

# The Library as a Marketplace of Ideas

Ronald J. Heckart

*Since the late 1930s, intellectual freedom has been a central theme in the professional ethics of librarians. From it has come powerful and inspiring rhetoric, but also confusion and controversy. This paper traces librarianship's notions of intellectual freedom to a widely analyzed concept in law and political science known as the marketplace of ideas, and finds that taking this broad theoretical view of intellectual freedom offers some useful insights into its strengths and weaknesses as an ethical cornerstone of the profession.*



Intellectual freedom is a compelling theme in the professional ethics of librarians. It is expressed in fervent support for the free trade in ideas and in vigorous opposition to censorship. *The Library Bill of Rights* and the *Freedom to Read* statements are embodiments of this theme. The former states that "all libraries are forums for information and ideas" and "should provide materials and information presenting all points of view on current and historical issues."<sup>1</sup> The latter, a spirited and eloquent defense of freedom of expression, proclaims that "it is in the public interest for publishers and librarians to make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority."<sup>2</sup> The preamble to ALA's *Code of Ethics*, adopted in 1981, states that "librarians are members of a profession explicitly committed to intellectual freedom and the freedom of access to information" and "have a special obligation to ensure the free flow of information and ideas to present and future generations." *The second point* of the six-point *Code of Ethics* is a direct call to "resist all efforts by groups or individuals to censor library materials."<sup>3</sup>

So ingrained and self-evident is this theme that relatively few librarians have felt the need to explore its philosophical origins or to examine rigorously the considerable literature that legal scholars and political theorists have developed on the topic. The professional literature on this subject is rather sparse. This article attempts to remedy this situation by examining the profession's stance on censorship and the free flow of information in a broad context of political and legal theory. Specifically, the aim will be to make the philosophical links between this stance and a concept in constitutional law known as the marketplace of ideas. Librarians, it will be argued, have embraced the essential content of this concept, if not the term as such, but have not fully comprehended its strengths and weaknesses as a foundation for a stance on intellectual freedom.

## THE MARKETPLACE OF IDEAS

What is the marketplace of ideas concept? It borrows directly from classical laissez faire economics. In the marketplace, where labor and goods are bought and sold, all individuals are in one way or another players attempting to maximize their personal gain. Value of labor and goods is determined by market

Ronald J. Heckart is a librarian at the Institute of Governmental Studies Library, University of California, Berkeley., California 94720.

forces—Adam Smith's invisible hand—and competition weeds out labor and goods that are outmoded, inefficient, or of poor quality. This is process theory in its purest form. The process itself—individuals pursuing their rational self-interest in an unfettered market—promotes, in the long run, the most satisfactory and desirable products and the most productive use of labor and resources.

The concept's parallels to the arguments that librarians and civil libertarians use in support of the First Amendment and freedom of speech are obvious. As Mark Midbon has observed:

It does not take great imagination to see the American interpretation of liberty as an extension of capitalism from the economic realm to the intellectual realm. Ideas and information compete in the intellectual marketplace, just as goods and services compete in the economic marketplace. All individuals are free to marshal their resources and place their intellectual products on the market.<sup>4</sup>

No thinker has drawn the parallels between what Midbon calls economic capitalism and intellectual capitalism more strikingly than did Justice Oliver Wendall Holmes in his famous dissent in *Abrams v. United States*. In this case, the United States Supreme Court upheld the convictions of five Russian emigrants under the 1917 Espionage Act for publishing two leaflets castigating the United States government for participating in efforts to overturn the Russian revolution during the First World War. The pamphleteers were convicted for conspiring to incite resistance to the war and curtailment of war production. Hardly a sophisticated ring of subversives, they conducted a homespun pamphleteering operation. One of their modes of distribution was to throw the pamphlets "from a window where one of the defendants was employed."<sup>5</sup> Justice Holmes's dissent has been referred to in almost every significant treatise on the First Amendment and freedom of speech since the 1920s. In one oft-quoted passage, he gave the marketplace of ideas concept its first and probably its most eloquently written formulation:

