



newsletter

ON INTELLECTUAL FREEDOM

PUBLISHED BY THE INTELLECTUAL FREEDOM COMMITTEE OF THE AMERICAN LIBRARY ASSOCIATION, ERVIN J. GAINES, DIRECTOR, MINNEAPOLIS PUBLIC LIBRARY, CHAIRMAN, EDITED BY LEROY CHARLES MERRITT, DEAN, UNIVERSITY OF OREGON SCHOOL OF LIBRARIANSHIP.

VOL. XVI

SEPTEMBER, 1967

No. 5

Intellectual Freedom in San Francisco

(The Editor is indebted to Mrs. Jean Smith, Trustee of the Burbank Public Library, and Chairman of the Intellectual Freedom subcommittee of ALTA, for bringing together the following documentation of and comment about the pre-conference Institute on Intellectual Freedom and the Teenager. The first document was written by Ervin Gaines, Chairman of the ALA Intellectual Freedom Committee, and presented at the summary session on Sunday morning, June 25. The second is the official ALA press release reporting his talk. Approximately 300 attended the Institute.)

INTELLECTUAL FREEDOM AND THE TEENAGER

We entered the conference on Friday morning with a particular feeling that there was a void in our philosophy of librarianship and that we were in an ambiguous position with respect to our professional integrity on the one hand and public pressure on the other, but also with respect to our own motives. Did we believe, or did we not, that young people—and they came to be called youngsters, children, minors, juveniles, teenagers, among other appellations—that young people are to be treated as fully integrated human beings or as some lesser breed, not fully formed, perhaps deficient in some way, and therefore in need of our solicitude and care, recognizing that the solicitude and care we might exercise would have the effect of depriving these young people of literature which we in our wisdom thought to be threatening either to their safety, or ironically enough, to our safety.

This is what we came to learn about. I think we learned a great deal, certainly more than I had anticipated. Before I try to distill the essence of the meeting, and to interpret what happened to us as reflected in the group discussions, I would like to depart from the impartial role I have tried to play in the last two days and to interject two observations of my own.

None of the speakers, and none of the group discussants when I was present ever mentioned the study of Marjorie Fiske, entitled *Book Selection and Censorship*. (University of California Press, 1959.) I hope this important work has not been forgotten. Only last month I had a letter from Allie Beth Martin, of the Tulsa Public Library, lamenting that the book is no longer in print, and David Berninghausen of the University of Minnesota library school told me that in the first year or two of publication fewer than 1000 copies of that work had been sold. It is a devastating comment on librarians and their indifference to their ethical responsibilities, both that they do act as censors, and that they do not seem terribly interested in chang-

ing their habits. Many librarians apparently see no moral dereliction in playing the role of censor whether they do so out of personal conviction or because of public pressure. In a sense Marjorie Fiske was what this conference was all about. I hope her absence only meant that we have thoroughly integrated her findings into our professional attitudes and do not have to call attention to her work anymore. However, I really fear that the image of the librarian she reflected back to us was really so cowardly and craven that we are either embarrassed or indignant. Let us not forget to re-read Marjorie Fiske when we go home.

The second observation I would like to make is that nobody rose to defend pornography as an art form. I really rather expected that the liberal and uninhibited people who addressed us might have alluded to it. If a large public library—and I would necessarily distinguish at this point the larger from the small and the public from the school library—if a large public library has a responsibility to try to preserve the major part of the intellectual output of our world, does it not have a responsibility to include some pornography as well? So persistent an art form, which we know to be found on the walls of a house of prostitution in Pompeii two thousand years ago, and which crops up daily in our lives in the form of graffiti and dirty jokes, deserves to have its better representations preserved for historical purposes. Future pornographers might be encouraged to raise the level of their output.



"The redeeming social value is there, all right—
it's the pornography that's weak."

Seriously, I am troubled increasingly by the proposition, which never gets argued, that pornography has no importance and therefore is utterly beyond the pale. Every public lavatory belies the assumption. Pornography must be important or it would not be so prevalent. If it were not important, why would the Congress of the U.S. and the Supreme Court find themselves entangled in discussions about it? I have concluded that pornography has meanings for our lives which we do not yet understand, and that some libraries, at least, had better begin to collect some of it, so that it will be available for scholars who may some day be able to penetrate its meaning, and to interpret the human psyche as it represents itself in this kind of work. Dr. Edgar Z. Friedenberg gave the conference a tremendous push forward, and if he was somewhat more abrasive in his approach than was pleasing to some of the audience, he goaded us out of our apathy. He made the assumption that intellectual freedom was an inalienable right and that the age of the reader is not a morally relevant factor. Adults, therefore, have no right to determine for youth access to ideas. Friedenberg's assumption, which came at the very beginning of his talk, echoed and re-echoed throughout the conference. There was a surprising unanimity of opinion on this particular point.

Friedenberg questioned any danger to the human psyche from reading. Paradoxically he thought that there might be danger in "wholesome," emasculated literature which actually falsifies life. He dwelt at some length on the socializing function of education and pungently characterized it as the "systematic extinction of alternatives." By implication, therefore, librarians need to examine their own role in the social structure. Are they engaged in the process of acculturation or are they honestly concerned with the individual personality?

Friedenberg did not assume that books have no effect on people, but that he does not fear that effect. The difference between pornography and literature is that pornography is dehumanized and that such dehumanized books do not "turn people on." Pornography does not incite the behavior it portrays. Friedenberg is convinced that there must be pre-existing psychic conditions for this to happen.

Friedenberg indicated that censors really turn against books that are relevant and that do deal with life in a human way because such books stimulate thought and lead to changes in conduct. Somewhat aside from our central purpose, but important to our understanding, was his portrait of young people in revolt, turning increasingly toward the oral and tribalized culture under influences described by Marshall McLuhan. The best young people, said Friedenberg, are distrustful of print—an ominous and prophetic statement for librarians.

Rev. E. Larry Beggs made the point that morality to the adults is equivalent to sex but to the young person it reaches across the whole spectrum of social behavior and involves the burning political questions of our time. Beggs asserted that young people are much less agitated by sex than are adults, but in any event what youth wants is not the mechanical and biological aspects of sex, but its emotional ambience. They read books which feed this hunger.

Rev. Beggs indicated at some length why he thought James Baldwin's *Another Country* was a conservative book, and a very human one, in its cry for love in a brutal world, love in its many manifestations including both heterosexual and homosexual. For Rev. Beggs asserted that to deny young people access to the books they need is a catastrophe. He heaped a good deal of scorn on some library book selection policies and called them patronizing. He made very clear that there is a gap in our understanding of the teenager as he sees himself.

In the afternoon Kenneth Rexroth picked up a theme stated by Friedenberg and suggested that the entire range of social values is at issue—not just the question of obscenity. He believes that society is fundamentally fraudulent, and that violence, covetousness and hypocrisy are much more characteristic ills than is deviant sexual behavior, but that sexual behavior becomes a convenient diversion of attention from the central ills.

Books do not create social ills. Rexroth said that the ills pre-exist their representation in literature. He concluded that one might conceive of an ideal authoritative society like Plato's republic where censorship would serve to distill out the irrelevant and leave only the purest and the best. But in a democratic society this is impossible, therefore any kind of censorship is intolerable.

Robert Kirsch in many ways began to draw near to the practical aspects. He expressed outrage over the Aday case, which Fleishman also spoke of later, in which two publishers received prison sentences of 19 and 25 years for distributing a relatively pointless and obscure book. He also lamented that the intellectual community never rallied to the defense of these men.

Kirsch believes that the young rebels of our society will end up pretty much like us, and that we must all live in an arena of free ideas. Like the speakers who preceded him, Kirsch did not see the agitation over sex as anything but a symptom of a larger malaise in society. He urged librarians to be more than custodians, to do more than preserve the best. He asked them to keep culture palpable and immediate. He envisioned librarians as missionaries. We need better librarians and we need to overcome our fear of contact with young people.

Helen Cyr, the first librarian to speak to us, looked through another lens. She pointed out that young people are treated ambiguously as they grow up, with radical swings between the extremes of permissiveness and restriction. The public library can be a haven for young people in which these tensions are absent. She particularly saw the public library as more able in this role than the school library which is appended to the control apparatus of the school system. She felt that attacks on libraries were minimal—a view that is probably not widely shared, since, as others pointed out, many attacks on libraries are not publicized. She described some of the systematic attacks and for the first time introduced the John Birch Society into the discussion.

Stanley Fleishman eloquently climaxed the Friday proceedings in a splendid address devoted largely to the legal aspects of censorship. He traced the course of legal decisions over the last ten years and expressed cautious optimism that the Supreme Court will eventually retreat to a no-censorship position. He believes

that such a position has already been reached with respect to printed materials for adults, but that pictorial material and material given to minors are still in an ambiguous position. Fleishman expressed strong doubts that anti-social behavior flows from reading, and was very skeptical of Pamela Hansford Johnson's thesis to the contrary. He also made two practical suggestions, 1) that the Library Bill of Rights include references to age and sex, and 2) that there be created a library bill of rights for teenagers.

