



STAFF REPORT INFORMATION ONLY

Trends in Intellectual Freedom Challenges - 2024

Date: May 27, 2024
To: Toronto Public Library Board
From: City Librarian

SUMMARY

The purpose of this report is to provide the Toronto Public Library Board with information about recent trends in intellectual freedom challenges in North America. 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 2023, intellectual freedom challenges continued their upward trend from previous years, particularly in the United States. In Toronto, the number of challenges remains low; however, there is a growing trend emerging in Canada which reflects a broader discourse in society that contests the rights of equity-deserving groups.

In response, Toronto Public Library (TPL), along with other libraries throughout North America, has undertaken numerous initiatives to protect, defend and promote the freedom to read and freedom of expression through the breadth and diversity of its collections and services, and also through a number of advocacy and education initiatives.

FINANCIAL IMPACT

This report has no financial impact beyond what has 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

TPL works to provide universal access to knowledge, ideas and opinions that represent and amplify the voices of the communities it serves and meet the changing needs of Torontonians. This 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

By defending and intentionally embedding the practice of intellectual freedom in its work, TPL continues to ensure spaces, collections, and services reach, engage and reflect equity-deserving groups. This helps them express and amplify their voices. It also helps to advocate for and actively break down barriers to information, information literacy and platforms for expression.

DECISION HISTORY

At its June 26, 2000 meeting the Library Board endorsed the Canadian Library Association's Position Statement on Intellectual Freedom as part of its approval of the Materials Selection Policy.

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

At its December 5, 2022 meeting the Library Board approved the report, [Trends in Intellectual Freedom Challenges](#), and reaffirmed its commitment to the Canadian Federation of Library Association's (CFLA) Statement on Intellectual Freedom and endorsed the Urban Library Council's Declaration of Democracy.

At its December 5, 2022 meeting the Library Board approved the report [Intellectual Freedom and Equity Statements](#), as two mutually reinforcing statements that recognize TPL's role in supporting these foundational principles.

At its January 23, 2023 meeting the Library Board approved the updated [Materials Selection Policy](#), which includes the Intellectual Freedom Statement, and an updated version of the Ontario Library Association's Statement on Intellectual Rights of the Individual.

At its June 19, 2023 meeting the Library Board approved the [Request for Reconsideration and Administrative Updates](#) for the Programming and Library Space for Art Exhibits policies, which includes the Intellectual Freedom Statement and incorporates the request for reconsideration process.

At its September 18, 2023 meeting the Library Board approved the revised [Community and Event Space Rental Policy](#), which includes the Intellectual Freedom Statement and incorporates the request for reconsideration process.

At its March 24, 2024 meeting the Library Board received the [Intellectual Freedom Challenges – 2023 Annual Report](#).

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 diverse information and ideas, supporting intellectual freedom, lifelong learning, preserving the past and protecting personal privacy.

At TPL, intellectual freedom means supporting and facilitating the free exchange of information and ideas in a democratic society and respecting each individual's right 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.

This trends report uses American data provided by the American Library Association (ALA) from their *State of America's Libraries 2024*¹ report, and Canadian trends from the Centre for Free Expression's library challenges database related to intellectual freedom challenges at public libraries.

ALA has collected reports of intellectual freedom challenges from American libraries since 1967. In Canada, CFLA has tracked material and policy challenges at libraries across Canada over the past 16 years. The new Centre for Free Expression (CFE) and CFLA Intellectual Freedom Challenges Database provides a publicly accessible database including 26 years of public library challenges, the suggested resolutions and the library's response. Starting with public libraries, the database will expand to school, academic and government libraries in the future. This information has also 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.

¹ https://live-alaorg.pantheonsite.io/sites/default/files/2024-04/state-of-americas-libraries-report-2024-accessible-web-version_0.pdf

COMMENTS

In 2023, intellectual freedom challenges continued their upward trend from previous years, particularly in the United States. In Toronto, the number of challenges remains low; however, there is a growing trend emerging in Canada which reflects a broader discourse in society that contests the rights of equity-deserving groups.