Persecution for the expression of opinions seems to me perfectly logical. If you have not doubt of your premises or your power and want a certain result with all your heart you naturally express your wishes in law and sweep away all opposition. To allow opposition by speech seems to indicate that you think the speech impotent, as when a man says that he has squared the circle, or that you do not care whole-heartedly for the result, or that you doubt either your power or your premises. But when men have realized that time has upset many fighting faiths, they may come to believe even more than they believe the very foundations of their own conduct that the ultimate good desired is better reached by a free trade in ideas—that the best test of truth is the power of the thought to get itself accepted in the competition of the market; and that truth is the only ground upon which their wishes safely can be carried out. That at any rate is the theory of our Constitution. It is an experiment, as all life is an experiment. Every year, if not every day, we have to wager our salvation upon some prophecy based upon imperfect knowledge. While that experiment is part of our system I think that we should be eternally vigilant against attempts to check the expression of opinions that we loathe and believe to be fraught with death, unless they so imminently threaten immediate interference with the lawful and pressing purposes of the law that an immediate check is required to save the country.<sup>6</sup>

It should be said that the philosophical underpinnings of Holmes's formulation hardly emerged full blown with him. They lie within the classical liberal tradition of John Stuart Mill and can be traced back to John Milton's *Areopagitica*, written in 1644.<sup>7</sup> At their core is a concept of the truth. For Holmes, an old man who had lived long enough to see "time . . . upset many fighting faiths," there was no absolute truth and, therefore, the best available test of the truth was "the power of the thought to get itself accepted in the

competition of the market." Another stance for this relativist position is to allow that while there may be absolute truth, we, as imperfect beings with limited vision, can never be sure that we know it fully; that the best we can hope for is an ever closer approximation of the truth; and that the best way to achieve this ever closer approximation is a free trade in ideas. Still another stance is to assert with Karl R. Popper that while we can never be sure that we know the truth, we can root out falsity with certainty, and the best way to do this is a free trade in ideas.<sup>8</sup>

Irrespective of epistemological stance, the marketplace of ideas concept is an example of process theory. It is the process itself that provides the measure of what the truth is, or advances us toward an ever closer approximation of the truth, or roots out falsity. Just as the most satisfactory goods emerge through free trade in the economic marketplace, so the most satisfactory version of the truth emerges through free trade in the marketplace of ideas. Individuals act and make judgments in the marketplace, but market outcomes are the collective measure of truth at any given time.

For Holmes, the marketplace of ideas was a metaphysical construct. For librarians, it exists in fact. The library is a marketplace of ideas. The concept resonates in the key phrases quoted earlier from the *Library Bill of Rights* and the *Freedom to Read* statement. The former could not be clearer in its vision of the library as a forum "for information and ideas," providing "materials and information presenting all points of view on current and historical issues."<sup>9</sup> The latter echoes Holmes's views in asserting that the public interest is served when publishers and librarians "make available the widest diversity of views and expressions, including those which are unorthodox or unpopular with the majority."<sup>10</sup>

Librarianship has not always had this ethical orientation. The *Library Bill of Rights*, the American Library Association's (ALA's) first official pronouncement on the subject, did not appear until 1939. Individual librarians and libraries took

stances against censorship and for freedom of expression well before the appearance of the *Library Bill of Rights*,<sup>11</sup> but these views did not sweep through the profession as a whole until the late 1930s.<sup>12</sup> Why was this so, and what orientation did it override? Delving into these questions thoroughly would require a fulsome treatise on American library history. However, taking a brief historical turn to highlight some of the main points of the scholarly literature on these questions provides a context for the current marketplace of ideas ethos.

