



MICHIGAN LIBRARY ASSOCIATION

Intellectual Freedom Fact Sheet

Q: What is intellectual freedom?

A: Intellectual freedom is the right of every person to seek and receive information about any topic from multiple points of view. It includes the right to hold, receive, and share ideas and information. All people have the right to intellectual freedom, including children and teenagers.

Q: What is collection development?

A: Because libraries do not have infinite money or space, librarians have to make decisions about what materials to buy. Collection development is the process librarians use to make these decisions when they purchase materials for the library.

Libraries have policies that provide guidelines for collection development, and librarians who have a master's degree study collection development in graduate school. Collection development often involves reading reviews in professional periodicals (such as *School Library Journal*, *Booklist*, *Kirkus*, and *The Horn Book*) to assess quality.

Librarians who do collection development consider how their choices affect the intellectual freedom of their communities when they select materials.

Q: What is censorship?

A: Censorship is the suppression of ideas or information because a particular person or group of people does not like the idea in question. Censors believe that because they find a particular idea objectionable, no one should have access to information about that idea. Censors often try to use political power to enforce censorship.

Q: What is a book challenge?

A: A book challenge (or a material challenge, because not every piece of media that gets challenged is a book) is when requests or demands that one or more items in the library collection be removed from that collection.

Q: Why are materials challenged?

A: Materials are usually challenged because a person does not agree with the content or ideas the material presents, or because they believe the material is located in an age-inappropriate section of the library.

Q: Is a challenge the same as a ban?

A: No. A challenge is a request or a demand that a book be removed. It is not the act of removal itself. An example of a ban would be a book being removed from a library or a book that has been banned from being used in the classroom for any reason.

Q: Is restricting access to material better than removing it entirely?

A: No. Restriction still infringes upon the intellectual freedom rights of community members and is often done based on age. All people have the right to intellectual freedom, *including minors*. When materials are restricted, children and teenagers are being denied their rights on the basis of age.

Q: What is the impact of materials being removed or restricted?

A: The removal or restriction of materials infringes upon the intellectual freedom rights of community members. In the case of nonfiction, removal and restriction of materials makes it difficult for people to locate reliable, factual information from a variety of viewpoints on a variety of subjects. In the case of fiction or other artistic expression (such as music and film), removal and restriction makes it difficult for people to engage with a wide variety of media that may reflect their own experiences or the condition of the wider world. Curtailing this access is often the explicit goal of censors.

Q: What about sexual content?

A: When censors discover library materials that include sexual content, they often rush to claim that librarians are peddling pornography. It is important to know that pornography is *not* a legal term and has no legal criteria, which is why censors like to use it to describe everything from developmentally appropriate sex education books for children to books that include depictions or discussions of queer sexualities.

Every person has the right to moderate their own engagement with sexual content in media. Parents may guide their children's media consumption based on what they feel comfortable with, but they are responsible *only for their own children* and may not dictate what other children and adult community members can access.

Q: What is obscenity?

A: Sometimes censors cite obscenity laws in their efforts to have materials removed. Unlike pornography, obscenity *is* a legal term and is determined using a three-pronged test known as the

Miller Test (named after the 1973 Supreme Court case *Miller v. California*). In order to be classified as obscene, material must meet *all three* of the following criteria:

1. Whether the average person, applying contemporary adult community standards, finds that the matter, taken as a whole, appeals to prurient interests
2. Whether the average person, applying contemporary adult community standards, finds that the matter depicts or describes sexual conduct in a patently offensive way
3. Whether a reasonable person finds that the matter, taken as a whole, lacks serious literary, artistic, political, or scientific value.

Remember that the work must be evaluated as a whole (not based on a single scene or comic panel), and that library collection development policies exist to ensure that librarians are acquiring material that *does* have literary, artistic, political, and scientific value.

In Michigan specifically, librarians and teachers are exempt from a state law prohibiting dissemination of sexually explicit material to minors ([source](#)) because this dissemination is part of their jobs as educators and upholders of intellectual freedom.

Q: How is the First Amendment involved?

A: The First Amendment guarantees freedom of expression, including freedom of speech and freedom of the press, both of which are vital to a citizen's ability to exercise their intellectual freedom. In the case of public schools, the Supreme Court ruled in the 1982 case *Island Trees School District v. Pico* that public school library books cannot be removed or restricted based on their content, because such a removal would be a violation of the First Amendment rights of students.

Further resources:

[American Library Association Intellectual Freedom and Censorship Q & A](#)

[Intellectual Freedom information guide from Wayne State University](#)

[What are Obscenity Laws?](#) by Kelly Jensen (Jensen's censorship coverage at BookRiot has been consistently thorough and excellent.)

[Island Trees School District v. Pico at Oyez.org](#)

*Special thanks to MLA Intellectual Freedom Task Force member,
Mary Grahame Hunter for compiling these answers.*