



## STAFF REPORT ACTION REQUIRED

### Trends in Intellectual Freedom Challenges

**Date:** December 5, 2022

**To:** Toronto Public Library Board

**From:** City Librarian

#### **SUMMARY**

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The purpose of this report is to provide the Library Board with information about recent trends in intellectual freedom challenges in North America, and to request Board reaffirmation of the Canadian Federation of Library Associations' (CFLA) *Statement on Intellectual Freedom and Libraries* (Attachment 1), and endorsement of the Urban Library Council's (ULC) *Declaration of Democracy* (Attachment 2).

Intellectual freedom is a fundamental principle and core value for public libraries, which means:

- Supporting and facilitating the free exchange of information and ideas in a democratic society, and
- Respecting each individual's rights to privacy and choice.

Libraries have been a democratizing force in the modern world. Democracy is preserved by making available the widest possible range of viewpoints, opinions and ideas, including those that some consider unacceptable, unconventional or unpopular, provided of course, that these expressions are not violating any laws.

In the past year, there has been a significant increase in intellectual freedom challenges, particularly in the United States. While the number of challenges in Toronto is relatively low, there are some disturbing trends emerging in Canada which reflect the broader discourse in society that contests the rights of equity-deserving groups. In view of these challenges, the Library Board is being asked to reaffirm its endorsement of the CFLA's *Statement on Intellectual Freedom and Libraries* and ULC's *Declaration of Democracy*.

## **RECOMMENDATIONS**

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**The City Librarian recommends that the Toronto Public Library Board:**

1. reaffirm its endorsement of CFLA's *Statement on Intellectual Freedom*;
2. endorse ULC's *Declaration of Democracy*

## **FINANCIAL IMPACT**

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There is no financial impact beyond what has already been approved in the current year's budget.

The Director, Finance & Treasurer has reviewed this financial impact statement and agrees with it.

## **ALIGNMENT WITH STRATEGIC PLAN**

The Library Board's endorsement of the CFLA and ULC statements advances TPL's strategic priority of providing the vital ingredients for a democratic society as well as the role of the public library in contributing to a free and just democratic society.

## **EQUITY IMPACT STATEMENT**

The Library Board's endorsement of the CFLA and ULC statements commits the Library to the democratic principle of intellectual freedom as well as to the principles of equity and inclusion.

## DECISION HISTORY

At its meeting on June 27, 2016, the Library Board endorsed the Canadian Library Associations' *Statement on Intellectual Freedom and Libraries* as part of its approval of the report: [Materials Selection Policy – 2016 Revisions](#).

## ISSUE BACKGROUND

Intellectual freedom is a fundamental principle and core value for public libraries. Libraries have been a democratizing force in the modern world promoting literacy and a literate population, free and open access to a diversity of information and ideas, supporting intellectual freedom, lifelong learning, preserving the past and protecting personal privacy.

At Toronto Public Library (TPL), intellectual freedom means supporting and facilitating the free exchange of information and ideas in a democratic society, and respecting each individual's rights to privacy and choice. Democracy is preserved by making available the widest possible range of viewpoints, opinions and ideas, including those, which some consider unacceptable, unconventional or unpopular, provided of course, these expressions are not violating any laws.

In the past year, there has been a significant increase in intellectual freedom challenges, particularly in the United States. While the number challenges in Toronto is relatively low, there are some disturbing trends emerging in Canada, which reflect the broader discourse in society that contests the rights of equity-deserving groups. In view of these challenges, the Library Board is being asked to reaffirm its endorsement of the CFLA's *Statement on Intellectual Freedom and Libraries* and ULC's *Declaration of Democracy*.

CFLA first approved its statement in 1974 (as the Canadian Library Association – CLA) and recently updated it in 2019. The Library Board previously endorsed the statement in 2016. The CFLA statement is similar to the American Library Association (ALA) [Library Bill of Rights](#) and the International Federation of Library Associations and Institutions' (IFLA) [IFLA Statement on Libraries and Intellectual Freedom](#). The ULC *Declaration of Democracy* was recently distributed to member libraries with a request that library systems across North America endorse it.