### THE STEWARDSHIP ORIENTATION

The professional orientation that held sway into the 1930s has no standard catchword to describe it, but it will be termed here a stewardship orientation. Libraries existed to conserve and to make available those works in literature, the humanities, and the sciences that fell within general mainstream thinking as to what was valid, respectable, and useful. Librarians took it for granted that their decisions about collections and services were grounded in a broad-based consensus shared by their clientele, their governing bodies, and society at large. Their thinking was centripetal in its direction, tending toward the center, where the high tradition in literature and the approved works in the various fields of study comfortably resided. Their thinking was not centrifugal, tending outward, where the unorthodox and the unpopular uneasily resided—and there was no ethical imperative that it be so, at least not in the profession at large. There was no ethical imperative even to oppose censorship. The subject of censorship hardly appears in the professional literature before the 1930s. Sidney Ditzion, writing of the last half of the nineteenth century, postulates several factors that may account for the scant documentary evidence on censorship: "There may not have been enough censorship to mention; it may have been so powerful as to demand complete acquiescence; or, more plausible than either of these, the process of conformity on the part of librarians may have been so subtle, so

natural, that it did not occur to anyone to remark on the subject."<sup>13</sup> In the first three decades of the twentieth century, censorship remained, with some exceptions, a low-profile issue in the profession.

---

**In the first three decades of the twentieth century censorship remained, with some exceptions, a low-profile issue in the profession.**

---

Indeed, what we now would regard as censorship had a positive value for librarians of the stewardship era. Their duty was to promote books that would morally and intellectually uplift readers and to suppress books that would do readers harm. Justin Winsor, in his classic 1876 *Library Journal* essay, made this point well:

There are three stages in the progress of a free public library. The first one is the gathering of the books. . . .

The second is in securing the reading of the books, and this can be done by providing the books in due proportions that are wanted—the exclusion of vicious books being assured.

The third follows in inducing an improvement in the kind of reading; and in these latter days this is a prime test of the librarian's quality. It is not a crusade that he is to lead. People who read for recreation are not to be borne apart from it; but they can be induced to pass from weak to strong even in this department.<sup>14</sup>

Winsor's approach sounds paternalistic to the contemporary ear, but it is not heavy-handed. He counsels patience with and understanding of the reading public. Have available the material that users want, he advises, but also have available high and serious literature so that at opportune moments users can be induced "into the higher planes."<sup>15</sup>

Library historian Michael Harris has called the libraries of the stewardship era "cold, rigidly inflexible, and elitist institutions" with a primary mission of promoting social control.<sup>16</sup> According to

Harris, the aim of the library was to help steer the ignorant masses, particularly un-Americanized immigrant groups, away from bad books and bad habits and toward the ideas and ideals that would make them good, compliant citizens and productive members of the work force. The scholar needs not make Harris's harsh, retrospective judgments to arrive at an essentially similar interpretation of the stewardship era. In a summary profile of ALA executive board members from 1876 to 1917, Wayne A. Wiegand says these leaders were

a highly homogeneous group whose social rank reflected the "character" of the dominant culture. As members of the "cultivated" classes, these library leaders intuitively "knew" what the "best reading" was. They regarded it as their professional goal to collect this literature and to make it available to a public which they confidently believed would eventually manifest the constructive social behavior, the zeal for material progress and the elevated cultural understanding which "naturally" followed exposure to good reading.<sup>17</sup>

#### WHY THE PROFESSION CHANGED

What changed to make a centrifugal direction—which not only opposed censorship, but asserted an obligation to present a diversity of views, even those that the majority might regard as harmful or dangerous—an ethical imperative in the profession? There are no quick answers to this question, as Evelyn Geller ably demonstrated in a 1974 *Library Journal* article.<sup>18</sup> The likeliest answer is probably that a multiplicity of factors coalesced in the late 1930s to propel the centrifugal orientation to orthodoxy.

Cultural change in the 1920s and economic depression in the 1930s upset the centrist thinking of librarians and many others in society. The social and economic upheaval of the day put unconventional ideas and solutions to problems in a new light. The rise of radical political movements in the 1930s fueled this mental unsettling. The situation was no longer

one of a comfortable center with unimportant and ineffectual fringe elements, but of a center challenged by all sorts of new, sometimes threatening, ideas and movements. The catalyst that may have brought all this to a head for the profession was the effort to suppress John Steinbeck's *The Grapes of Wrath* in the late 1930s.<sup>19</sup> The book was removed from a number of libraries, ostensibly on moral grounds, but primarily because of objections to its political content. Outrage at this treatment of a book with obvious literary merit prompted the 1939 ALA national convention to adopt ALA's first *Library Bill of Rights* statement. Rather than shut out seemingly dangerous ideas and unorthodox thinking that might lead to new solutions to social problems, the profession would endorse a free trade in ideas and trust that individuals, with the contending points of view before them, would make good decisions.