Challenges in the United States

Data from ALA's *State of America's Libraries 2024*² reveals a growing trend of challenges to intellectual freedom by organized groups attempting to censor library materials and services from library users:

- From 2000-2020 the total number of title challenges reported to ALA was 3,637. In stark contrast, in 2023 alone, a new record of 4,240 titles were reported to ALA, up from the previous year's record-setting number of challenges of 2,571, and 1,597 in 2021. This is despite the fact that 70% of American voters across party lines oppose book bans.
- 93.4% of the challenges in 2023 reported to ALA were part of an attempt to censor multiple titles. So, while the total number of challenges of 1,247 was down 1.7% from the previous year, the total number of title challenges increased by 31.4%.
- 32% of challenges were directed at public libraries in America, and half of those were from lists on websites that disproportionately target books by or about people who are part of the 2SLGBTQ+ community, as well as others whose identities and stories have been underrepresented such as Black, Indigenous and people of colour.

Another growing trend reported by ALA is the increased politicization of intellectual freedom and book banning, with 151 state legislative bills introduced to allow the prosecution of librarians, limit library funding and

² https://live-alaorg.pantheonsite.io/sites/default/files/2024-04/state-of-americas-libraries-report-2024-accessible-web-version_0.pdf

restrict content for younger readers. These bills are often couched in parental rights and/or are based on the belief that access to varying viewpoints harms readers.

Advocacy Efforts in the United States

A new advocacy campaign from the ALA, [Unite Against Book Bans](#), is a national initiative “to empower readers everywhere to stand together in the fight against censorship.” Among its initiatives are activities and tools that organize and encourage local voters to support moderate candidates committed to the right to read.

The Federal Education Administration has also added a Deputy Assistant Secretary in the Office for Civil Rights to focus on literacy and book bans, and court judgements are supporting those fighting unconstitutional limits of First and Fourth Amendment rights across the country.

“The public library is not to be mistaken for simply an arm of the state. By virtue of its mission to provide the citizenry with access to a wide array of information, viewpoints and content, the public library is decidedly not the state's creature; it is the people's. It is the purpose of the First Amendment to preserve an uninhibited marketplace of ideas in which truth will ultimately prevail...It is the right of the public to receive suitable access to social, political, esthetic, moral and other ideas and experiences which is crucial here.” - Judge Arther Brooks, Memorandum Opinion and Order, Fayetteville Public Library, et al. V. Crawford County, Arkansas, July 29, 2023 Case Number 5:23-cv-05086

A social media highlight in the US for 2023 came in July from former President Obama’s support of public libraries. In an [open letter](#) to librarians, Obama reminded everyone that that the impulse to “silence, rather than engage, rebut, learn from or seek to understand views that don’t fit our own...is profoundly misguided...” and that libraries should continue to be committed to allowing us all to “freely read and consider information and ideas, and decide for ourselves which ones we agree with.” This letter was followed by social media appearances at libraries across the US.

Brooklyn Public Library was joined by Los Angeles County, San Diego, Seattle and New York Public libraries to provide [Unbanned Book](#) access to readers across the US. And the [Digital Public Library of America](#) (DPLA) has also provided free access to banned titles to communities affected by book bans. This access has been provided through Palace, a free app which includes titles in the public domain, as well as titles from subscribing libraries.

Challenges in Canada

In the last two years, CFLA received 331 challenges, compared to 305 challenges from the previous six years. At TPL, seven intellectual freedom challenges were received in 2023 as reported in its [Intellectual Freedom Challenges – 2023 Annual Report](#).

Libraries in Canada continue to face challenges on a wide range of issues, and not just to physical books and other collection materials (historically where libraries have faced the most challenges). These other challenges include to programs, e-content, internet access, room bookings and exhibits.

As was the case in 2022, 2023 continued to see 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 populist political movements are examples of such challenges. Calgary Public Library in particular [faced disruptive and escalating protests](#) to its drag queen story time programs, an occurrence not uncommon to other libraries in North America.

The [Manitoba Library Association](#) condemned calls for censorship, defunding of public libraries, and harassment of library workers in relation to growing challenges in that province.

Advocacy Efforts in Canada

Several efforts are underway in Canada to promote and defend intellectual freedom. CFE has collaborated with the Canadian Urban Libraries Council (CULC) on the development of a training program for library staff, to be rolled

out at public libraries across Canada. CULC is also exploring a national program to support the recognition of mis- and dis-information.

Intellectual Freedom is also being covered regularly in the Canadian media including a Globe and Mail [opinion piece](#); a Toronto Star [opinion piece](#) about Intellectual Freedom at TPL, and [an open letter](#) on the need for civility.

Intellectual Freedom at TPL

TPL stands with other libraries to promote and defend the freedom to read and freedom of expression through the breadth and diversity of its collections and services, and also through a number of advocacy and education initiatives. In 2023, these efforts included joining the [Book Sanctuary](#), and launching the [What's at Stake](#) advocacy campaign and programming series.