CFLA has tracked material and policy challenges at libraries across Canada over the past 16 years. This information has been used to support the policy and advocacy work of library associations and local libraries. CFLA estimates that for every report made

voluntarily, approximately four are unreported. TPL annually reports Intellectual Freedom Challenges to the Board, which includes program, event and collection challenges from customers.

## COMMENTS

This trend report provides a synopsis of reports from the United States and Canada related to intellectual freedom challenges at libraries.

### Challenges in the United States

As of September 2022, 681 challenges to 1,651 titles had been reported to ALA in 2022, compared to the record setting 729 challenges to 1,597 titles in 2021 and 377 in 2019,<sup>1</sup> this despite the fact that 70% of American voters across party lines oppose book bans.<sup>2</sup> According to ALA, the challenges reported in 2021, represented the highest number of attempted book bans since the list began more than 20 years ago.

Challenges to titles include a disproportionate targeting of books by or about people who are part of the 2SLGBTQ+ community, as well as a disproportionate targeting of books by or about others whose identities and stories have been underrepresented such as Black, Indigenous and people of colour. These challenges have been extended to programs and events where there is sometimes threatening and hostile opposition to programs such as Drag Queen Story Times.

In addition, some governing bodies have introduced and passed orders to censor content at local libraries, including lists targeting particular book titles. While most libraries have guidelines and follow best practices related to intellectual freedom challenges, news reports indicate that at times these are being ignored by local authorities.

In response, there has been an outcry from the library community about these censorship efforts:

"Libraries represent values that are core to democracy. Trained and certified librarians and library workers provide services and collections that inform, engage, illuminate and help people of all ages learn more about the world around them.

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<sup>1</sup> <https://www.publishersweekly.com/pw/by-topic/industry-news/libraries/article/90348-on-eve-of-banned-books-week-2022-ala-says-challenges-are-rising.html>

<sup>2</sup> <https://americanlibrariesmagazine.org/blogs/the-scoop/book-bans-a-focus-of-state-of-americas-libraries-2022-report/>

Libraries across the country are addressing the effects of historical inequality and systemic racism on library users, especially people of color and those who belong to historically marginalized and minority communities. Library professionals are dedicated to developing collections that allow every person to see themselves in library resources and provide a means to build understanding among all users." — ALA President Patty Wong in the New York Times<sup>3</sup>

Challenges have become increasingly hostile, with threats to library staff, library directors resigning or losing their jobs, efforts to defund library systems and erode the authority of library boards, and instances of police reports filed against librarians over books they have on the shelves. Deborah Caldwell-Stone, Director at the ALA Office for Intellectual Freedom states, "This is a dangerous time for readers and the public servants who provide access to reading materials. Readers, and particularly students, are losing access to critical information, and librarians and teachers are under attack for doing their jobs."

Libraries and their municipalities are responding with initiatives designed to protect against the erosion of intellectual freedom:

- Chicago Public Library (CPL) has launched a "Book Sanctuary" initiative and invited individuals and libraries to join by starting their own sanctuary. The initiative draws attention to challenged titles, and protects the right to read them by ensuring they are accessible to library customers for browsing and borrowing.
- Austin Public Library (APL) introduced a program called "Banned Camp" where teens are invited to be part of the conversation by coming together to read and discuss books that have been banned or challenged.
- Brooklyn Public Library (BPL) launched its "Books UnBanned" initiative as a way to stand against censorship and the growing number of book bans in schools and public libraries. BPL has issued more than 5,000 free electronic library cards to teens across the United States. Since then, an estimated 18,000 e-books or audiobooks have been borrowed every month by teens across the country, which includes no holds access to a selection of frequently challenged books.