Fleishman asked librarians to look to their own motives. Are they truly interested in complete freedom for young people or are they interested in controlling, directing, and shaping young people in the present cultural mould? Fleishman, like those who preceded him, opted for no restrictions on young people's reading, even as he sympathetically recognized the librarian's special vulnerability in the public sphere. Here indeed were the two crucial questions: what do we really believe?—and how do we reconcile belief with action?

Harriett R. Covey believes that librarians have become too evangelical and that they are didactic in dealing with young people. They do not really listen to young people. Librarians should not choose books on the basis of morality. To do so is a task for the clergy. Librarians have become hypercritical. They need to learn to treat young people as individuals who need to find themselves.

David Cohen especially urged librarians to look carefully to their book selection policies and to establish procedures which would more effectively protect librarians under attack. He dwelt at some length on the Enoch Pratt system and on the dangers inherent in the Farmingdale Long Island situation where a patron defied the librarian and removed a periodical from the shelves.

Mrs. Doris Ryder Watts, who moderated the last panel discussion, pointed out that in New Jersey a preponderance of opinion among psychologists and psychiatrists holds that there is no relationship between reading and anti-social behaviour and that the state should not be the arbiter of what is suitable for children to read.

Alex Allain stated that trustees should and can ultimately provide firm backing in book selection policies that allow for no censorship. He added that since librarians believe that books affect behavior we must allow that there can be a negative effect. He stated that ALA has a responsibility to study the matter. There are no definite studies in existence. We must proceed with an investigation. Without waiting for others to act, ALA must build its own sources of references to defend its motives and its principles.

An impartial study may open Pandora's box, but professional integrity demands action. He pointed out that a bill now before Congress might do the job, but ALA must do its own housekeeping. To accomplish adequate financing Allain suggested that massive foundation funding should be sought.

Esther Helfand, the final speaker of the conference, urged librarians to remember that teenagers are total human beings totally involved in their environment. She said that the advent of the birth control pill does not increase promiscuity, but places the choice of be-

C-Note

In many retail stores, the price tag on an item will contain, in addition to the price, a strange-looking jumble of letters.

This is the store's "price code," which tells store owner and employes at a glance the wholesale cost of the item. In many stores, these codes are automatically applied as the retail price is stamped on.

Such was the case in a Springfield store last week as a clerk was applying the price tags to some goods. He happened to glance at the tags after applying several—and gasped.

Instead of the usual jumble of letters, the price code for this particular item happened to spell out a rather obnoxious four-letter expletive.

The code was hastily altered, the offending price tags removed, and the store was once again a safe place for women and children to shop.—Don Bishoff—*Eugene Register Guard*, 23 July.

havior on a different basis, which requires more profound introspection by young people.

Young people respond to literature in accordance with their comprehension and understanding. They have a moral right to information that they need. If society denies them this information they will go "underground." While pornography will never be in libraries, librarians should familiarize themselves with it. In conclusion, Miss Helfand said that the essence of love and humanity eventually will set us free from the limitations of our experience.

Major recommendations of the Institute were:

- 1) That ALA (with massive Foundation funding) conduct a study of the effect of reading on behavior.
- 2) That an office be established at ALA, both to coordinate studies and defend librarians.
- 3) That free access to all books in a library collection be granted to young people.

Press Release

SAN FRANCISCO, Calif., June 25—Librarians have an obligation to preserve pornography "in its better representation" for the benefit of future scholars and historians, a leading spokesman for the American Library Association declared today.

Addressing the summary session which concluded the three day ALA Preconference Institute on Intellectual Freedom and the Teenager, Ervin Gaines, director, Minneapolis Public Library, and chairman of the ALA Intellectual Freedom Committee, asked:

"If a large public library—and I would distinguish the large library from the small library or school library—has the responsibility to preserve the major part of the intellectual output of our world, do they not have a responsibility to include some pornography as well?"

He described pornography as "a persistent art form, which we know to be found on the walls of a house of prostitution in Pompei 2000 years ago, and which crops

up daily in our lives in the form of graffiti and dirty jokes, and added that "pornography in its better representation should be preserved for historical purposes."

"Pornography must be important or it would not be so prevalent. It has some meaning in our lives that we do not understand. Some libraries had better begin to collect it so that it can be preserved for future scholars."

Summarizing the three days of addresses, panels, and small group discussions comprising the institute, which was co-sponsored by the ALA's Intellectual Freedom Committee, Young Adult Services Division, and American Association of School Libraries, Gaines made these points:

1. The conference speakers and panelists unanimously agreed that "anti-social conduct is in no way related to reading." In their discussion groups, however, the libraries attending the meetings, did not entirely agree. Many believed that more research is necessary to determine the relationship of reading and behavior.

2. The librarians made a strong plea for a legal defense fund to be administered by the Intellectual Freedom Office recently established within ALA, but which, according to Gaines, has been hampered by budget limitations.

3. The librarians agreed unanimously on the principle of freedom of access to libraries and books by people of all ages, and emphasized that librarians need to get into closer touch with adolescents. Some urged that library schools stress courses in adolescent psychology.

4. Although there was no consensus on this, many favored stronger and more clearly defined book selection policies for libraries.

Trustees Crap Out

On Tuesday night, June 27, the speaker for the Trustees recognition dinner was Max Rafferty! When we arrived at the dinner a copy of the somewhat garbled San Francisco *Examiner and Chronicle's* story of Dr. Friedenberg's talk was on every chair. Rafferty said he had placed them there. He began his talk by saying he had thrown away his prepared speech and would talk on this newspaper story. He first asked if any of us approved Dr. Friedenberg's talk. When a few of us had the courage(?) to put up our hands he then proceeded to call us *idiots*.

At the end of his talk, in which he insisted that reading pornography is indeed the cause of most major atrocities and criminal activities, the shock to me was that about two thirds of the 150 trustees present from across the country jumped to their feet and gave him a long standing ovation.—Mrs. Jean Smith.

Some Legacy for the Future

One would think that the chairman of the American Library Association's Intellectual Freedom Committee would have great things on his mind.

There is so much probing of the once accepted, so much challenging of the concepts by which we live, so many philosophical and ideological twistings and turnings being explored in this revolutionary decade, that one might have expected him to propose almost anything as an obligation to American librarians but what

he chose to suggest.

Librarians, Ervin Gaines told the association's convention in San Francisco, have an obligation to preserve: pornography "in its better presentation" for future scholars.

Why? Because, he said, it is a persistent art form "which we know to have been found on the walls of a house of prostitution in Pompeii 2000 years ago."

What a legacy to be treasured and safeguarded for the generations of the future!

But maybe Mr. Gaines is correct in his estimate of the values of some of today's self-proclaimed intellectuals.

The above editorial appeared in the *White Plains Reporter Dispatch* and the *New Rochelle Standard Star* on 27 June. It was also printed in the *Mount Vernon Argus* the same day under the headline: "Smut As A Legacy For The Future?"

Pornography in the Library?

At last we may find out what pornography is. Pornography will be whatever is placed in the pornography collection of a public library.

Perhaps that's an unfair reaction to the suggestion by Ervin Gaines, Minneapolis librarian, that libraries have an obligation to preserve pornography "in its better representation" for the benefit of future scholars and historians. Still, we do find Gaines' proposal a bit puzzling.

Laymen, scholars and jurists have searched in vain for years for a definition of pornography. But what is one man's pornography may be another man's art. Out of necessity, the courts have devised a working definition, but that is all it remains.

So, if a library is going to collect pornography, labeling specific books and works of art as such, who is to decide what is to go into the collection?

We respect Ervin Gaines as a widely-read, cultured man, and we listen closely to his evaluation of books. But we are not prepared to let even him decide for us what is pornographic and what is not.—Minneapolis *Star*, 7 July.

Bill of Rights Revised

Ervin J. Gaines of the Minneapolis Public Library, as Chairman of the Intellectual Freedom Committee, presented the revised Library Bill of Rights, which had been discussed at the 1967 ALA Midwinter Meeting, and moved for its adoption. The draft was unanimously approved.—*LC Information Bulletin*, 13 July.

Text on page 9 of March issue was amended to include the word "age," a direct outgrowth of the pre-conference on Intellectual Freedom and the Teenager.

Paragraph 5 now reads:

5. The rights of an individual to the use of a library should not be denied because of his age, race, religion, national origin or social or political views.

I subscribe to, and read each word of, the *Newsletter on Intellectual Freedom*. As a three-year member of NJLA's Intellectual Freedom Committee, I was astounded to find that the chairman for the past year explained why there were no meetings—no problems in New Jersey!—New Jersey Librarian, Glassboro.

Shouting Match Mars Censorship Meeting

FARMINGDALE—A meeting of the Friends of Farmingdale Library Thursday night began as a symposium of clergymen on the subject of censorship, but ended in a shouting match between the more than 200 sharply divided residents in attendance.

