

## January 2020 Tuesday Topic: Booksellers, The First Amendment, and Controversial Texts

Welcome to Tuesday Topics, a monthly series covering topics with intellectual freedom implications for libraries of all types. Each message is prepared by a member of OLA's Intellectual Freedom Committee or a guest writer. Questions can be directed to the author of the topic or to the IFC Committee.



Intellectual  
Freedom  
Committee

Oregon Library Association

### Booksellers, the First Amendment, and Controversial Texts

In the wake of the January 6th [attack on the US Capitol](#), at least two booksellers have either elected to remove titles related to white supremacist violence from sale, or been pressed to do so by concerned citizens.

[Amazon.com has removed \*The Turner Diaries\* from its store](#), along with [merchandise associated with the group QAnon](#), citing violation of its terms of service. *The Turner Diaries*, which was published in 1978 by William Luther Pierce under the pseudonym Andrew Macdonald, depicts a fictional coup in the US conducted by an underground group of white supremacists. It has been cited as a foundational text by modern racist and white nationalist groups, most famously [in relation to the 1995 bombing of the Federal building in Oklahoma City](#).

The availability of Andy Ngo's forthcoming book, *Unmasked: Inside Antifa's Radical Plan to Destroy Democracy*, on the Powell's Books website was the [subject of protests](#) in Portland during the week following the Capitol attack, as well. Powell's has chosen to continue to sell the book through its online store, but will not carry physical copies of the books on its shelves. In an [open letter published on the Powell's website](#), President and owner Emily Powell cited the bookstore's continued support of freedom of speech and public discourse in the decision to retain the title. The free speech advocacy organization PEN American has [released a statement](#) in support of Powell's, but has not commented on Amazon's decision.

Bookstores, along with publishing companies and social media platforms, are private companies. This means that they are not subject to the same First Amendment strictures as governmental agencies, and are free to make business decisions regarding the types of materials they carry and the type of speech they support. There is no constitutional right to have one's book available on Amazon.

Libraries, however, should be attentive to controversies such as these, as they may prompt similar challenges to library materials -- or, conversely, prompt greater interest and demand from the public. This is a good time to review collection development policies, as well as policies and procedures regarding materials challenges.

Beyond the First Amendment, situations such as these also offer an opportunity to examine issues of intellectual freedom in balance with libraries' responsibility toward the communities we serve. In light of this, the Intellectual Freedom Committee would like to welcome you all to an engagement opportunity on the topic of Intellectual Freedom: Current Events and Their Impacts on Intellectual Freedom (a three part series).

These meetings are intended to be facilitated discussions around recent events and related issues, including political extremes, cancel culture, privatize vs. public entities and how each of these have an impact on Intellectual Freedom, First Amendment Rights, and access to information for all.

Examples of the types of discussion we hope to have include:

- What it means when a private institution decides to not allow certain content. Examples include private bookstores and their choice of materials for sale and social media platforms and whom they give voice to.
- What are the lines and limits to First Amendment Rights?
- What is hate speech and what does that mean for libraries?
- How can libraries protect Intellectual Freedom while also upholding Anti-racism and EDI doctrines within their institutions?

The intention of our meeting/brainstorming session is to give voice to these topics and to create a safe space to discuss these challenges openly with others. Our hope is to offer the opportunity to connect with colleagues and cohorts across the State and to learn from one another's experiences. Please plan to bring your own ideas, to engage, and to participate in these discussions. This is a true open call for interaction with others, and is not intended to be an information session but rather a discussion to share our perspectives.

The meeting dates and times are:

Location: Zoom

Date: Wednesday, February 3rd

Time: 12:00 – 1:00

Location: Zoom

Date: Wednesday, March 3rd

Time: 12:00 – 1:00

Location: Zoom

Date: Wednesday, April 7th

Time: 12:00 – 1:00

To sign up to join these discussions, please use this linked form:

<https://docs.google.com/.../1FAIpQLSf4C7k.../viewform...>

OIFC will have some facilitated discussion questions to help prompt discussions but please also bring your ideas, thoughts, and intentions to participate.

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