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<sup>3</sup> <https://www.nytimes.com/2022/03/06/opinion/letters/libraries-book-banning.html>

## Challenges in Canada

In 2021, CFLA received over 70 challenges, a number not reported this high in Canada since 2012. At TPL, six intellectual freedom challenges were received in 2021 and so far in 2022. The two main trends in the collection challenges received were objections to Indigenous depiction and race based content.

Libraries are facing these challenges on a wide range of issues, and not just with physical books and other collection materials, which is historically where libraries have faced the most challenges, but also with programs, e-content, internet access, room bookings and exhibits.

In particular, there are increasing demands to cancel programs in an effort to shut down discussion about topics, issues and speakers that some find offensive. Demands to cancel Drag Queen Story times or to cancel programs on topics such as drug use or populist political movements are examples of such challenges.

A number of efforts are underway in Canada to support intellectual freedom. The Centre For Free Expression (CFE) at the Toronto Metropolitan University has launched an Intellectual Freedom Challenges Database. This publicly accessible database includes the challenge, the suggested resolution and the library's response. Starting with public libraries, the database will expand to school, academic and government libraries in the future. CFE is also collaborating with the Canadian Urban Libraries Council (CULC) on the development of a training program for library staff.

## TPL's Plans

TPL stands with other libraries to defend the freedom to read and offer collections, programs and services that reflect the full breath of intellectual freedom. In 2023, TPL is introducing major initiatives to promote and defend intellectual freedom with advocacy, programming and partnerships. Further details will be announced in advance of Freedom to Read Week in February.

## CONCLUSION

There has been a significant increase in intellectual freedom challenges throughout North America. These censorship efforts take many forms, and challenges have targeted books, programs and other events. Library leaders and their allies are standing up and speaking out to protect intellectual freedom and ensure the voices of marginalized and equity-deserving communities are not shut down.

TPL's core value of intellectual freedom guarantees and facilitates the free exchange of information and ideas in a democratic society, protecting intellectual freedom and respecting individuals' rights to privacy and choice. TPL is committed to being a vital democratic institution that advocates and provides a platform for intellectual freedom and freedom of expression, and space for discussion, debate and civic engagement. TPL facilitates and defends access to information to ensure everyone has equal and unfettered access to information in all its forms. The library will continue to take a leadership role in protecting and defending intellectual freedom.

Banning collections, programs and services does not erase the reality and experiences of community members; rather, it creates an environment void of discussion, debate and civic engagement. Social change is only possible when the free exchange of ideas, critical discussion and debate are protected.

## CONTACT

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## SIGNATURE

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Vickery Bowles  
City Librarian

## ATTACHMENTS

- Attachment 1: CFLA Statement on Intellectual Freedom and Libraries
- Attachment 2: ULC Declaration of Democracy
- Attachment 3: ALA Office for Intellectual Freedom Flyer



## Canadian Federation of Library Associations

### Statement on Intellectual Freedom and Libraries

Approval History: ~ CLA: June 27, 1974. Amended November 17, 1983; November 18, 1985; September 27, 2015. CFLA-FCAB: Adopted August 26, 2016; Reviewed April 12, 2019.

The Canadian Federation of Library Associations recognizes and values the Canadian Charter of Rights and Freedoms as the guarantor of the fundamental freedoms in Canada of conscience and religion; of thought, belief, opinion, and expression; of peaceful assembly; and of association.

The Canadian Federation of Library Associations supports and promotes the universal principles of intellectual freedom as defined in the Universal Declaration of Human Rights, which include the interlocking freedoms to hold opinions and to seek, receive and impart information and ideas through any media and regardless of frontiers.

In accordance with these principles, the Canadian Federation of Library Associations affirms that all persons in Canada have a fundamental right, subject only to the Constitution and the law, to have access to the full range of knowledge, imagination, ideas, and opinion, and to express their thoughts publicly. Only the courts may abridge free expression rights in Canada.

The Canadian Federation of Library Associations affirms further that libraries have a core responsibility to support, defend and promote the universal principles of intellectual freedom and privacy.