A panel of clergymen met in Weldon E. Howitt Junior High School here primarily to discuss the recent act of self-censorship of Carl E. Gorton, trustee-elect to the Farmingdale Library. But it soon became evident hecklers were intermingled in the crowd to harass the participants.

The clergy were represented by Rev. Kenneth E. Hoover, pastor of Farmingdale Methodist Church; Rev. Albert Palmer, rector of St. Thomas Episcopal Church; Father Basil of St. Kilian's Catholic Church; and Rabbi Paul Teicher of the Farmingdale Jewish Center.

All agreed that Gorton erred when he took from the shelves of the Farmingdale Library last month a copy of *Paris Review* because he claimed it contained an "obscene" story which should not be circulated to the library's readership, primarily non-adults.

Rev. Hoover said there is no place in a library for the "fanatical zeal" of a self-appointed censor. Rabbi Teicher said, "Nothing is obscene unless we make it so."

The clergymen were applauded after making their remarks, but when the floor was open to questions, apparent backers of Gorton, a member of the John Birch Society, began shouting from the floor.

In response to one critic, Rev. Hoover said, "Yes. What Gorton did was an act of censorship."

Rabbi Teicher then asked the noisy crowd, "Is this an act of righteous indignation or is it just a publicity stunt?"

Another shouted, if the clergy only expresses one view, that of disapproval of Gorton and the act of removing the magazine from the library shelves, is that "not too a form of censorship?"

Moderator Joseph Stern, a Farmingdale attorney, said the invitations were extended to all members of the clergy, and that the clergy had no idea of what views they would express before attending the meeting. —*Suffolk Sun*, 9 June.

Farmingdale Budget Fails

FARMINGDALE—The director of the Farmingdale Library said he would urge the board of trustees tonight to resubmit a twice-defeated budget, which he said failed to obtain voter approval because of interference by a member of the John Birch Society.

The library director, Orrin B. Dow, said Monday that it "would be for the good of the entire community" if the \$347,865 budget defeated Saturday by only 57 votes was resubmitted and passed by district residents.

Dow denied charges by Carl E. Gorton, a member-elect of the board, that the library made obscene literature available to young people.

Dow said the library had a long-standing policy of restricting certain books—he mentioned Henry Miller's *Tropic of Cancer* as an example—to persons over 18.

"We recognize there are books that are suitable for youths and others that are suitable for adults," he said, "and if a youth tried to get out of here with an adult book he would be stopped by the librarian at the desk."

Dow said, however, that he did not see how he could "compromise" with Gorton, who admittedly took a copy of a literary quarterly, *The Paris Review*, without permission April 5. Gorton, a member of the John Birch Society faces theft charges Friday in Nassau County's First District Court.

Gorton, who led a vigorous campaign against the budget, refused Monday to comment on its defeat or proposed resubmission.

Neither Dow nor Mrs. Ione Musa, president of the board of trustees, would say if the board will favor resubmitting the budget when it meets tonight at 8:30 in open meeting at the South Farmingdale Branch on Merritt Road. Mrs. Musa said all of the board members would have to discuss the problem before deciding.

Dow said that if the budget was not resubmitted, or if it was defeated again, the library would have to function on its current annual budget of \$323,125, which is \$24,740 less than the one defeated Saturday.

The first proposed budget of \$352,865 was defeated May 3 by a vote of 2,192 to 2,630. Saturday's defeat was 2,753 to 2,696.

Dow said that if the library were forced to function on its current budget, it would mean that books, personnel and library hours would have to be cut.—*Suffolk Sun*, 13 June.

Paris Review Theft Denied by Gorton

MINEOLA—Carl E. Gorton, who admittedly confiscated the South Farmingdale Library's copy of the literary quarterly *Paris Review* in April to help "protect the morals" of the community and was then elected a library trustee, pleaded innocent Friday in Nassau District Court here to charges of stealing the magazine.

Judge Julius R. Lippman set a jury trial for Oct. 3. He released Gorton in the custody of his attorney, Mason L. Hampton, Jr. of Lynbrook.

Who, Me?

"American intellectuals have no stomach for censorship. It makes them suspicious," said historian-journalist Theodore H. White. With that, South Vietnam's Chief of State, Nguyen Van Thieu and Prime Minister Nguyen Cao Ky disappeared to the forward compartment of their executive jet; they returned minutes later with the news they had decided to end political censorship immediately. And next morning a decree to that effect was issued. "I'm flabbergasted at the whole thing," said White, who was then cornered by one of Ky's aides and asked if he planned to write "The Making of the President in Vietnam." Teddy quickly demurred, prompting one old Saigon hand to observe: "He's smarter than that; in the U.S. he does that book every four years—here he might have to do it every six weeks."—*Newsweek*, 31 July.

Gorton, a John Birch Society member, took the Fall 1966 issue of the *Paris Review* April 5. He said that a story in it, "Sky Blue in the Dump" by Dallas E. Wiebe, was obviously obscene because it deals with sodomy."

Gorton was elected a trustee on May 3. The present trustees unanimously censured him May 9, and Edward K. Horton, senior librarian, obtained a summons June 6, which resulted in Gorton's appearance here.

George Plimpton, editor of *Paris Review* and author of *Paper Lion*, a sports autobiography, said the story is "sort of a fantasy . . . a student in a library, of all places, musing over classical mythology, daydreaming over the sexual implications."

Gorton is to take office as trustee July 1.—*Suffolk Sun*, 17 June.

Gorton Finds Friends, Too, in Library Tiff

FARMINGDALE — Carl Gorton announced last night that a former Farmingdale School Board president and a former head of the Friends of the Farmingdale Library were leading a new group supporting his battle with the library and its "friends" over an allegedly obscene magazine.

Gorton, a John Birch Society member who won an upset victory for a library board seat May 3 after taking a magazine out of the library without permission April 5, said that the group, called the Community Association for Responsible Libraries, formed late last week with Mrs. Florence DeHaan, the former school board president, as its leader.

Mrs. DeHaan was reported to be upstate and could not be reached for comment last night. However, the new group's vice president, John C. Reul, confirmed Gorton's statement. Mrs. DeHaan was a Farmingdale School Board member from 1955 to 1964 and served four terms as board president. Reul said that he was a charter member of the Friends of the Farmingdale Library when it was formed in the early 1950s and served as its president for "two or three years." Library Director Orrin Dow confirmed Reul's statement. Gorton said that the group's secretary was Mrs. Margaret Colwell, who lost a library board race to Mrs. Khan Musa, current president, in 1964. The treasurer was said to be William Hansen.

Reul, who said he was not a John Birch Society member, said the new group has about 15 members. He said that he had sent a letter to Mrs. Lucille Rosen, current president of the Friends of the Library, resigning from that group. Mrs. Rosen said she had received the letter. The Friends of the Library has criticized Gorton's removal of the fall edition of the *Paris Review* because he believed a story in the magazine was obscene.

When asked if he approved of Gorton's seizure of the magazine, Reul replied, "Yes, I consider this a proper thing to do. It's just the same as when a kid writes a vulgar word on the blackboard. You don't talk about it, you just remove it." Reul said that the new Responsible Libraries group had "taken no formal position on this, but we all have common views." He said he favored restricting to adults stories such as the one Gorton objected to, Dallas E. Wiebe's "Skyblue on the Dump."

Mrs. Rosen said that she did not think the new group would hurt the library board's attempt to win passage for a revised budget Saturday. "I don't think any little splinter group like that would have any impact," she said. Gorton said he has distributed about 4,000 of 8,000 fliers he has had printed for his campaign to have the budget defeated. The fliers question the wisdom of using taxes to allegedly "undermine the religious and moral training of your children" and "to satisfy the erotic fantasies of a few perverts." Gorton said the remainder of the fliers would be passed out during the voting Saturday at the Weldon E. Howitt Junior High School.—*Garden City Newsday*, 6 July.

Commonly Done?

The following two paragraphs are quoted verbatim from a letter received from an Oregon librarian. We rather doubt that the practice is as commonly condoned as his visitor indicated. Would any other librarians like to comment on this incident or describe similar conversations of their own?

During the afternoon two well dressed young men were busily checking in the card catalog, collecting books from the shelf, making notes on a clip board and comparing their notes. Later my staff said they thought the men were working for me, they were so business-like. About an hour after they came, the circulation desk attendant, a new employee, came to my office and said, "It's a question of policy . . . a young man has a stack of books and he wants to use our registration files to look up card numbers to find out who has been reading certain books." With unusual quickness, I said, "Absolutely not. I forbid it."

A minute later, one of the two gentlemen was at my door. He turned out to be a volunteer missionary who explained that it is important for him to know what people are interested enough in his religion to read its history and its sacred works, for those are the people who most appreciate being called on. I insisted that it would be as unprofessional for me to show him my records as for a doctor to make public a list of unwed mothers for the benefit of self-appointed moralists. He was slow to see the relationship, and stated that every other librarian he has talked with has cooperated and that it is commonly done all over the country. Our half-hour discussion ended when he stated that he knew he could get better cooperation from the chairman of the library board who would gladly change my mind and I said that if he tried to, he'd be looking for another librarian.

