The fight against censorship is not over. The New York City Board of Education renewed its school library ban against The Nation this year. Birmingham continues to ban the use of Senior Scholastic. The Building America textbook series has ceased publication and no longer will be distributed anywhere in America due to the successful smear campaign initiated by the Sons of the American Revolution in California three years ago. This same group instigated the nationwide textbook inquiry which was launched by the House Un-American Activities Committee this spring. The security of librarians and other public employees is threatened by Maryland's Subversive Activities Act, the Ober bill. Two censorship bills were proposed recently by the New Hampshire State Legislature, and despite vigorous protests of alert librarians and other citizens one bill was passed. These are some of the important developments which have commanded our attention in recent months.

At the June 2nd meeting of the New York City Board of Education, the American Library Association was represented by David K. Berninghausen protesting the banning of The Nation from New York City's school libraries. In his statement he explained that "American librarians believe that it is the peculiar function of libraries as communications agencies to provide the most complete information possible"... "It is conceivable that we shall have to change this philosophy. But we will resist any radical change so long as possible. Whenever any individual or group acts in such a way that a path to knowledge is closed, American librarians must protest... the American Library Association will continue to protest the ban on The Nation so long as it continues to prevent freedom of inquiry."

The New York Herald Tribune stated editorially on June 5th:

"The Board of Education, which has yet to approve the continued ban, was informed on Thursday's public hearing that 'The Nation' was being prohibited for 1949-50 because it has published advertisements of atheistic and anti-Catholic books. The Blanshard articles, one is to believe, are no longer cause of discipline. But the aversion to 'The Nation' persists; it is still suspect. The school authorities have been reinforced by the recent ruling of Dr. Francis T. Spealding, State Commissioner of Education, that they have 'complete discretion'. The result is that the controversy has boiled far beyond its original bounds. We now have a determined censorship in operation. No newspaper or magazine is exempt. This is repression, and the worst part is that the school authorities consider their word beyond appeal."

Under Maryland's new Subversive Activities Act procedures will be established to ascertain whether any public employee or official is
subversive. In the event reasonable grounds exist to believe a person is
subversive, the law states, he or she shall not be appointed or employed.
When this phrase "reasonable grounds" is used, the inference is that
absolute proof of disloyalty is not necessary for the dismissal of a
librarian or other public employee. Mrs. Marion Hayes, Chairman of the
Maryland Intellectual Freedom Committee and a member of the national A.L.A.
committee, and Emerson Greenaway, Chairman of the Maryland Library Associa-
tion’s Legislative Committee, joined other interested organizations in an
unsuccessful attempt to modify this bill.

Although passed by the Maryland legislature this Maryland law was
challenged as unconstitutional in its first court test by Judge Joseph
Sherbow on August 15. Maryland Attorney General Hall Hammond also de-
clared the law invalid. It is now pending appeal to the Maryland Court of
Appeals. But the passing of such a law by state legislators makes
it clear that attempts at intimidation of educators are still being made,
and that the fight against suppression of ideas must be continued.

Several other states have enacted similar legislation. The responsi-
bility of libraries to support the education of all citizens on all subjects
is agreed upon by most librarians. The culture of America, like that of
England, has been built upon the intellectual efforts of individuals bold
enough to think for themselves. To cow and intimidate educators by warn-
ing them that they may be dismissed upon the theory of guilt by association,
malicious gossip, or hearsay evidence, which is implied in the phrase
"reasonable grounds to believe that any person is subversive," is to weaken
our democratic life by putting a premium on conformity. Mediocrity will
be the only employables in a society which no longer requires proof of dis-
loyalty but dismisses civil servants upon "reasonable grounds."

There is no state intellectual freedom committee in New Hampshire but,
Mrs. Mildred Peterson McKay, the State Librarian, played a leading role last
spring in stirring up opposition to two dangerous state censorship bills,
thus drawing editorial criticism upon herself. One was passed, and one was
defeated.

Novelists James Cain and Erskine Caldwell, whose respective titles,
"Serenade" and "God's Little Acres", were on trial in Massachusetts on
obscenity charges, won a complete victory in a decision announced May 2nd.
The Massachusetts law has been changed so that charges are brought against
the book itself rather than the bookseller. In the Philadelphia Court of
Quarter Sessions similar charges were dismissed last March against certain
Philadelphia booksellers who were the victims of arbitrary police raids a
year ago. The decision probably will be appealed. Delivered by Judge Curtis
Bok, this 53-page decision which was reported briefly in Publishers' Weekly
for April 2nd, may have an important bearing upon the future censorship cases.
In both the Massachusetts and Philadelphia cases the Committee in Intellectual
Freedom assisted the attorney in the fight against censorship.

Recently, a number of schools and colleges throughout the nation were
requested to submit a list of their textbooks to the House Un-American
Activities Committee after the Sons of the American Revolution, backed by
the California legislature, filed a "bill of grievances" with the Committee stating that some of the textbooks being used in our schools contain subversive propaganda. This action met with widespread opposition since it was viewed as a threat to academic freedom. On June 21st the newspapers announced that the House Un-American Activities Committee appeared ready to file and forget the petition that it investigate school textbooks for Communist propaganda. Three members of that Committee condemned the proposed investigation and said the inquiry was started without their knowledge or approval.

In the past year the California State Committee on Intellectual Freedom helped to defeat several dangerous bills in the California legislature. In California too, the bold plan to create a board of censors for the Los Angeles County Library was blocked early this year through the efforts of Supervisor John Anson Ford, the California Committee on Intellectual Freedom, the A.L.A. Committee on Intellectual Freedom, the League of Women Voters and an aroused citizenry. The A.L.A. Committee on Intellectual Freedom has made no public statement about this inquiry, but I take this opportunity to remind librarians that the instigators of this attempt at thought control were those same Sons of the American Revolution who killed Building America.

The Southwestern Library Association passed a resolution in November, 1948, reaffirming their steadfast belief in freedom of expression, freedom of acquisition for library collections, and freedom of access to libraries by all people, because these are irreducible factors of a free society.

The possible threat to intellectual freedom inherent in the Smith Act has been studied by the Committee on Intellectual Freedom. Columnist Heptisax writes in the New York Herald Tribune of December 26, 1948, that under the Smith Act any librarian who hands out a copy of the Communist Manifesto could be jailed. The Smith Act is a federal law that makes it

"unlawful for any person with the intent to cause the overthrow of any government in the United States, to print, publish, edit, issue, circulate, sell, distribute, or publicly display any written or printed matter advocating, advising, or teaching the duty, necessity, desirability, or propriety of overthrowing or destroying any government in the United States by force or violence."

The Committee on Intellectual Freedom feels that this law will probably never be literally interpreted, but its mere existence is intimidating, and its potential abuse can be most harmful to American society.