The Canadian Federation of Library Associations holds that libraries are a key institution in Canada for rendering expressive content accessible and affordable to all. Libraries are essential gateways for all persons living in Canada to advance themselves through literacy, lifelong learning, social engagement, and cultural enrichment.

Libraries have a core responsibility to safeguard and facilitate access to constitutionally protected expressions of knowledge, imagination, ideas, and opinion, including those which some individuals and groups consider unconventional, unpopular or unacceptable. To this end, in accordance with their mandates and professional values and standards, libraries provide, defend and promote equitable access to the widest possible variety of expressive content and resist calls for censorship and the adoption of systems that deny or restrict access to resources.

Libraries have a core responsibility to safeguard and foster free expression and the right to safe and welcoming places and conditions. To this end, libraries make available their public spaces and services to individuals and groups without discrimination.

Libraries have a core responsibility to safeguard and defend privacy in the individual's pursuit of expressive content. To this end, libraries protect the identities and activities of library users except when required by the courts to cede them.

Furthermore, in accordance with established library policies, procedures and due process, libraries resist efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Library employees, volunteers and employers as well as library governing entities have a core responsibility to uphold the principles of intellectual freedom in the performance of their respective library roles.

You can find CFLA-FCAB's Position on Third Party Use of Publicly Funded Library Meetings Rooms and Facilities: An Interpretation of the Canadian Federation of Library Associations' Statement on Intellectual Freedom and Libraries here: [http://cfla-fcab.ca/wp-content/uploads/2019/03/CFLA-FCAB\\_statement\\_meeting\\_rooms.pdf](http://cfla-fcab.ca/wp-content/uploads/2019/03/CFLA-FCAB_statement_meeting_rooms.pdf)

# ULC Declaration of Democracy

Public libraries are critical cornerstones of democracy, and democracy's future is diminished when people's access to power, information, a diversity of voices and the ability to influence policy are restricted. The battle to protect democracy is a global struggle playing out at the local level and libraries have landed on the front lines. Democracy can only thrive with strong community level support and engagement. As leaders of North America's urban public libraries, we must commit to preserving, protecting and advancing the highest hopes and ideals of democracy so all members of our communities may fully participate in the democratic process.

This declaration for ULC members provides a baseline for building policies and actions that preserve and protect democracy in our communities. The declaration reads as follows:

Democracy is under siege throughout the world and close to home. Daily, we witness assaults on basic freedoms and human rights we've long cherished as books are banned, programs and events are canceled, disinformation and misinformation spread unchecked and racism is institutionalized. Democracy's future is diminished when people's access to power, information, a diversity of voices and the ability to influence policy are restricted. As cornerstones of democracy, it is incumbent upon libraries to stand up against all efforts to impede the democratic process and limit the full participation in civic life.

Banning books through policy and legislation is one such example of the challenges facing us. These efforts have unfortunately met with success in some parts of the United States as lawmakers codify restrictions on reading material – and we strongly stand against the furtherance of such restrictive policymaking.

As leaders of North America's public libraries, we are committed to preserving, protecting and advancing the highest hopes and ideals of democracy so all members of our communities may fully participate in the democratic process. To meaningfully participate in society, people need access to a broad range of information and ideas, as well as opportunities for open, uncensored discourse to hear, read, debate and learn from each other's perspectives.

It is for this reason that libraries as trusted institutions in their communities join to advance this Declaration and commit to the following:

- Educating and informing the public about the rights afforded to them in the *United States Constitution* and the *Canadian Charter of Rights and Freedoms*, among them the freedom of religion, thought, speech, expression, belief, the press, peaceful assembly and association.<sup>1</sup>
- Encouraging an active citizenry where all are engaged in creating an equitable and just society where everyone may realize their potential as individuals within the community.