---

**The special value of the new ethic of intellectual freedom was that it afforded the profession a new base for its ethical strivings.**

---

The new attitude helped librarians resolve a problem that had been vexing them for years. Despite the rhetoric extolling the stewardship role, it was evident that librarians were not performing the role very well. "By the turn of the century," writes Dee Garrison, "many public librarians had tired of their highly unsuccessful attempt to direct the reading habits of their adult patrons. Adults, it was generally agreed, were impossibly set in their reading tastes, and were besides notoriously intolerant of any well-meant efforts to raise their literary standards."<sup>20</sup> One response to this cognitive dissonance in the profession between theory and practice was that "librarians shifted their energy from miracle working into a quest for technical competence."<sup>21</sup> Garrison quotes a passage by Melvil Dewey that epitomizes this shift. Dewey, says Garrison,

"had been in library work for twenty-three years when he delivered this disillusioned and tired advice to librarians: 'Look at your position as a high-grade business one, look after the working details, have things go smoothly, know the whereabouts and classification of books, and let people get their own meat and poison.'"<sup>22</sup> But a focus on the working details was not sufficient to sweep away the stewardship orientation. As Patrick Williams has documented, vestiges of that orientation continued to appear and disappear in successive waves of optimism and disillusionment.<sup>23</sup>

One continuing stronghold of the stewardship orientation was children's librarianship. If intractable habits made adults more or less a lost cause, there was still hope for children. Children's minds were still pliable enough to take moral direction, "and in the children's room there was little protest from the small clients over library censorship of reading."<sup>24</sup> But even here, the new ethic of intellectual freedom eventually triumphed. In *Free Access to Libraries for Minors*, one of the interpretations of the *Library Bill of Rights*, ALA "opposes libraries restricting access to library materials and services for minors and holds that it is the parents—and only the parents—who may restrict their children—and only their children—from access to library materials and services."<sup>25</sup> But this interpretation was not adopted until 1972—an indication of the lingering strength of the stewardship orientation.

However, a retreat into technical competence, even allowing for a prescriptive attitude toward children, was a wan substitute for the ethical power and motivational force of the old stewardship orientation. The special value of the new ethic of intellectual freedom was that it afforded the profession a new base for its ethical strivings, eclipsing the cognitive dissonance between theory and practice that plagued the stewardship orientation. ALA's various pronouncements on intellectual freedom ring with ethical fervor as ardent as any from nineteenth-century library leaders. The new ethic so compellingly met the need for a new

moral grounding of the profession that even a limited stewardship role focused narrowly on children fell under its force.

Geller finds in Marjorie Fiske's classic censorship study a parallel argument for explaining the eclipse of the stewardship orientation. According to Fiske, librarians relaxed their prescriptive grip in recognition of the rising level of education and intellectual sophistication of the populace after World War I. Another factor, especially compelling in the 1930s, was the social service concept of librarianship, in which the library was seen as a place where the poor could find respite from the harsh realities of life. The library could not be such a place unless it broadened its appeal and included popular reading material. Balancing their professed concern with the "higher plane" against other needs, librarians became increasingly tolerant as a way of coping with diversity and change.<sup>26</sup>

Geller notes another factor discussed by Fiske that may have contributed to the remarkable reorientation of the profession in the 1930s. From a sociological perspective, the professions, including librarianship, can be viewed as passing through developmental stages that begin with concerns over self-identity, public recognition, and organizational consolidation and that mature into substantive concerns over goals and standards. Librarianship can be viewed as having reached, in the 1930s, a stage in its maturation as a profession in which formal goal setting and policy formulation were in order.<sup>27</sup> The issue of intellectual freedom could be addressed in this period because the profession was ready for it. There is an inkling of this readiness in the first sentence of the introduction to the *ALA Code of Ethics*: "Since 1939, the American Library Association has recognized the importance of codifying and making known to the public and the profession principles which guide librarians in action."<sup>28</sup>

What weight to give any of these arguments is open to question. The causes of the reorientation to intellectual freedom need not be pursued further here. The reorientation happened, and exactly

what mix of factors brought it about may never be precisely known. What is certain is that librarians on the whole failed to perform the stewardship role well, and that failure put the profession in a quandary. Librarians could heave a collective sigh of relief at replacing the stewardship orientation with a new doctrine that gave them an ethical mission that was equally compelling.

