswald, or Estes. The excessive zeal of the authors to find a ready solution on the British model can be excused, because it is a zeal born of good faith and careful study. What can less easily be passed over is their apparent lack of tolerance for the freedom of the press. Lawyers at least, and hopefully all persons concerned about individual liberty, should try to solve this problem with the conviction that the press is constitutionally protected just as much when it is foolish and irresponsible as in its finest hour.—Robert M. O'Neil, School of Law, University of California (Berkeley).

You'd Better Read Ernst

Sex, Pornography & Justice, by Albert B. Gerber. New York: Lyle Stuart, 1965. 349 pp. $10.00.

Why bother? That's the first impression, and 349 pages later just about the last.

The author, according to the jacket blurb, is "an eminent lawyer and specialist in the subject." No question about it; he knows his subject. He even writes with a certain verve, no easy task for someone dedicated to documenting the history of "dirty" books. The framework is familiar enough. Emphasis is on citing important legal cases, giving a personal interpretation, and setting the whole thing in its proper context as far as social and moral advancement, or regression, goes in this jolly old country.

Some of the facts are a bit outside the library scene, for it is difficult to imagine even the most dedicated bringer of truth and light shelving the nude "sun and life" periodical. And while some adult education programs might benefit by Lenny Bruce's nightclub delivery, not to mention a host of "special problems" elucidated in one chapter, how far can we go with progressive education? Which, to be sure, is not to say librarians should not know about life out there, but a Thurber beats a Gerber any day.

One saving factor is the author's views; liberal, predictable and sometimes imaginative. The tests for obscenity he elucidates with considerable skill, and his commendable notion that booksellers and publishers should enjoy almost absolute freedom is well argued. It is obvious the author is serious enough, anxious to ride the white horse against censorship. But what about the publisher?

Ah, there is the rub, the publisher. It is difficult, in fact, downright impossible to take him seriously. The illustrations and countless excerpts from the books and magazines are pointless. One audience, it is strongly suspected, would short circuit Mr. Gerber in favor of his witnesses. How much of this was planned by the author or his publisher is their secret. The total effect is out in the open, and is pretty bad.

More objectionable is the *Reader's Digest* ploy. This isn't the first example of couching the unacceptable in quite acceptable legal or psychological padding. Nor will it be the last, but someone should start screaming. Thanks to the very cases cited by Mr. Gerber, most of his examples now populate the local newsstand. If not, Grove or Lyle Stuart is on the way. When the reader finds bits of *Candy* and *Fanny Hill* used to fill out a supposedly straight-forward scholarly study, there is something wrong. It is particularly wrong when the price of the book is pegged at $10. Judicious examples, to be sure, are helpful. But when the emphasis is on brain food and the diet is laced with *Candy*, indigestion sets in. The real crime, however, is butchering the books which are cited. A footnote and a bibliographical citation would give the reader a fighting chance to read the original.

The publisher promises that supplements to Mr. Gerber's book will be published from time to time. Evidently these will be changes in the laws, sans the choice examples. Commendable, although the *New York Times* might be more appropriate. One last torpedo. The typography in this book runs a close second in bad taste to the illustrations. And they are outrageously bad! And one last word of advice. Somewhat dated, but still the best book on the subject of compiling and interpreting the laws in this area is Ernst and Schwartz's *Censorship: The Search for the Obscene*. (Macmillan, 1964). Ernst and Schwartz are interested in the search; Gerber and/or Stuart in the finding.—William Katz, University of Kentucky Department of Library Science.

Current Bibliography

Agree, Rose H. "The Freedom to Read on Long Island." *Top of the News,* XXII (April, 1966), 285-287.

Armstrong, O. K. "Filth for Profit: The Big Business of Pornography." *Reader's Digest,* LXXXVIII (March, 1966), 73-76.

"Court Stirs a Hornet's Nest." *The Christian Century,* LXXXIII (13 April, 1966), 451-452.

Crumlish, Paul W. and Mary S. Lohr. "Dissent and Sex." *New Jersey Libraries* (December, 1965), 8-9.

Cyr, Helen. "Case of the Book That Wasn't There." *Top of the News,* XXII (April, 1966), 265-268.

"End of the Boom in Smut?" *U.S. News and World Report,* LX (4 April, 1966), 69.

Gaines, Ervin J. "In the Trenches." *ALA Bulletin,* LX (March, 1966), 229-230.

Gaines, Ervin J. "Intellectual Freedom." *ALA Bulletin,* LX (April, 1966), 323.

Gothberg, Helen. "YA Censorship; Adult or Adolescent Problem." *Top of the News,* XXII (April, 1966), 275-278.

Knudson, Rozanne. "And the Years Pass Away." *Journal of Secondary Education,* XLI (January, 1966), 43-44.

Knudson, Rozanne. "My Mother, the Censor." *Teachers College Record,* LXVII (February, 1966), 363-366.