Censorship Lifted

BAGHDAD, Iraq (AP)—The Guidance Ministry has lifted the censorship imposed on Iraq newspapers at the outbreak of the Middle East war June 5, but dailies will continue to be limited to four pages until the crisis is over in order to save hard currency spent on newsprint.—*ERG*, 12 July.

Rejected Books Now Acceptable

(Do Tell Department)

Twelve books originally rejected by the Virginia library system and termed lacking in "sufficient literary merit" in their presentation of anti-communism have now been ruled acceptable following an investigation ordered by Gov. Mills Godwin.

The books were rejected after a would-be donor tried to give them to the Lynchburg Public Library, which, until July 1, was a demonstration unit of the state library and under control of the Richmond office.

The United Press International yesterday reported that a leader of a patriotic organization wrote Godwin requesting an investigation into the circumstances of the ban.

The governor announced this week that a report he had received from state librarian Randolph W. Church states, "our consultants here acted unwisely in not allowing these books to be catalogued and shelved in Lynchburg," and the books can now be accepted by any of the state's demonstration libraries.

The dozen books included two by Phyllis Schafly who was recently defeated in her bid for the presidency of the Women's National Republican Party. Her books are titled *A Choice Not An Echo*, and *Strike From Space*.

The titles of the other ten books are *The Bondage of the Free*, *Rhythm, Riots and Revolution*, *Your Church Their Target*, *Collectivism In the Churches*, *The Phoenix Papers* and *The Apostles of Deceit*.—*Bristol Herald Courier*, 15 July.

Dacey Guilty of Contempt and Illegal Practice of Law

Norman Dacey, author of "How To Avoid Probate!" (*Crown*), has been found guilty of practicing law without a license and of criminal contempt. New York State Supreme Court Judge Charles Marks handed down his opinion as this issue of *PW* was going to press. *PW* will report on this case more fully next week.

The judge enjoined further sale and distribution of the book which has already sold about 700,000 copies, but did not find *Crown Publishers*, *Brentano's* and *Doubleday*, the book's distributors, guilty of contempt as requested by the New York County Lawyers Association, the group which filed the suit.—*PW*, 10 July.

"Ulysses" Gains in Chicago

A U.S. District Court judge in Chicago has granted a preliminary injunction restraining that city from interfering with the exhibition of the movie *Ulysses*, stating that the plaintiffs "have raised serious, difficult and probably valid constitutional objections to the Chicago (censorship) ordinance."—*ACLU Feature Press Service*, 12 June.

Fiske Again!

Newport residents can be proud of its library in many respects. A library board, under the chairmanship of Mrs. James Howes, has assembled a permanent collection of non-fiction, fiction, and reference books covering a wide range of topics.

The collection is housed in a modern, attractive building, and librarian Mary Spencer Townsend spends long hours cataloging books and discarding outdated books.

However, in the area of current fiction patrons are limited in their choice, almost to the point that censorship is practiced.

Under agreement with the McNaughton Company, the Newport library receives 22 selections each month including best-selling fiction and non-fiction which has been published the previous month. From the more than 200 McNaughton's which are on hand all the time the librarian returns 22 to the company each month, keeping the stock in continual circulation. For this service the city pays \$88 per month.

This is a plan which enables countless small libraries throughout the country to have the current best-sellers on hand at a fraction of the cost which it would take to purchase the books on a permanent basis. A nominal rental fee is charged for these books at the Newport library, which money returns to the city coffers.

The McNaughton Company decides which books the Newport library will receive each month, according to a plan made out by the librarian in the early 1960's, who incidentally was not Miss Townsend.

In this contract, the company asked whether the library wished the company to practice censorship regarding the sending of such controversial novels as "Peyton Place," "Some Came Running," and "From the Terrace." The librarian replied that she wished none of those types of books sent.

According to Miss Townsend though, the McNaughton Company insists on sending "too much trashy fiction," which she promptly returns.

"My patrons do not want lewd, putrid books," she told this reporter. She added that she is besieged for requests for good books with pleasant subject matters.

The McNaughton Company sends a list of books ahead of time to the library, with the ones they are sending check-marked. This is so the librarian can request substitutions.

McNaughton selections are not talked over with the library board, Miss Townsend said, as there is not enough time. The board meets on the third Tuesday of each month and has responsibility for approving all expenditures of the library.

One book which the McNaughton Company has sent to Newport for July is Philip Roth's new novel, "When She Was Good." This does not meet Miss Townsend's criteria for worthwhile reading, and it would not be on the shelves now had she had time to notify the company not to send it.

According to a review in *Life* magazine, this is an "extraordinarily good" psychological social novel in which "Roth creates a plain but unforgettable American girl gripped by absolute convictions about the right and wrong."

What classified this book as "trash" no doubt is that Lucy, the heroine, forces a soldier to marry her at age 17 after she becomes pregnant by him. There are saving factors, though, in the fact that Lucy rises above her tragic childhood to earn a scholarship to a women's college.

Other books which are sent before she can have them stopped are kept in the back room and are not available except on request.

Newport's library compares quite favorably in number of volumes and circulation with those in cities with comparable populations, according to statistics compiled for the year ending June 1966. It is open fewer hours, though, than others in its class. Those who try to phone the library to find out what time it is open or to seek some other information, search in vain for a listing.

Upon calling city hall or the operator, one learns that the library does indeed have a phone, but that its number is unlisted. Miss Townsend said that she and her assistant do not have enough time to answer the phone and attend to their other tasks.

She said the phone has been useful in calling people to remind them of overdue books. Oddly enough the phone number is listed in the directory of libraries issued by the state and which is probably available to anyone desiring a copy.

To get back to the problem of current fiction, perhaps the library board should review the McNaughton plan as practiced here. Mrs. Howes sounded sincere when she said that the board members do not let personal biases enter into their selection of books.—Newport, Ore. *News and Times*, 29 June.

Supreme Court Stays with It

WASHINGTON—The Supreme Court agreed today to decide whether states could enforce more stringent obscenity standards on material sold to children than on publications sold to adults.

This question, which has been debated for years by constitutional lawyers but never decided by the Supreme Court, is presented by a 1965 New York obscenity statute that applies only to persons under 17 years of age.

In a brief order issued today, the Court agreed to review the appeal of a Bellmore, L. I., newsstand proprietor who was convicted of violating the law by selling a 16-year-old boy magazines that contained pictures of nudes. The case was scheduled for the term beginning in October.

Under the New York law, a person can receive up to a year in prison for selling children under 17 pictures, publications or tickets to movies or shows that depict "nudity, sexual conduct or sado-masochistic abuse."

Samuel Ginsberg, the appellant, was given a suspended sentence in May, 1966, for having sold a 16-year-old boy magazines entitled *Mr. Annual*, *Sir*, *Man to Man*, and *Escapade*. His defense was that he handled about 200 publications that were sent to him automatically by a distributor, and that he was too rushed to check the age of his customers or what they bought.—New York *Times*, 13 June.

Censorship by Theft

TORONTO (AP)—A systematic campaign to steal, mutilate or destroy books on Russian history, Russian travel and Communism has been discovered in the Toronto public libraries. They report it has cost them about 300 volumes, or about one-third of their stock in those categories.—Eugene *Register-Guard*, 29 June.

Fan Letter for Peter Hodes

Peter Hodes is a 17-year-old New Yorker toward whom our attitude is a combination of "Hurrah" and "It's about time." As a student newspaper editor in his senior year he has performed the valuable service of taking his pen in hand to put in his place a high school principal who stood very much in need of this treatment.

With his co-editor Joseph DiVincenti, young Hodes wrote an editorial mildly suggesting that tensions and disinterest are produced among students when they find out that some of their teachers do not care about them or "actively dislike" them because of their "different upbringing." Some 70 per cent of the students in the school are Negroes or Puerto Ricans.

Several teachers tried to dissuade the student editors from publishing the editorial. When the principal, Samuel A. Namowitz, forbade it, the students ran the piece off on a private machine and distributed copies on the street just outside the school grounds.

The principal then ousted Hodes from his editorship and DiVincenti resigned the coeditorship in protest.

Suit charging deprivation of free speech was brought on Hodes' behalf by the New York Civil Liberties Union. The City Corporation counsel has refused to defend it, holding that the student editor's rights under the First Amendment were violated and the principal lacked jurisdiction over his activities away from school.

The High School Principals' Association has rallied round its futilely embattled member, one of their number declaring "every 15-year-old kid who is literate will start a filthy-speech movement," and another that "pretty soon we'll need a lawyer to give a child a grade," all of which seems pretty desperately beside the point.

From thence Peter Hodes, an honor student, will go on to bigger things by entering the University of Pennsylvania next fall. The principal who tried unsuccessfully to muzzle him, and his calamity-howling colleagues-in-censorship, appear to the contrary to have taken quite a firm posture in a blind alley.