---

**Librarianship can be viewed as having reached, in the 1930s, a stage in its maturation as a profession in which formal goal setting and policy formulation were in order.**

---

In this professional reorientation, academic and research librarians as well as public librarians could take comfort. The old emphasis on the high tradition in literature and on works deemed best or correct by mainstream scholarly opinion in the various disciplines was limiting and inflexible. Centripetal thinking gave way to centrifugal thinking, making room for the avant-garde and the controversial—indeed, creating an ethical imperative to look beyond the mainstream. Moreover, the old orientation carried with it an obligation to have some expertise regarding the high literary tradition and those best and correct works. Some librarians, as Renaissance men and women of letters, could wax authoritatively on the predominant thinking of the day, but most librarians must have found this a very weighty responsibility. The new orientation made no demands on librarians to be authorities on the leading scholarly opinion regarding literature or on the best or correct works in any field. Librarians could become, in a sense, neutral facilitators in the marketplace of ideas. With academic publishing undergoing rapid expansion, with various disciplines rife with theoretical and methodological disputes, and with new fields in science and technology emerging, the notion of being more a neutral facilitator than a prescriptive authority must have been appealing.

### ASSESSING THE POST-1939 ORIENTATION

Thus, as a marketplace of ideas rather than a repository of works intended to reflect the prevailing intellectual consensus, the library could operate in a freer, more open-ended way. Relieved of the prescriptive obligation to steer clients to the ideas and works of that centripetally directed consensus, librarians could wholeheartedly embrace the doctrine of intellectual freedom. But accompanying this reorientation of the profession, which now seems so right and matter-of-course, were some new problems and confusions.

#### *Neutral Facilitator versus Interventionist*

The post-1939 orientation seems to mandate two conflicting roles for librarians in the marketplace of ideas: they are to be both neutral facilitators eschewing bias and favoritism and interventionists when market forces would otherwise exclude new, unorthodox, and controversial ideas. The former role descends directly from classical economic theory, which demands that government take a completely neutral stance in the marketplace and which puts its faith in market forces as the best regulator of the economy. This was certainly what Holmes had in mind with his marketplace of ideas. The government was neither to favor nor to repress particular ideas, but was to stand aside and let their worth be tested in the competition of the market.

The interventionist role is grounded in a critical assessment about the way the marketplace of ideas operates in the real world. That assessment leads to the conclusion that a truly unfettered market would be dominated by the powerful and well-to-do and, therefore, would be skewed and distorted in their favor. A strident believer in the analogy to classical economics might argue that the powerful and well-to-do are who they are because they have the best ideas and that their domination of the market is a positive good. But this line of argument has not found favor with voters, policymak-

ers, or librarians. There is no reason why a person of modest power or wealth might not have good ideas, or why he or she should be hindered in advancing those ideas in the market solely because of a lack of power or wealth. Thus, paradoxically, a free trade in ideas can be expected to advance the truth, but a totally unfettered market is likely to produce distortion and outright falsehood.

The interventionist role also is concerned about fairness and democratic values. Intervention with the aim of reducing the disparities in access to the marketplace seems fair and equitable, especially when those disparities result from differences in power and wealth. And unless the electorate has access to a broad spectrum of ideas and opinion, not just what the powerful and well-to-do want the electorate to hear, democracy is undermined. These concerns have led to various types of governmental intervention in the marketplace of ideas. The institution of the free public library itself and depository library systems are two obvious and highly pertinent types of governmental intervention. Other examples in society at large are the fairness doctrine in broadcasting, laws to prevent overconcentration of ownership of communications media in particular localities, and campaign finance laws intended to limit the influence of powerful special interests in the political process.<sup>29</sup> The government, then, does not settle for passive neutrality in the marketplace of ideas, but it can go only so far before running afoul of constitutional prohibitions and arousing fears that the consequences of intervention may be worse than the evils it was intended to prevent.

