

KIDS, KNOW YOUR RIGHTS!

A Young Person's Guide to Intellectual Freedom

What Is Intellectual Freedom?

Intellectual Freedom is part of what you are doing right now as you read this pamphlet. It is a protection of your rights to read, to listen, to write, and to speak your beliefs and opinions. It protects what you communicate and what others communicate to you. Intellectual Freedom happens in public—the things you say or see or hear outside of your home, and it happens in private—the things you say or see or hear inside your home. Intellectual Freedom includes the information you learn from books, magazines, web sites, movies, television shows, radio programs, or songs.



The American Library Association believes that Intellectual Freedom is a natural right that every human being on this planet is born with, and that we should be able to see, read, or hear all sides of an issue before we decide what is the best thing for us to do. If we are not allowed to have all the information, how would we make educated decisions in our lives or influence others to make educated decisions? How can democracy, which is a form of government where all people are heard, work if all the people cannot express themselves and talk to one another to make informed choices? *These are questions we want you to consider as you read this brochure.*

Created by the Intellectual Freedom Committee 2005-2007, Association for Library Service to Children, a Division of the American Library Association.
Designed by Amanda O'Brien, Skokie Public Library, IL.

The First Amendment

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

Challenges to the First Amendment

Libraries have a special responsibility to uphold the First Amendment. The library does this by owning and circulating materials that express all sorts of opinions, for all sorts of interests and for many different information needs. Sometimes a person or a group may not like the content of some of these library materials. They may demand that materials be removed from the library or that circulation of materials be restricted to a particular population (i.e., adults only) because they don't want everyone else to be able to read or see them. This is called a challenge.

When people make challenges, they may be asked to fill out a form and write down exactly what they don't like about the material. The challenge is then usually given to a committee of librarians to study. Since libraries are obliged to defend the First Amendment, the library committee must decide if the challenge has merit or is an attempt at censorship. Censorship is a very serious issue for libraries because it reduces everyone's First Amendment rights protected by the United States Constitution.

In the United States Constitution, it is the First Amendment that preserves our right to Intellectual Freedom. The First Amendment is part of a document called the Bill of Rights, which was added by a group of citizens to the United States Constitution in 1791 because they feared that the Constitution did not address the rights of individuals to live their lives free from unnecessary government interference.

The Bill of Rights was different from other documents about rights. Before the Bill of Rights was written, governments had usually told people what their rights and freedoms were. Our Founding Fathers did not like this, and so they flipped the idea around. Instead, the Bill of Rights said that the citizens would be free to tell the government what it could and could not do. Sometimes, even today, the government will try to reduce our freedoms, and so a citizen or a group of citizens must remind the government officials that our freedoms are protected by the Bill of Rights. These government officials may include the President, legislators, governors, mayors, and even school officials, like the school board and the principal. When citizens believe that the government is denying them their intellectual freedoms of speech, religion, press, assembly, and petition, the citizens can take the government to court and use the words from the First Amendment to prove that the government has violated their rights.



"Libraries have a special responsibility to uphold the First Amendment... Censorship is a very serious issue for libraries because it reduces everyone's First Amendment rights."



Fighting Censorship: Defending Intellectual Freedom and Defending Your Right to Read

The First Amendment guarantees you the right to think your own thoughts, speak your own opinions, and read and write what you want. Because you are a student and under age 18, you may think you have no rights, but that is not so. Of course, you may not lie to hurt someone, or send threatening messages, or yell “fire” in a movie theater for fun. Actions of this sort are not protected by the First Amendment. They are wrong, and may get you into serious trouble.

You do have the right to tell people what you honestly think about something. You have the right to share your ideas, and to read about the ideas or stories of others. Adults sometimes forget that you have these rights, especially when it comes to what you want to read. If a book you like is removed from the school or public library because someone does not think a young person should read it, you have the right to argue against this decision. You should talk to your parents about how you feel, and they may be very supportive about you talking to the librarian, or to the principal, or even to the school board at one of its meetings. You might even write up a petition to reinstate the book, have other students sign the petition, and then present it to the principal, the school board, or the board of the public library. If nothing is done, you can even call the local newspaper to talk to a reporter about it. Newspapers are very concerned about issues of censorship. You can make a big difference!

What Is Meant by Privacy and Confidentiality?

Imagine that you put a sign on your bedroom door with the words “Private! Keep Out!” You use this sign because you do not want someone like your mother or little brother bothering you as you read your favorite book, play your video games, or listen to your new CD.

In other words, you want your privacy as you enjoy a book that your mother might find silly or play a video game that might be too scary for your little brother. Everyone should have some privacy at home, but the degree of privacy will depend on what your parents think is best for you.

In the library, privacy means that no one but the library employee knows the names of the books, movies, music, or other items that you borrow from the library. The library must keep confidential the materials that you check out and may not share with anyone the titles or any personal information about you —such as your name, address, or telephone number. In some states, though, the library may be required to share this information with your parents if they have the proper identification that shows they are your legal guardians. Sometimes the government will ask librarians to share confidential information about you if you are suspected of participating in illegal activities. Should the librarians be served with official papers, they will be required by law to share your records with the government.