- Serving as a convener for and facilitator of civic engagement and civil discourse, where all voices may be heard and respect is displayed for community members' diverse opinions, thoughts, histories and cultural heritage.
- Increasing efforts to fight misinformation and disinformation, providing reliable resources and seeking new ways to help patrons find verifiable and accurate information.
- Leveraging programming, collections and other resources to promote human dignity, open dialogue and respect for diverse viewpoints, civil rights, and all other protections and freedoms fundamental to democracies, and based on the conviction that "laws and institutions must go hand in hand with the progress of the human mind"<sup>2</sup>, holding fast to the expectation that "the arc of the moral universe is long, but it bends toward justice"<sup>3</sup>, and that "*the Just Society will be one in which the rights of minorities will be safe from the whims of intolerant majorities.*"<sup>4</sup>

We resolve to continue to create spaces where entering our doors is an act of participating in democracy, where people can read and learn freely from all points of view, make up their own minds and engage in their communities. We stand as proud leaders of libraries, and as such, we will continue to guard democracy's great promise and ensure all those we serve are included in its fulfillment.

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<sup>1</sup> See *First Amendment in the United States Constitution and Section 2 in the Canadian Charter of Rights and Freedoms.*

<sup>2</sup> Thomas Jefferson, from a letter to Samuel Kercheval, July 12, 1816, enshrined on Southeast Portico of the Jefferson Memorial, Washington, D.C.

<sup>3</sup> Martin Luther King, Jr., Washington National Cathedral, March 31, 1968, enshrined on South Wall of the Martin Luther King, Jr. Memorial, Washington, D.C.

<sup>4</sup> Pierre Elliott Trudeau, as cited in *The Essential Trudeau*, ed. Ron Graham. (pp.16 – 20).

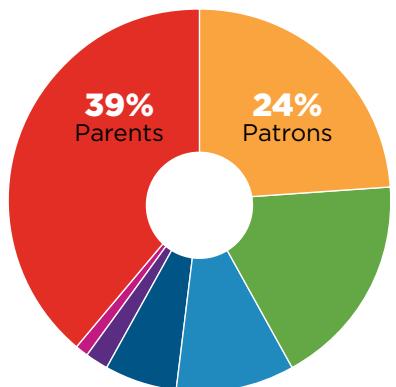
# CENSORSHIP

## BY THE NUMBERS

Books unite us. They reach across boundaries and build connections between readers. Censorship, on the other hand, divides us and creates barriers. In 2021, 1,597 books were affected by censorship attempts. [Learn more at ala.org/bbooks.](http://ala.org/bbooks)

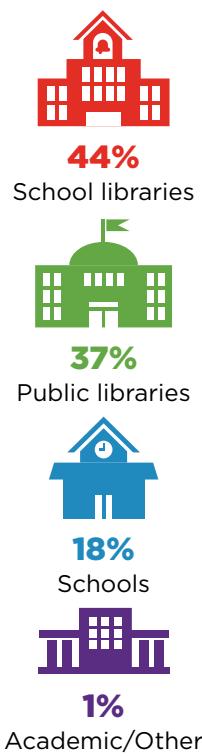


### WHO INITIATES CHALLENGES?



Statistics based on 715 responses

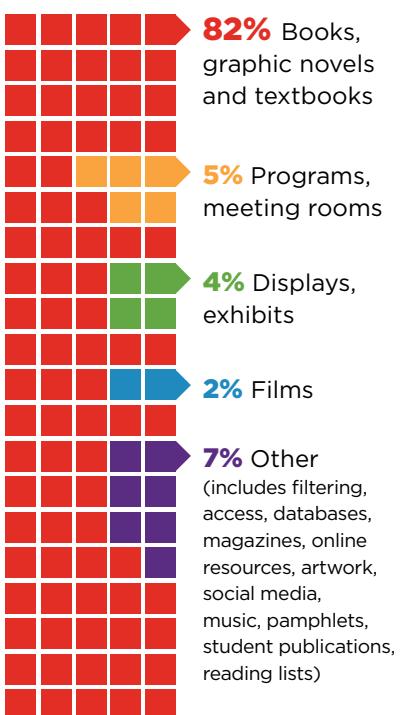
### WHERE DO CHALLENGES TAKE PLACE?