After all, free speech is free speech and sense is sense, and particularly when the twain meet it can be rough weather for martinets.—St. Louis *Post-Dispatch*—As reprinted in Binghamton, N. Y., *Press*, 24 June.

Paging Mr. Asheim

Is *Oz* a masterpiece? Who knows? Whatever it is—and there are a few librarians who ban it—generations of children have been brought up on it, and remember it fondly.—Herbert R. Mayes in *SR*, 29 July.

Handmaidens (?)—Cont.

I.

To the Editor:

The issue denoted in the EM/LCM interchange in "Handmaidens All" (NOIF, July, 1967) skirted around, but never zeroed in on a problem that has been with us before and since Fiske: librarian temerity.

Reviews have always been an essential adjunct to the book selection practice. They must center on the merits, faults, style, and accuracy of a given work as they appear to the reviewer. To label a book as "problem-causing," I feel, defeats the purpose of the review. The decision to accept or reject then may become an emotional one, keyed by the bull-baiting of the reviewer. Thus an outside factor—one that may have no bearing on a book's merit, style, or content—becomes a key selection factor.

True, that factor works two ways: an isolated book may be bought solely to show the selectors' personal courage in choosing it; it may be rejected as too dangerous. To label a book problem-inviting, moreover, does not necessarily arm the selector for the rampant censorious bull; rather it may offer an easy sugar-tit for a meek lamb who desires only anonymity.

Until librarians have the bull-headed courage of a Carl Gorton¹—who apparently is willing to risk foreseeable court action for his convictions—reviewers should certainly stick to content, style and internal merits alone. And if librarians reach that nirvana of courage, wisdom and judgment, those cautionary or plauditory asides would be doubly dubious.

Each individual has the right to be his own censor; so a librarian should have the right to make his own choice, his own mistakes. Only then will he learn absolutely to defend his choice or admit honest mistake. That choice must be made by experience and wisdom, true; but wisdom and experience seldom come when one's choice is implied by another.

Our profession has a long way to go. Incidentally, Webster's once denoted "handmaiden" as archaic.² What implications does that have for your title?

James B. Nelson, Director
Cabell County Public Library
Huntington, West Virginia

P.S.: As author of the Iowa Intellectual Freedom Committee Report³—and in light of Mt. Pleasant—I was curious as to its fate. At San Francisco I learned the report had been filed without action at ILA's last executive board meeting (October, 1966) and the present committee has not yet met. Of course, without sound ILA backing, any IFC action would be whistling in the wind.

¹ See p. 41.

² But *Third Edition* does not.

³ *NOIF*, May, 1967, p. 21.

II.

July 21, 1967

To the Editor:

I am not ready to comment on all the points and counter-points in your exchange with Eric Moon, but I would like to offer support on one point you made. It is my view, too, that there is no value to *LJ* readers to be told that a particular book is for a small or large library.

A small library in suburban Cleveland is a much different library from a small library in rural New Mexico. In fact, a small library in the east side of Cleveland may very well be decidedly different from the same size library in the west side.

Large and small are hard enough to define when considering boxes of breakfast cereal or ripe olives; but when it comes to libraries, in matters of book selection, it is best not even to try.

Elmer S. Newman
Adult Services Librarian
Cuyahoga County Public Library

III.

Two letters is about par for the course. Both on the same side. How now, Eric Moon?—LCM.

High Court Knocks Down Smut Rulings

The U.S. Supreme Court on 12 June, wound up its 1966-67 term by ridding its docket of 17 pending obscenity cases—most by reversing previous convictions in brief, unsigned opinions—and by accepting one other for argument during the term beginning next October.

The court reversed 11 of the convictions—all involving books and "girlie" magazines—on the weight of a decision handed down one month ago.

That decision, which freed a bookstore employee arrested for selling two alleged obscene books to a New York detective, indicated that the court is not likely to look kindly on state laws which do not state "a specific and limited state concern for juveniles," among other things.

The court also reversed obscenity judgments by state courts in Georgia and Virginia. Both involved paperback books similar to those in last month's case.

It also dismissed the appeals of two New York booksellers on the grounds that their appeals were moot. Both received suspended sentences—which ran out—but later appealed. The court relied on technicalities to dismiss the cases, over the dissents of Chief Justice Earl Warren and Associate Justices Abe Fortas and William O. Douglas.

In a final case, the court upheld the action of a California court which refused to grant an injunction barring police from arresting a movie exhibitor for showing a 30-minute film on the sexual problems of prison life.

In the one case the Court agreed to hear next term, a New York state bookseller is charged with violating a state law prohibiting the sale of obscene material to a minor. That case will be heard in conjunction with two cases involving the right of Dallas to classify movies for viewing by minors.—*Hartford Catholic Transcript*, 16 June.

One Monster Killed

A controversial ordinance outlawing sale and exhibition of "harmful materials" to minors was unanimously abolished by the National City council this week four weeks after it had adopted it.

Police Chief Walter Cagle recommended repeal, asserting "it is much better to have no ordinance at all than one that would be enforceable by opinion alone."

He said that opinions on what is "harmful material" differ widely and that in an eastern city one group even sought to ban the sale of *Little Red Riding Hood* as harmful to children because it dealt with wolves eating people.

He also said the ordinance would inflict a hardship on stores selling magazines.

Councilman William Hogue sought the ordinance which passed originally on a 4-1 vote (Mayor Kile Morgan dissenting). Hogue explained this week he had wanted to focus attention on the pornography problem, but agreed the ordinance was vague and could cause other problems.

Councilman Jerry Harris moved for repeal, asserting "If we have a monster, I am in favor of getting rid of it."

He said, "This ordinance looks wonderful on its face, but when we look further we see it all comes down to a matter of personal opinion on what's harmful."

In his statement, Cagle wrote that, under the ordinance, stores dealing in magazines would have to establish a separate section for minors and adults, and provide supervision to control access.

In many cases, this would have the effect of discouraging many businesses from carrying any adult publications, because of the cost involved in setting up and policing the separate areas.

Even if there were separate sections, Cagle said, some individuals would contend that certain materials shouldn't be in the section for minors and demand the police arrest the alleged offender.

"In an effort of self-preservation," Cagle said, "the businessman would request the Police Department to evaluate materials as to what section of display they should be placed in.

"This evaluation would be impossible," he said, as law-enforcement agencies are "not engaged in the field of censorship." —Chula Vista *Star-News*, 27 April.

Nude Pix Not Obscene

The 4th U.S. Circuit Court of Appeals, in a sharply divided 4-2 opinion, ruled today that about 90,000 copies of imported magazines containing pictures of nude women and men were not obscene.

Today's opinion upheld an earlier ruling by the federal District Court at Baltimore after the magazines were seized by customs officials there.

The majority of the six judges in today's opinion said that "the government's position essentially is that any collection of photographs of nudes is obscene, if, in some of the pictures the pubic area of the model is exposed.

"We think obscenity cannot be determined on such a per se basis." —Richmond *News-Leader*, 7 July.

Germans Curbing Girlie Magazines

BAD GODESBERG, Germany, May 13—A guitar, a shopping bag, a towel, a raincoat, fur, feathers, hands, arms and even a photograph of Chancellor Kurt Georg Kiesinger—these are among the objects used by publishers of German girlie magazines to cover parts of the female figure.

They go to this trouble because of a small office in Bad Godesberg called the Federal Examining Board for Youth-Endangering Publications.

This group is empowered to index books and periodicals it considers licentious. The board, which has 12 members, meets once a month to try to stop the flood of sex literature washing over West Germany.

It has already put *Fanny Hill* on the index and it obtained an injunction against the distribution of *Playboy* from a Federal court last autumn.

Indexing does not mean a legal ban, according to the chairman of the Godesberg office, Werner Jungeblodt. Rather, it means that the publications cannot be publicly displayed or sold to youths under 18 years of age.

Adults may purchase indexed periodicals and books under the counter. —NY *Times*, 14 May.

U. S. Bishops Would Kill Censorship

CHICAGO—The Catholic bishops of the United States voted on 12 April to recommend abolishing book censorship for adults.

The recommendation by the National Conference of Catholic Bishops goes to Rome for consideration and possible incorporation into the new code of canon law.

The 203 bishops in Wednesday's sessions, however, decided to keep the traditional imprimatur and the nihil obstat on doctrinal books for children and for textbooks, liturgical books and versions of the Scriptures.

They said also: "Prior approval is not required for books of theology, church history, canon law and Scripture commentaries. In the event there is dangers, a warning in a pastoral tone should be issued. This would inform people what is wrong with the book." —Detroit *Free Press*, 13 April.

Viet Assembly Demands Press Censorship Halt

SAIGON—The constituent assembly has drafted a resolution demanding the abolition of government censorship of the press.

Phan Khac Suu, the president of the assembly, said Sunday that the document would probably be presented to the ruling military junta in the next few days.

The resolution points out that freedom of the press and public assembly are guaranteed by South Vietnam's new constitution, which was drawn up by the assembly, the nation's highest elected body and went into effect on April 1.