Respecting the Opinions of Others

An opinion is a belief in something. Everyone has the right to have any opinion on any topic. Sharing different opinions with others leads to new ideas. The freedom to speak your opinion is protected by the Constitution, and the freedom to learn from someone else’s opinion is a privilege you should protect. When you listen to others’ opinions, you may change your mind, or you may believe in your own opinion even more. It is impossible to know everything, and most things we learn come from someone else. Always feel free to speak and always be willing to listen. If you respect and support other people’s rights to share their ideas and beliefs, they will in turn respect and support your rights. One of the greatest gifts we can give is to listen and to appreciate each other’s differences. Freedom of Speech is both a great freedom and a great responsibility.

Suggested Titles for Further Reading

Nonfiction



A Kid's Guide to America's Bill of Rights: Curfews, Censorship, and the 100-pound Giant by Kathleen Krull; illustrated by Anna Divito. New York: Avon Books, 1999. Examines the 10 amendments that make up the Bill of Rights, what they mean, how they have been applied, and the rights they guarantee. (Grades 5-8)

In Defense of Liberty: The Story of America's Bill of Rights by Russell Freedman. New York: Holiday House, 2003. Describes the origins, applications of, and challenges to the 10 amendments to the United States Constitution that comprise the Bill of Rights. (Grades 6-8)

The Right to Free Speech by Claudia Isler. New York: Rosen, 2001. Provides information about freedom of speech and discusses the application of the First Amendment in cases of sedition, protest, obscenity, hate speech, and symbolic speech. Includes a copy of the Bill of Rights. (Grades 6 up)

The Starting Point: Young Journalists and the Law by Mark Goodman and Mike Hiestand. Arlington, VA: Newspaper Association of America Foundation in Partnership with the Student Press Law Center, 2003. In clear language, educates student journalists about all aspects of their legal responsibilities. (Grades 7 up)

Fiction

The Book Thief by Markus Zusak. New York: Knopf, 2006. A young girl living in Nazi Germany discovers the joy of reading and develops such a love for books that she steals them from Nazi book burnings. (Grades 7 up)

Dancing in Red Shoes Will Kill You by Dorian Cirrone. New York: HarperCollins, 2005. Sixteen-year-old Kayla, a ballet dancer, and her artist sister are both helped and hindered by classmates as they confront sexism, conformity, and censorship at their high school for the arts while still managing to maintain their senses of humor. (Grades 7 up)

The Day They Came to Arrest the Book: A Novel by Nat Hentoff. New York: Delacorte Press, 1982. Students and faculty at a high school become embroiled in a censorship case over *The Adventures of Huckleberry Finn* by Mark Twain. (Grades 7 up)

Hard Time by Julian F. Thompson. New York: Atheneum Books for Young Readers, 2003. When a district attorney who is eager to make an example of a teenaged offender misinterprets an essay written by fifteen-year-old Annie Ireland, she and her friends are sent to jail. (Grades 7 up)

The Landry News by Andrew Clements; illustrated by Salvatore Murdocca. New York: Simon & Schuster Books for Young Readers, 1999. A fifth-grader starts a newspaper with an editorial that prompts her burnt-out classroom teacher to really begin teaching again, but he is later threatened with disciplinary action when he allows a very personal story on divorce to be printed. (Grades 4-6)

The Last Safe Place on Earth by Richard Peck. New York: Bantam Doubleday Dell Books for Young Readers, 1995. Fifteen-year-old Todd sees his perfect suburban world start to unravel when his little sister is influenced by a member of a sect. (Grades 7 up)

The Loud Silence of Francine Green by Karen Cushman. New York: Clarion Books, 2006. Set during the McCarthy era, Francine's life is greatly changed when outspoken Sophie Bowman transfers into her class. When Sophie and her father fall under suspicion for spying, Francine learns about "free speech and improving the world and not being so afraid of trouble." (Grades 6-8)

Memoirs of a Bookbat by Kathryn Lasky. San Diego: Harcourt Brace, 1996. Fourteen-year-old Harper, an avid reader of fantasy who must hide her books from her parents, comes to realize that their promotion of censorship threatens her freedom to make her own choices. (Grades 5-8)

Places I Never Meant to Be: Original Stories by Censored Writers edited by Judy Blume. New York: Simon and Schuster, 1999. A collection of short stories accompanied by essays on censorship by 12 authors whose books have been challenged in the past. (Grades 7 up)

The Printer's Apprentice by Stephen Krensky; illustrated by Madeline Sorel. New York: Bantam Doubleday Dell Books for Young Readers, 1996. In 1735, a young printer's apprentice learns about the importance of freedom of speech when the printer, Peter Zenger, is arrested and tried for writing articles criticizing the government. (Grades 6-8)

The Sledding Hill by Chris Crutcher. New York: Greenwillow Books, 2005. Billy, recently deceased, keeps an eye on his best friend, fourteen-year-old Eddie, and helps him stand up to adults who are orchestrating a censorship challenge. (Grades 7 up)

Talk by Kathe Koja. New York: Farrar, Straus, and Giroux, 2005. Hoping to escape from himself for awhile, Kit auditions for a controversial school play and discovers his talent for acting, as he struggles with coming out. Told from two points of view. (Grades 7 up)

The Year They Burned the Books by Nancy Garden. New York: Farrar Straus Giroux, 1999. While trying to come to terms with her own lesbian feelings, Jamie, a high school senior and editor of the school newspaper, finds herself in the middle of a battle over the new health education curriculum. (Grades 7 up)