Knudson, Rozanne. " 'Phonography' or the Humorous Side of Censorship." *California School Libraries,* XXXVII (January, 1966), 7-8.

Krueger, Robert. "Make Mine a Double." *Los Angeles Bar Bulletin* (October, 1965), 647-652.

Krueger, Robert. "What's All This . . . About Pornography?" *Los Angeles Bar Bulletin* (August, 1965), 505-519.

Lottman, Herbert R. "Interdit: Censorship in France." *Wilson Library Bulletin,* XL (April, 1966), 759-763.

Moon, Eric. "Follow the Bouncing Ball." *Library Journal,* IXC (1 March, 1966), 1172-1180.

Moon, Eric. " 'A Social Experiment.' " *Library Journal,* XCI (15 March, 1966), 1371.

Nelson, Jean E. "Intellectual Freedom." *Illinois Libraries,* IIL (March, 1966), 216-219.

Perry, Stuart. *The Indecent Publications Tribunal: A Social Experiment.* San Francisco: Tri-Ocean Books, 1965.

Sabadosh, Audrey. "Teenagers View Censorship." *Top of the News,* XXII (April, 1966), 278-280.

Schall, James V. "Censorship in the Church." *Commonweal,* LXXXIII (25 February, 1966), 601-603.

Siebert, Sara and Linda Lapides. "Shuddered to Think." *Top of the News,* XXII (April, 1966), 259-264.

Sloan, George W. "Censorship in Historical Perspective." *Top of the News,* XXII (April, 1966), 269-272.

Spangler, Raymond. "Open Court & Fair Press." *The Nation,* CCII (11 April, 1966), 421-424.

Thompson, Tyler. "Academic and Intellectual Freedom." *Illinois Libraries,* XLVIII (March, 1966), 182-190.

"West Registers Shock at Soviet Writers' Punishment." *Publishers' Weekly,* CXIC (21 February, 1966), 151.

"What Is Dirty? The Court Fogs It Up." *Life,* LX (1 April, 1966), 4.

The *Newsletter on Intellectual Freedom* is published bi-monthly by the American Library Association at 48 Arlington Avenue, Kensington, California 94707, the address to which all editorial communications should be sent. Address all correspondence concerning subscriptions ($3.00 per year) to Subscription Department, American Library Association, 50 East Huron Street, Chicago, Illinois 60611.

RACK 65-70

20 TOP OF THE D-9662

Editor's Page

MUCH HAS BEEN published in the library press on censorship and intellectual freedom. As one of *TON*'s contributors says, "We have written our pens dry"—not quite though, for in this issue *TON* is adding its contribution to the literature on the subject.

It seems to us that it is virtually impossible to say too much on this frustrating problem, which is the cause of so much soul-searching, so much mental anguish on the part of librarians.

Even the best of librarians, and there are many whose coverage is positively breathtaking, are sometimes ambivalent, as witnessed in the wording of the American Association of School Librarians' document, *Policies and Procedures for Selection of School Library Materials.* One of the sample policies on materials selection chosen to be reproduced in the brochure uses a qualifying adjective in one place, and one place only, that causes us to lift our eyebrows.

The librarians had no trouble being cool, objective, dispassionate when defining standards for the selection of books in the areas of Religion, Ideologies, and Science. However, when it came to books on sex, a qualifier was used. Materials on sex are to be subjected to a "*stern* (italics added) test of literary merit and reality." How come? Why was it necessary to add "*stern*" in this area? As the selectors of books for other persons, do we not owe them one thing at least—an awareness of what our own biases are—our own embarrassments, our own hesitancies, if you prefer?

When reviewing a book in which an incident dealing with sex causes us to draw back, perhaps we should require a test of ourselves. We should require ourselves to articulate, to define very precisely and exactly what we draw back from, and why. Is it a word, an emotion, or what, and what exactly do we think its effect will be? We ought to require ourselves to state our objection, aloud, in exact terms, to a colleague. When we have done this, we will know what our stumbling blocks are, and we will also know that others do not necessarily share our personal embarrassments.

To end on a sweeter note, we want to call your attention to a special prize plum for all persons interested in children's literature. It is Mary Orvig's article on the distinguished Swedish illustrator, Elsa Beskow. In the wonderful world of childhood depicted here, there are no censorship problems.

P. W.

The editorial above was written for the April, 1966 special intellectual freedom issue of *Top of the News,* official journal of the Children's Services Division and the Young Adult Services Division of the American Library Association, by its editor, Mrs. Pauline Wilson, Young Adult Librarian of the Lakewood, Ohio, Public Library. It was crowded out of that issue because, "After paste-up was completed a two page ad came in for which only one page had been reserved. In such a case, the editor has to go." In a similar bind, the editor of the *Newsletter on Intellectual Freedom* would have found something else to delete, but is pleased to published Mrs. Wilson's editorial here.