The resolution was seen as another manifestation of the growing opposition to what appears to be a flouting of the constitution's provisions by Premier Nguyen Cao Ky. —Portland *Oregonian*, 26 June.

Psychedelic Scene Stirs OCC Campus

COSTA MESA—*The Log*, Orange Coast College's student yearbook, burned brightly in the light of controversy Thursday as the student council voted to reprint the cover and a story on the "Psychedelic Scene" it contained.

About 400 of 3,000 copies of *The Log* were in the hands of students before the administration ordered delivery stopped.

"They will be collector's items," one student commented during the Associated Students Council meeting Thursday afternoon.

The council voted to reprint the publication deleting a cover which portrays a hippie-like character playing a guitar before a bare-bosomed statue and the controversial piece of psychedelic satire, according to Nick Wassiliew, the group's president. —*LA Times*, 26 May.

Catholic U Does It Too

WASHINGTON (UPI)—Students and professors alike boycotted classes at Catholic University of America on 20 April in a protest against the firing of a liberal theologian. The walkout all but shut down the school.

Most of the school's 6,600 students and nearly all its faculty stayed away from classes in the second day of demonstrations against the dismissal of Father Charles E. Curran, 33-year-old assistant professor of moral theology, noted for his liberal views on birth control.

About 200 students, including many nuns and priests, demonstrated in front of Caldwell Hall as the time for classes to begin rolled around. They laughed and sang, although their spokesmen were not optimistic about their chances for getting the popular Curran rehired.

But on 25 April, AP reported that Father Curran had been reinstated as Associate Professor, thus honoring also a previously approved promotion. Said he:

"This has not been a revolt against authority," he told a news conference moments after the rally. "This has not been primarily a theological debate.

"The issue has been clear and simple," he added. "A contract was not renewed without charges or a hearing."

In Censorship, the Burden of Proof Is Reversed

The fear of books seems, at one time or another, to have affected most literate societies. It appears in aggravated form (bibliophobia compounded by pyromania) in the person of the book-burner. If he burns only his own books (and takes certain elementary precautions against the spread of fire) he is harmless. If he tries to persuade me to burn my books he is, at worst, annoying. But when he tries to burn my books, without my consent, he had better have some good reasons.

For book-burner read censor. The analogy holds. If he is afraid of a book, he need not read it. If he is ready for a good argument, he can try to persuade me not to read it. But when he tells me (and others) what I am and am not permitted to read, he moves into a very sensitive area. There is a heavy burden of proof on him—or should be.

I stand in reluctant admiration of the smooth way in which the censorious have brought about a reversal of this burden of proof. They have managed to get laws enacted that require the rest of us to prove that the books they want to suppress have "literary value" or "redeeming social importance" or some similar pretentiousness. Those of us who can take our books or leave them alone are compelled to defend our choices. The burden of proof has moved mysteriously, to us. . . .

It has been suggested that the paranoid personality is drawn to censorship. This is too hard, but the psychology of censorship is a curious thing. The demand for censorship does not come from persons who wish their own morals protected. Censorship, in the words of Goodwin Watson, "represents the White Soul's Burden." The censorious want to save the rest of us, not by persuasion, but by imposition. They are zealous, self-righteous missionaries in the service of a militant faith. However carefully and temperately a law is drawn its enforcement will come into their intemperate hands. They are the ones who care.

Balance aside, how qualified is the typical censor? The post of censor is not likely to attract the individual with the kind of literary training and ability that will make it possible for him to judge books in the proper context. . . .

But even if he is balanced and qualified the censor can be expected to abuse his office. The function of a censor is, after all, to censor. He has a professional interest in finding things to suppress.

—JOHN MERRYMAN, professor of law at Stanford University, in the quarterly *Stanford Today*. —As quoted by the *National Observer*, 17 April.

'The Mahout' Dismounts

The Mahout, University of Alabama campus humor magazine, has been suspended from further publication and distribution of the current issue has also ceased.

These actions were announced today by the chairman of the board of publications, Dean of Men John L. Blackburn.

The Mahout did not publish last February. On March 18 the boards of publication severely reprimanded the editor, Eugene Lee Warren, for the publication of obscene language and set a hearing for further investigation, according to Larry McGeehee, director of university relations.

On April 14 the editor assured the board that the April issue would be "clean" and appropriate to the campus. He admitted that the March issue had been in bad taste, McGeehee said.

"The April issue, in the opinion of the board chairman, did not meet the standards of quality and good taste fixed by the board. For that reason the publication has been suspended. The editorial staff has been dissolved and the most recent issue has been withheld from publication," McGeehee said.

Dean Blackburn stated: "The board has tried for a number of years to upgrade the quality of the campus magazine. A board sub-committee is now exploring the proper nature and future of the campus magazine in light of this suspension." —*Montgomery Journal*, 3 May.

Censorship by Printer I

BUFFALO, N.Y. (AP)—Readers of this week's issue of the State University at Buffalo student newspaper are confronted with 2½ blank pages, the result of printers' refusal to reproduce material they considered obscene.

A spokesman for Partner's Press of suburban Kenmore said the company and its employees were outraged by the language in a two-page poem and an editorial.

The newspaper, the *Spectrum*, has been charged by the Student Senate with financial mismanagement. Its editors also have been criticized by Governor Nelson A. Rockefeller's office and some local officials for a music review that allegedly contained some obscenities. —Eugene *Register Guard*, 17 April.

Censorship by Printer II

GRINNELL, IOWA—Student editors of the 1967 Grinnell College yearbook decided to produce something different.

They did.

What emerged after months of effort was a photo-essay of undergraduate life featuring marijuana parties and sex.

The printers took a quick look, shuddered and mailed it right back to Grinnell. They told the college they would publish only if they received a hard and fast release from any legal responsibility. The book, suggested the printers, was a "major departure from what is normally found in a college yearbook."

Grinnell's attorney, John F. Bierman, read the layout and was appalled. He said he counted at least 30 instances of libel. And that's all he'd say on that subject.

Glen Leggett, president of the college, returned the material to Wilhelm. The co-editor locked it in a safe deposit box until he could decide what to do next.

Last Friday the staff of the Grinnell student newspaper resigned in protest against what it described as "censorship" and "an admission by the administration that it doesn't have the ability to deal with vigorous, controversial publications." —Eugene *Register-Guard*, 26 May.

Scopes Revisited

One day after the Tennessee House of Representatives voted (58-27) to repeal the state's anti-evolution law, Jacksboro high school teacher Gary L. Scott was fired for teaching evolution, according to AP Dispatches published on 15 April. Precisely what he did say in class remains in doubt, but seems to stem in part from garbled reporting by pupils of statements like this: "Many things in the Bible were explained in the form of parables, and some of those things cannot be taken literally." An appeal with the help of the East Tennessee CLU is in prospect.

On 20 April the Senate killed the bill, and passed a substitute allowing teaching of evolution, but not as fact.

And on 10 May, faced with a threat of federal court action, the Campbell County board of education voted (7-1) to reinstate Gary Scott.

Landmark (?) California Decision

A jury in San Jose Municipal Court's longest ever case on 29 April found book store owner Robert Daly guilty of seven counts of selling obscene materials.

The panel of seven women and five men acquitted Daly on seven other counts and was unable to reach a decision on two more.

Municipal Judge Edward J. Nelson set May 16 for a probation report and sentencing for Daly, 30.

'Green Light'

Prosecutor Alfred Fabris said the "district attorney's office was elated" at the verdict. "This gives us a green light to prosecute smut coming into Santa Clara County."

Defense Attorney Ramsey Fifield, noting that the 16 county-indictment had been split down the middle—seven yes and seven no and two undecided — said, "I don't know any more about what is obscene in San Jose than I did seven weeks ago."

The jury was out 44 hours and 10 minutes, the longest deliberation in Northern California municipal court history.

Judge Nelson told the jurors he was proud to know them and, "I've never before had a jury of your caliber. Your decision is going to have quite an impact throughout California. People in Sacramento and throughout the state have been watching this case closely. You should be proud."

Eleven of the 16 indictments covered paperback books which the prosecution alleged were obscene. Seven of these were so adjudged by the jury; the other four were not. All 11 were read to the jurors.

On June 29 Daly was sentenced to one year in jail, fined \$1100, and placed on three years probation by Municipal Court Judge Edward J. Nelson, who ruled that the fine and jail sentence would be stayed until 1 December, pending appeal. Daly's "future conduct" in complying with conditions of probation will have "some bearing" on whether the sentence is made effective on 1 December. Judge Nelson denied defense motions for a directed acquittal, a finding that the books are not obscene as a matter of law, and a new trial. Daly will be tried again on 16 October on two charges on which the first jury was unable to agree, involving a paper book *Sex Slash*, and a magazine called *Urban Nudist*.—LCM.

Censorship in Troy (Ala.)

The Troy State College student newspaper, *Tropopolitan*, was distributed on campus Friday with a square of white space labeled "censored" occupying the spot intended for an editorial supporting the academic freedom views of University of Alabama President Dr. Frank Rose.