System-wide, library staff lead intellectual freedom programming and advocacy initiatives including:

National public streamed and live events

- Two national events designed specifically for North American library staff, discussing intellectual freedom issues and challenges for libraries. These were followed by live public events. The first was with [Richard Ovenden](#), and the second was with then-ALA president [Tracie D. Hall](#), one of Time 100's most influential people of 2023.
- Participation in the Giller Power Panel on [censorship](#).
- Participation on a Freedom to Read [panel](#) hosted by CFE.
- Co-sponsorship of [CFE](#) programming focusing on intellectual freedom.

Advocacy leadership

- A City Librarian's Innovation Challenge to staff with a focus on democracy in action.
- A Role of the Librarian professional development day centred around the Library's strategic focus on democracy.
- Supporting other public libraries with their intellectual freedom challenges and policy development.

- Acknowledgement of the value of TPL’s Intellectual Freedom and Equity Statements in an extensive blog post on [Policies for Convivencia](#).

Policy updates

- Updating of policies to include Intellectual Freedom and Equity statements as well as a Request for Reconsideration process.

Conference presentations

- A [keynote](#) on intellectual freedom at the ALA 2023 conference.
- [Presentations](#) about the Statements at the International Federation of Library Association Metropolitan Libraries Conference.
- Presentations of the [Statements](#) and [What’s at Stake](#) campaign at the Ontario Library Association conference.

Programs, parades and displays

- TPL Pride [Parade](#) presence featuring the theme of intellectual freedom.
- Hosting an intellectual freedom-inspired [art installation](#).

CONCLUSION

Increases in intellectual freedom challenges, conversations and protests throughout North America have continued in 2023. Efforts to challenge and censor content takes many forms and requests have targeted books, programs and other events. Libraries 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.

Discussion, debate and civic engagement are supported by collections, programs, spaces and services that reflect the reality and experiences of community members.

CONTACT

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SIGNATURE

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ATTACHMENTS

Attachment 1: 2023 Top 10 Challenged Titles from ALA

TOP 10 MOST CHALLENGED BOOKS OF 2023

The American Library Association documented **1,247 attempts to censor** materials and services at libraries, schools, and universities in 2023. Of the **4,240 unique titles** that were challenged or banned in 2023, here are the top 10 most frequently challenged.



1



GENDER QUEER

by Maia Kobabe

REASONS: LGBTQIA+ content, claimed to be sexually explicit

2

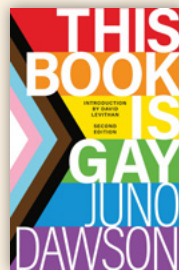


ALL BOYS AREN'T BLUE

by George M. Johnson

REASONS: LGBTQIA+ content, claimed to be sexually explicit

3



THIS BOOK IS GAY

by Juno Dawson

REASONS: LGBTQIA+ content, sex education, claimed to be sexually explicit

4

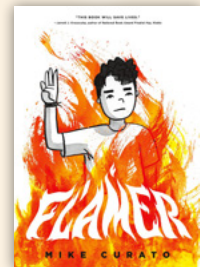


THE PERKS OF BEING A WALLFLOWER

by Stephen Chbosky

REASONS: claimed to be sexually explicit, LGBTQIA+ content, rape, drugs, profanity

5



FLAMER

by Mike Curato

REASONS: LGBTQIA+ content, claimed to be sexually explicit

6

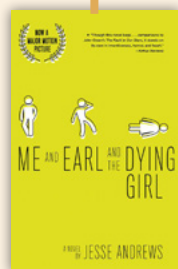


THE BLUEST EYE

by Toni Morrison

REASONS: rape, incest, claimed to be sexually explicit, EDI content

7/8



ME AND EARL AND THE DYING GIRL

by Jesse Andrews

REASONS: claimed to be sexually explicit, profanity

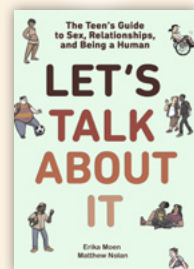


TRICKS

by Ellen Hopkins

REASONS: claimed to be sexually explicit, drugs, rape, LGBTQIA+ content

9



LET'S TALK ABOUT IT

by Erika Moen and Matthew Nolan

REASONS: claimed to be sexually explicit, sex education, LGBTQIA+ content

10



SOLD

by Patricia McCormick

REASONS: claimed to be sexually explicit, rape



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Intellectual Freedom
American Library Association