Intervention is almost always fraught with difficult and controversial policy choices. Librarians have not found intervention any easier than lawmakers have. Librarianship is not short on rhetoric as to the need for intervention. The original 1939 *Library Bill of Rights* urged that "as far as available material permits, all sides of questions on which differences of opinion exist should be represented fairly and adequately in the books and other reading matter purchased for pub-

lic use."<sup>30</sup> A more succinct and perhaps slightly toned-down version of this sentence appears in the current *Library Bill of Rights*: "Libraries should provide materials and information presenting all points of view on current and historical issues."<sup>31</sup> The *Diversity in Collection Development* statement, an official interpretation of the *Library Bill of Rights* adopted in 1982, attempts to provide more guidance by listing examples of censoring activities librarians are to avoid: "removing or not selecting materials because they are considered by some as racist or sexist; not purchasing conservative religious materials; not selecting materials about or by minorities because it is thought these groups or interests are not represented in the community; or not providing information on or materials from non-mainstream political entities."<sup>32</sup> It states further that "librarians have an obligation . . . to select and support access to materials on all subjects that meet, as closely as possible, the needs and interests of all persons in the community which the library serves. This includes materials that reflect political, economic, religious, social, minority, and sexual issues."<sup>33</sup>

Thus a passive avoidance of bias and favoritism in collection building and public service is not enough. The librarian is to take affirmative steps to ensure that unconventional and unpopular ideas have representation. The fundamental goal is clear: the library is not merely to reflect the marketplace of ideas of society at large; the library is to be a broader, fairer market. What is not clear is how this goal translates into action in the real world of the library.

Types of interventionist actions are easily identified. Examples are: acquiring alternative press publications that might not be in book stores or receive much sales promotion; promoting the accessibility of new and unconventional ideas through indexing, enhanced cataloging, online searching, vertical files, and other means; meeting the needs of special clientele groups that lack mass market appeal; and devoting resources to programs and services that help disadvantaged persons become effective li-

brary users. But librarians have had difficulty deciding how interventionist to be. There is great uncertainty regarding specific interventionist measures and the appropriate situations in which to take them. The relationship between the roles of neutral facilitator and interventionist is not clear.

One view of that relationship is to see it primarily as a technical services/public services dichotomy. Technical services staff—selectors, acquisitions staff, catalogers, and indexers—work in the background, striking out to rectify imbalance and underrepresentation in society's marketplace of ideas, while public services staff, operating in the "more perfect" marketplace thus created, act as neutral facilitators with library users. This may be a deep, unstated assumption of some professional literature on this topic, perhaps rooted in the fact that we find it easier to conceptualize interventionist efforts by selectors, catalogers, and indexers than by reference staff. The problem with this view is that it could give short shrift to interventionist efforts that may be needed in public services. Having the materials and access tools in place does not mean that underrepresented and unorthodox ideas are actually reaching those who might benefit from hearing about them. Public service tends to be cast in a passive stance when direct action may be needed—in the words of the Public Library Association's (PLA's) mission statement, "to allow easy access for people previously excluded by lack of education, lack of language facility, ethnic or cultural backgrounds, age, physical or mental handicaps, and apathy."<sup>34</sup>

Another—and not incompatible—orientation that librarians may have toward the neutral facilitator and interventionist roles is to see neutrality as the default role and intervention as a contingent role to be invoked as circumstances (e.g., a censorship threat) warrant. But seeing neutrality as the norm and intervention as an exception to the norm fosters a strong operational bias favoring neutrality. One way to counteract that bias might be to think of the two roles as



being at opposite ends of a continuum, with passive neutrality at one pole and zealous intervention at the other. This places the two roles on a more equal operational footing, but offers no guidance as to where the librarian should be on the continuum. If the place to be is somewhere near the middle, would this mean acquiring Nazi and white supremacist publications? Tracking the latest writings of New Age gurus? Reaching out to homeless persons?