Earlier, there had been some question about distribution of the paper. Editor Gary Dickey said he attempted to pick up the papers for distribution but was told he could not have them. He said the space allotted for the editorial was blank except for a headline reading "Lament for Dr. Rose." In the blank space, Dickey said, was the word: "censored."

Contacted by telephone Friday night, Troy State President Dr. Ralph Adams said the papers were distributed "as usual" Friday. He said the decision to censor the editorial was reached by him, student adviser Wallace Waites and the college publication board. Asked for comment on the decision, Dr. Adams said:

"I feel that, generally, the editor of a paper should not criticize its owner. The *Tropolitan* enjoys more freedom of the press than many other papers in the country. The only restriction is that an editor or writer should not criticize the owner. Many papers have rules other than that. At Troy State, writer and editors have had wide freedom to criticize professors, school policy, activities and most any other subject or person. But I do feel they should not criticize the owner."

Dr. Adams said that by owner, he meant the legislature and the college board of trustees. —*Montgomery Advertiser*, 8 April.

II

A Troy State College official ruled Wednesday that the campus newspaper could not publish two student editorials written for the Friday edition. Both dealt with Troy President Ralph Adams' recent censorship of another student editorial.

One, entitled "An Open Petition," was another calling for freedom of the press at the college. "There is no rational argument that can be advanced for an abridgement of this basic freedom, regardless of the fact that Troy State College is a state supported school," it said.

In the other banned editorial, author Gary Dickey wrote, "I maintain that if the state owns *The Tropolitan* and if the state can control the thoughts that go into the paper, it begins to sound very un-American. As history will testify, one of the first rules of a dictatorship is to silence the press."

Dickey said the paper's faculty advisor, Wallace Waites, disqualified his editorial because it "might be considered libelous." He said Waites gave no other reason for disallowing the editorial. —*Montgomery Advertiser*, 20 April.

Censorship Tiff Stirs Russians

MOSCOW (AP)—A group of 79 Soviet writers have demanded an open debate in the Kremlin-controlled National Writers Congress on literary censorship charges raised by author Alexander I. Solzhenitsyn, informed Soviet sources say.

Solzhenitsyn, author of the novel *One Day in the Life of Ivan Denisovich*, charged in a letter circulated privately that secret police have confiscated his manuscripts and prevented him from publishing.

The sources said Thursday night that some of the most famous names in Soviet literature submitted a four-page petition to leaders of the congress in Moscow last month demanding debate on Solzhenitsyn's charges.

Solzhenitsyn said he would have raised the issues himself at the congress had he been given an opportunity to speak. He demanded that the organization begin defending authors attacked by Communist Party and government cultural authorities. —*Portland Oregonian*, 11 June.

Ginsberg Nude Pushes Vanguard

PORTLAND (AP) — Two front page photographs, including a picture of poet Allen Ginsberg naked from the groin up, led to the suspension late Thursday of the Portland State College student newspaper, the *Vanguard*.

College President Branford P. Millar ordered suspension of publication.

"My reaction is utter dismay," said Editor Bill Weissert, who led the newspaper staff on a strike earlier this year because of conflicts with the administration.

"This action not only makes it clear the president has little respect for a free college press, but that he has even less respect for the judgment of his faculty."

Millar, in a letter to Weissert, said the *Vanguard* has been suspended until further notice "and that all copies of Friday's issue which have already been printed have been ordered to be destroyed or impounded."

The picture of Ginsberg was taken by Richard Avedon and has also appeared in other college newspapers.

Ginsberg commented Wednesday, "I resent President Millar calling the picture vulgar, because it's a picture of me and I don't consider myself vulgar." —*Oregon Daily Emerald*, 26 May.

Off Campus

The editor of Portland State College's suspended campus newspaper told *The Oregonian* Sunday he and his staff will produce an off-campus publication, to be on the stands Wednesday.

Bill Weissert, editor of the student newspaper suspended last week by PSC President Branford P. Millar, said enough advertising has been scheduled to carry this week's issue without any additional support.

Millar suspended publication of the *Vanguard* because of two front-page photographs, including a nude picture of poet Allen Ginsberg and a girl in theater tights bending over a garbage can. —*Portland Oregonian*, 29 May.

Redlands U Suspends 23

REDLANDS, California (CPS)—Violation of a speaker ban has caused the suspension of 23 student leaders at the University of Redlands.

The Redlands students, including Student Body President Donald Stillman, will not be allowed to return to school until May 16 under the action taken by Dean of Students James D. Paisley with the approval of University President George H. Armacost.

Suspension of the students came after they had banded together as the "student ad hoc committee for an open speaker policy" to sponsor a debate on the Viet Nam war between Redlands honor student David Kramer and Berkeley activist Bettina Aptheker, an admitted Communist Party member.

Kramer was among those suspended for "open and deliberate disregard of the university speaker policy." The policy, set by the school's board of trustees, states that "it is not in the best interests of the university and of the country to give Communists a forum in which to speak." —*Oregon Daily Emerald*, 18 April.

Slightly?

The use of J. D. Salinger's *The Catcher in the Rye* has been restricted slightly by the Denver School Board, which specified that teachers who object to it don't have to use it and pupils whose parents object don't have to read it.—ACLU *Feature Press Service*, 12 June.

Here's a Pot Calling . . .

Heaven protect us from our protectors.

The State Gaming Control Board has denied a book publisher the right to invest in a Nevada casino on the grounds his publishing firm issues books that can give the gaming industry a bad image.

Publisher Lyle Stuart has never been charged by legally constituted authorities responsible for administering the laws on pornographic literature nor has he ever been cited by postal authorities with sending obscene matter through the mails.

In other words, Mr. Stuart is guiltless of any charge the gaming control board now makes against him solely on the basis of a personal judgment by gaming members without reading the books or knowing what they contain.

And if Mr. Stuart is free of blame how can the board, who has no authority in this field, make the charge? Since when are people engaged in the gaming industry more moral or law abiding than men who publish books? . . .

If censorship could be entrusted to the wisest, most incorruptible man in the world, there might be possibility of effective administration. But, has there ever been a political appointee with such qualifications?

Censorship could be the most ideal method of insuring good morals, clean habits and wholesome living, but unfortunately, it has to be administered by a human being. . . .

And for the benefit of the Gaming Control Board, all the books published by Mr. Stuart do not have racy titles. We use one of his standard reference works called *The Great Quotations*, which contains learned treatises on the words of great men, as well as the words themselves.

But the board didn't give him any points for contributing to knowledge but preferred to fault him for publishing books on a subject which no one yet has succeeded in making unpopular with the masses. . . .

William Shakespeare would be met at the state line by an armed posse in some areas. There's a scene in *Othello* which disqualifies him and *The Rape of Lucrece* is certainly cause for inclusion in the gaming industry's Black Book.

We don't want our gambling control agencies to set themselves up above other men. Judges are elected and censors are appointed and even they with great care.

We might agree that people who come here to gamble should only be subjected to sweet thoughts, purity and be shielded from sexual lures.

But if we are going to take away their reading matter, we'd better seal their ears with wax.

You can hear some pretty rough things along the Strip. —Hank Greenspun in front-page editorial in *The Las Vegas (Nevada) Sun*, April 7, '67. —As quoted in *AB*, 24 April.

'The Devils'

I was first amazed and then irritated to read in *The Times* (May 1) that a local group of churchwomen has demanded a censorship board to pass on productions at The Music Center. The immediate cause of the ladies' indignation was the current Mark Taper Forum production of *The Devils*, which they claim is "lewd, sordid, obscene and pornographic" and "derides and defames religion." Ladies, did we see the same play? My friends and I thoroughly enjoyed this excellent presentation. The performance was warmly applauded and, to my knowledge, no one walked out in disgust. I can only wonder at anyone labeling it lewd, sordid and the rest. Undoubtedly, the play was accused of defaming religion due to the 'Catholic' church's participation in the torture and burning of the protagonist, Father Grandier. But completely overwhelming these scenes (which after all do have their basis in fact—there was an Inquisition and a Joan of Arc) was the triumph of Father Grandier's faith during his ordeal. How on earth do these ladies have the audacity to demand that anyone should decide which plays the adults of Los Angeles should or should not see? Ladies, attend the plays that you like and live your lives in peace as you see fit. And let us do the same. Preserve us from censorship!

WILLIAM S. HANEY
Los Angeles

In reply to Lillian M. Murphy's letter in the April 30 Calendar, perhaps she has forgotten another basic human right, that of choice. If she—or anyone—goes to the theater expecting to be offended, she has the right not to buy a ticket. Many Catholics of my acquaintance find that rather than being an anti-religious play *The Devils* is a very religious one. But then they have seen the play. Has Lillian Murphy?

DONALD M. GELWICK
Los Angeles

—*LA Times*, 14 May.

Ky Reduces Censorship

SAIGON (AP)—South Vietnam's military government is ending political censorship Thursday, two weeks before official start of the presidential campaign.

