

# ACLB

# Intellectual Freedom 101

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# Intellectual Freedom

The right to read, seek information, and speak freely as guaranteed by the First Amendment.

# First Amendment

*Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; abridging the freedom of speech, or of the press; of the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.*

# Freedom to RECEIVE Speech

*The dissemination of ideas can accomplish nothing if otherwise willing addressees are not free to receive and consider them. It would be a barren marketplace of ideas that had only sellers and no buyers.*

Justice William Brennan

Lamont v. Postmaster General (1965)

# Library BILL RIGHTS

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

**I** Books and other library resources should be provided for the interest, information, and **enlightenment of all people** of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.

**II** Libraries should provide materials and information **presenting all points of view** on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.

**III** Libraries should **challenge censorship** in the fulfillment of their responsibility to provide information and enlightenment.

**IV** Libraries should cooperate with all persons and groups concerned with **resisting abridgment of free expression and free access to ideas**.

**V** A person's right to use a library should not be **denied** or abridged because of origin, age, background, or views.

**VI** Libraries which make exhibit spaces and meeting rooms available to the public they serve should make such **facilities available on an equitable basis**, regardless of the beliefs or affiliations of individuals or groups requesting their use.

**VII** All people, regardless of origin, age, background, or views, possess a **right to privacy and confidentiality** in their library use. Libraries should advocate for, educate about, and protect people's privacy, safeguarding all library use data, including personally identifiable information.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; January 29, 2019.  
Inclusion of "age" reaffirmed January 23, 1996.

**ALA** American Library Association  OFFICE FOR Intellectual Freedom American Library Association

# *Freedom to Read* STATEMENT

The freedom to read is essential to our democracy.

It is continuing to be a public authority working to ensure access to reading materials, to censor or to label "controversial" views, to disseminate "objective" information, or to censor authors, publishers, or libraries. The apparently that our nation's free expression is valid; that suppression counter the national security to avoid the politics and the corruption of morals. We, as individuals devoted to reading and as librarians and publishers responsible for disseminating ideas, wish to assert the public interest in the preservation of the freedom to read.

Most attempts at suppression rest on a denial of the fundamental premise of democracy: that the ordinary individual, by exercising critical judgment, will select the good and reject the bad. We trust Americans to recognize propaganda and misinformation, and to make their own decisions about what they read and believe. We do not believe

These efforts at suppression are related to a larger

**The freedom to read is guaranteed by the Constitution. Those with faith in free people will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.**

at a time of social tension. Freedom has given the United States the elasticity to endure strain. Freedom keeps open the path of novel and creative solutions, and enables change to come by choice. Every silencing of a heresy, every enforcement of an orthodoxy, diminishes the toughness and resilience of our society and leaves it the less able to deal with controversy and difference.

Now as always in our history, reading is among our greatest freedoms. The freedom to read and write is almost the only means for making generally available ideas or manners of expression that can initially

discussion that serious thought requires, and to

into essential creative toward the range which our believe that ly guard order believe found om to to choose

People will stand firm on these constitutional guarantees of essential rights and will exercise the responsibilities that accompany these rights.



**LEADING THE WAY**  
SINCE 1875

## Intellectual Freedom Statement Against Censorship

The Connecticut Library Association (CLA) advocates and educates in defense of intellectual freedom – the rights of library users to read, speak freely, and have unrestricted access to information, as guaranteed by the First Amendment. We are committed to defending the constitutional rights of all individuals, of all ages, to use the resources and services of libraries.

# Book Ban vs Book Challenge

**A challenge** is an attempt to remove or restrict materials, based upon the objections of a person or group. Challenges do not simply involve a person expressing a point of view; rather, they are an attempt to remove material from the curriculum or library, thereby restricting the access of others.

**A banning** is the removal of those materials.

Due to the commitment of librarians, teachers, parents, students and other concerned citizens, most challenges are unsuccessful and most materials are retained in the school curriculum or library collection.



# Censorship

The suppression of ideas and information that certain persons — individuals, groups, or government officials — find objectionable or dangerous

# Sund v. City of Wichita Falls, Tex., 121 F. Supp. 2d 530 (N.D. Tex. 2000)

*Moreover, if a parent wishes to prevent her child from reading a particular book, that parent can and should accompany the child to the Library, and should not prevent all children in the community from gaining access to constitutionally protected materials. Where First Amendment rights are concerned, those seeking to restrict access to information should be forced to take affirmative steps to shield themselves from unwanted materials; the onus should not be on the general public to overcome barriers to their access to fully-protected information.*



## Case v. Unified School Dist. No. 233, 908 F. Supp. 864 (D. Kan. 1995)

*There is no basis in the record to believe that these Board members meant by "educational suitability" anything other than their own disagreement with the ideas expressed in the book. Here, the invocation of "educational suitability" does nothing to counterbalance the overwhelming evidence of viewpoint discrimination....*

*The highly irregular and erratic manner in which defendants removed Annie on My Mind from the District's libraries and their disregard of established policy and procedure are important evidence of their improper motivation. In addition, defendants did not consider or discuss less restrictive alternatives to complete removal of the book. This is also persuasive evidence of improper motivation.*

## CGS Sec. 53a-193.

Any material or performance is “obscene” if,

- (A) taken as a whole, it predominantly appeals to the prurient interest,
- (B) it depicts or describes in a patently offensive way a prohibited sexual act, and
- (C) taken as a whole, it lacks serious literary, artistic, educational, political or scientific value.

# Chapter 190 Section 11-25. Reports by libraries. Confidentiality of records.

- (a) The libraries established under the provisions of this chapter, and any free public library receiving a state appropriation, shall annually make a report to the State Library Board.
- (b) (1) Notwithstanding section 1-210, records maintained by libraries that can be used to identify any library user, or link any user to a library transaction, **regardless of format**, shall be kept confidential, except that the records may be disclosed to officers, employees and agents of the library, **as necessary for operation of the library**.
- (2) Information contained in such records shall not be released to any third party, **except (A) pursuant to a court order**, or (B) with the written permission of the library user whose personal information is contained in the records.
- (3) For purposes of this subsection, “library” includes any library regularly open to the public, whether public or private, maintained by any industrial, commercial or other group or association, or by any governmental agency, but does not include libraries maintained by schools and institutions of higher education.
- (4) No provision of this subsection shall be construed to prevent a library from publishing or making available to the public statistical reports regarding library registration and use of library materials, if such reports do not contain personally identifying information.

# Best Practices

- Trust your librarians
- Follow established library policies and procedures
  - Familiarize/update as needed
- Messaging
  - Positive, affirmative on library and community values
- Provide support to staff
  - Develop safety plan
- Stay current on local trends and legislation
- Let your readers be your leaders

# Who to Call for Reinforcements

- [CT Library Association](#) - Intellectual Freedom Committee
- [ALA Office for Intellectual Freedom](#)
- [Freedom To Read Foundation](#)
- [Unite Against Book Bans](#)
- [Comic Books Legal Defense Fund](#)
- [National Coalition Against Censorship](#)
- [PEN America](#)
- [National Council of Teachers of English](#)
- [Library Freedom Project](#)