Statistics based on 729 responses

### BOOKS AND BEYOND

The ALA's Office for Intellectual Freedom tracked **729 challenges** in 2021. Here's the breakdown:



### REASONS FOR CHALLENGES



Each word and phrase in this graphic is cited from 2021 censorship reports

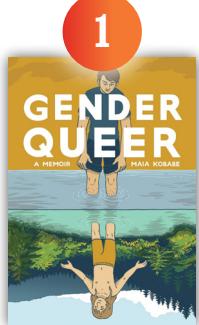
CENSORSHIP  
STATISTICS  
COMPILED BY:

OFFICE FOR  
Intellectual Freedom  
American Library Association



# TOP 10 MOST CHALLENGED BOOKS OF 2021

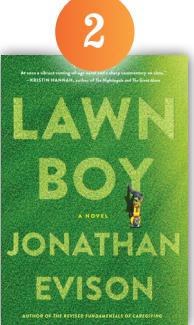
The American Library Association tracked 729 challenges to library, school, and university materials and services in 2021. Of the 1,597 individual books that were challenged or banned in 2021, here are the top 10 most challenged:



## Gender Queer

By Maia Kobabe

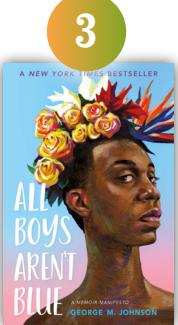
**REASONS:** Banned, challenged, and restricted for LGBTQIA+ content and because it was considered to have sexually explicit images



## Lawn Boy

By Jonathan Evison

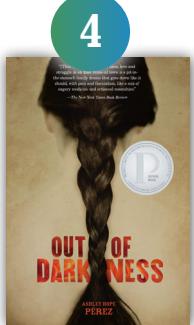
**REASONS:** Banned and challenged for LGBTQIA+ content and because it was considered to be sexually explicit



## All Boys Aren't Blue

By George M. Johnson

**REASONS:** Banned and challenged for LGBTQIA+ content, profanity, and because it was considered to be sexually explicit



## Out of Darkness

By Ashley Hope Perez

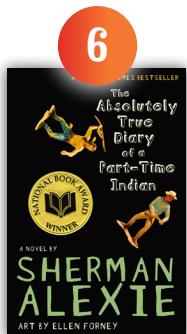
**REASONS:** Banned, challenged, and restricted for depictions of abuse and because it was considered to be sexually explicit



## The Hate U Give

By Angie Thomas

**REASONS:** Banned and challenged for profanity, violence, and it was thought to promote an anti-police message and indoctrination of a social agenda



## The Absolutely True Diary of a Part-Time Indian

By Sherman Alexie

**REASONS:** Banned and challenged for profanity, sexual references, and use of a derogatory term



## Me and Earl and the Dying Girl

By Jesse Andrews

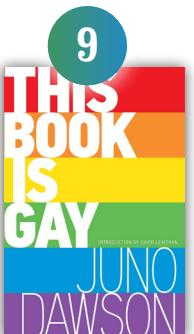
**REASONS:** Banned and challenged because it was considered sexually explicit and degrading to women



## The Bluest Eye

By Toni Morrison

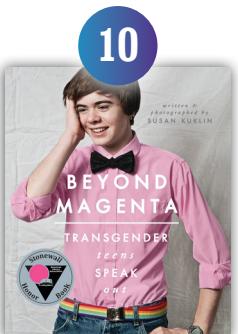
**REASONS:** Banned and challenged because it depicts child sexual abuse and was considered sexually explicit



## This Book is Gay

By Juno Dawson

**REASONS:** Banned, challenged, relocated, and restricted for providing sexual education and LGBTQIA+ content



## Beyond Magenta

By Susan Kuklin

**REASONS:** Banned and challenged for LGBTQIA+ content and because it was considered to be sexually explicit



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