Premier Nguyen Cao Ky said he would sign a decree abolishing the much-criticized censorship Wednesday night. The decree will not affect military censorship imposed for reasons of national security. How long it would be in force was not disclosed.

The military government had promised more than a month ago to end political censorship. Ky said the decree has been on his desk three days.—*Portland Oregonian*, 20 July.

Look Who's Censoring Whom— And for Why!

LONG BEACH—Censorship, in its most immediate and incisive form, became an issue at the United Republicans of California convention Saturday, after UROC's board of governors ordered the deletion of two pages from a book sold outside the meeting hall.

Numerous copies of the 60-page pamphlet were sold during the day, after the final two pages had been slashed out with a razor blade.

Ironically, the censored publication itself was a critical study of another book which has generated major controversy in California, the 8th grade American history text *Land of the Free*.

The pamphlet on sale here, by Ford Sammis, is titled *The Story Behind the "Land of the Free."* It takes issue with the textbook's version of American history, particularly in the area of civil rights and Negro affairs.

The authors of *Land of the Free*, John W. Caughey, John Hope Franklin and Ernest May also are accused of softness toward communism.

Sammis is a Pasadena economist and consultant, who formerly taught at Claremont Men's College, USC, and the University of California.

In the final two pages of the Sammis' pamphlet State Superintendent of Public Instruction Max Rafferty, originally a hostile critic of *Land of the Free*, has softened his views considerably and is now praising the book in revised form.

Rafferty is quoted as saying, "I almost singlehandedly succeeded in getting this book (*Land of the Free*) so extensively changed. The book is 500 per cent better than a year ago, largely due to my efforts."

Sammis says Rafferty's actions "raise questions as to his sincerity in demanding drastic and sweeping revision to remove slanting on the book's treatment of liberalism, patriotism and Negroes."

The UROC board of governors decided that these unflattering allusions to the state superintendent of public instruction should not be given distribution in the convention hall. Rafferty is widely supported among delegates as a prospective 1968 candidate for U.S. Senate.

Sammis was therefore told that he could sell his book only if the final two pages were removed. Paradoxically, UROC did not censor other material earlier in the book, similarly assailing Rafferty.

Acknowledging his unhappiness about UROC's censorship, Sammis nevertheless complied with it. He said he was interested in getting as much of his pamphlet as possible into the delegate's hands.

He admitted that the censorship of his publication was paralleled in some respects by the revision which *Land of the Free* itself has undergone, at the hands of Rafferty and other critical educators.

Sammis drew a distinction, however, in that *Land of the Free* is a textbook purchased with tax funds for school children to read, while his critique is voluntarily purchased by each reader. —San José Mercury, 7 May.

C-Note

A bookseller from Tyler, Texas, on dirty books: "I tell the customer, 'This is a book filled with sex and I don't recommend it for that reason,' and she says, 'Wrap it up. I'll pay cash. I don't want my husband to see it on the statement.'" —Jerome Beatty—SR, 8 July.

Three Guilty in S. F. Obscene Book Trial

SAN FRANCISCO (AP)—Three persons were found guilty of intent to sell obscene matter—a poem called *The Love Book*.

The jury of 10 women and two men deliberated more than 10 hours before returning its verdict after the longest trial in San Francisco Municipal Court history. The misdemeanor case took five weeks.

First the jury concluded that the slim volume by Leonore Kandel was obscene and then it decided the three book clerks knew it was obscene when they sold it.

Convicted were Jay Thelin, owner of the Psychedelic Shop in the hippie Haight-Ashbury District; Alan Cohen, a clerk in the shop, and Ronald Musalski, a clerk for City Lights Book Store in San Francisco's North Beach section.

The defense, assisted by the American Civil Liberties Union, called clergymen, college professors and even a minister's wife as witnesses in an attempt to prove the poem was not obscene by community standards.

Jury foreman Edward N. Johnston said after the verdict, in the courtroom of Judge Lawrence Mana that not one of the jurors thought at any time that the poem had any redeeming social importance. —Santa Ana Register, 28 May.

The three defendants were fined a total of \$200 and given six-month suspended sentences on 23 June. Motions for retrial or dismissal on grounds that *The Love Book* is protected by the First Amendment were denied. Pending appeal to a higher court, San Francisco police announced they would make no further arrests for selling *The Love Book*.—LCM.

My Secret Life

Armed with a search warrant issued after consultation with the state's attorney's office, four Rock Island police officers this morning seized 279 copies of alleged obscene paperback books at the Readmore Book World, 2115 4th Ave.

The books, including seven volumes of *My Secret Life*, are being held as evidence by the state's attorney's office.

While no arrests had been made, the state's attorney's office has issued a subpoena requesting Hyman M. or Aleck M. Andich, brothers operating the establishment, to appear in circuit court Friday for a hearing on the matter.—Rock Island, Ill., Argus, 19 June.

Censorship Enforced

Censorship was in effect in parts of the Middle East Monday, but in general news copy seemed to be moving with scant limitations.

A message from the Cairo bureau of The Associated Press reported censorship invoked there. Photographs of war scenes, downed aircraft and other military aspects of the situation were banned from transmission unless approved.

Dispatches from Israel relating to military movements are always subject to censorship, although this has been relaxed in recent years.—Frederick, Md., *Post*, 6 June.

U. S. Continues Suppression of Hiroshima Film

WASHINGTON (AP) — The United States has suppressed for nearly 22 years confiscated Japanese films showing ghastly after-effects of the 1945 atomic bombing of Hiroshima, U.S. officials revealed today.

The Japanese government has asked at least twice that restrictions on the film be lifted, but the U.S. government has refused on grounds it might damage U.S.-Japanese relations, said the informants.

Called in Japan "The Film of Illusion" because it wasn't supposed to exist, the film was taken by Tokyo University scientists rushed to Hiroshima soon after the bombing, the sources said.

The officials, who declined identification, said the Japanese scientists still were at work filming in the devastated city when U.S. officials arrived in Hiroshima and confiscated the film.

But the American authorities determined to finish the documentary and used the same Japanese professional cameramen who had taken the initial footage.

For many years, officials said, U.S. policy flatly opposed any distribution of the documentary because it showed in stark and gruesome detail blast effects and the bomb's impact in a densely populated area.

But some authorities reportedly now favor letting Japan decide what if any restrictions should be imposed on the film's showing.

This appeared to leave the door open for reconsideration if Japan should renew its request for the documentary.

There was one report, not denied, that a total of 30,000 feet of film was taken by Nippon Eigasha movie company cameramen. Some 11,000 feet of this was taken under the original Japanese auspices and the remaining 19,000 feet—never displayed—was taken under U.S. auspices.

Several copies of the Hiroshima film exist, according to U.S. sources. One copy is in Japan but a hold has been placed over the portion filmed after U.S. scientists entered the project.

U.S. authorities have contended there also is a hold on the first 11,000 feet of the film. Something of a dispute arose with Japanese authorities over this issue and it still is regarded as sensitive, the sources said.—Santa Ana *Register*, 17 May.

USIA Admits Censorship by Syrian Government

The Syrian government has been allowed to censor magazines placed in the USIA's American Library in Damascus, according to an Associated Press story. The Syrian government, according to Senator Hugh Scott (R. Pa.), who brought the information to light, is anti-American and pro-Communist. This censorship, according to Senator Scott, allowing the blocking out of words and phrases found "objectionable," renders the operation of the information center "worse than useless."

USIA General Counsel Richard M. Schmidt, Jr., in a letter to the Senator, took a different view, claiming that the amount of censorship was limited and of minor importance when compared to the extensive activities of the center, which include classes in English, film showings, discussion groups, and exhibits.

Magazines and books, according to Schmidt, are not marked or pasted over by USIA staff when objectionable material is found; they are instead not shelved. "Objectionable material" includes criticism of the Soviet Union and Communist China, defenses of the U.S. position in Vietnam, and "virtually any reference to our allies Israel and Iran." These materials, he stated, are removed by USIA staff members. Magazines are submitted to Syrian government officials for review, and if only a word or phrase is blocked out by them the magazine is then placed in the library.—*LJ*, 15 May.

Current Bibliography

Cipes, Robert M. "Controlling Crime News: Sense or Censorship?" *The Atlantic*, CCXX (August, 1967), 47-53.

Gagnon, John H. and William Simon. "Pornography—Raging Menace or Paper Tiger?" *Transaction*, IV (July-August, 1967), 41-48.

Krebs, A. V., Jr. "Love in California." *Commonweal*, LXXXVI (16 June, 1967), 359-361.

Lerner, Max. "Literature vs. Trash: Where Can We Draw the Line?" *Redbook*, CXXIX (August, 1967), 61, 124-126.

Levin, Max. "The Medical Case Against Pornography." *Catholic Educator*, XXXVII (August, 1967), 124-126.

"Soviet Censors on the Defensive." *Life*, LXIII (28 July, 1967), 4.

The *Newsletter on Intellectual Freedom* is published bi-monthly by the American Library Association at the University of Oregon School of Librarianship in Eugene, 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.