Amidst all the inspiring words in support of the interventionist role, there is little real guidance as to how librarians should act. Indeed, the profession seems to be in a kind of confused stalemate regarding the interventionist implications of the post-1939 ethical orientation. Feeling uneasy and uncertain about what to do, many librarians choose to stay within the comfortable confines of the neutral facilitator role in their daily work. They settle for avoidance of overt acts of censorship, bias, and favoritism, resistance to calls for censorship from the outside, and perhaps an occasional affirmative effort to ensure that some unorthodox idea is represented in the collection. In short, they settle for a role similar to the passive neutrality envisioned by Holmes. On the one hand, more should be expected of followers of an ethical standard than they can deliver in real world situations; the point of a standard is to set goals toward which followers strive as best they can. On the other hand, librarians face a gap between ethical calling and practice great enough to cause the same kind of cognitive dissonance that troubled the profession when it embraced the stewardship role. Oliver Garceau observed in 1949 that "the idealism of library literature and librarian oratory seems most unsatisfactory when an attempt is made to translate it directly into a program for action," and the situation may not have changed much in the intervening years.<sup>35</sup> The post-1939 ethical orientation remains long on rhetoric and short on action, and the profession would do well to examine more carefully how much affirmative effort it expects of librarians and how librarians might achieve it.

Attempts to provide a more down-to-earth focus for the interventionist role are not entirely lacking. Celeste West's 1983 *Library Journal* article, "The Secret Garden of Censorship: Ourselves," is certainly one such attempt. The article recasts the high rhetoric of the post-1939 ethical orientation in blunt, intentionally confrontational prose.<sup>36</sup> While its shock treatment approach has the effect of bringing the discussion out of the clouds, more than this is needed if the profession is going to find concepts and language to talk about real world goals and action for the interventionist role. Kenneth E. Dowlin offers another approach, with perhaps more potential for advancing the discussion. "Access to certain kinds of information," he asserts, should "be considered a basic human right in the information age." He categorizes such information this way:

1. Information relevant to issues to be decided by voters.
2. Information pertaining to candidates for public office.
3. Information essential for the individual to cope with his or her environment.
4. Information about governments (federal, state, or local).
5. Information relevant to the consumption of basic necessities (i.e., food, medicines, housing, transportation).
6. Information to improve health.
7. Information to increase safety.
8. Information to increase employment opportunity and enhance careers.<sup>37</sup>

There are surely many potentially fruitful ways for librarians to discuss interventionist ideas and actions, and Dowlin's is noted here because it sets a tone and uses language in a way that others in the profession might find helpful. Indeed, one conclusion to be drawn from the profession's fumbling with the interventionist role is that librarians need more practice using language and conceptualizing standards in concrete ways.

#### *The Emotional Factor*

An entirely different problem with the marketplace of ideas concept is that it

has a deep and pervasive bias toward rationality. It markedly underestimates the role of emotional and idiosyncratic factors in the way people peruse and attach themselves to ideas. The rational bias comes directly from classical economics, which assumes that people act rationally in the marketplace in pursuit of personal gain and that this, in the long run, promotes an efficient use of economic forces and meets people's needs. But as constitutional scholar Laurence L. Tribe has pointed out, Holmes and democratic theorist Alexander Meiklejohn (whose views are discussed below) were "far too focused on intellect and rationality to accommodate the emotive role of free expression—its place in the evolution, definition, and proclamation of individual group identity."<sup>38</sup> Surely one reason that many librarians find censorship battles so shattering is that they are primed to think that an important reason people come to the library is to peruse and evaluate ideas and that people have the good sense to let others do as they do. In the heat of a censorship battle, it is a shock to discover people acting from fear, emotion, and deep-seated beliefs that do not bear rational discussion. If librarians kept in mind that actors in the marketplace of ideas operate from emotion as well as intellect, they might be better prepared for the crises that flow from censorship battles and other assaults on freedom of expression in the library.

### *The Pernicious Idea*

Still another problem with the marketplace of ideas concept goes to its epistemological heart. The logic of the concept is that truth is what wins out in the competition of the market. The problem is in going as far as Holmes seemed willing to go in letting the competition of the market determine what the truth is. Holmes, who had seen time upset so many fighting faiths, was willing to go far indeed; he could accept the market as the final arbiter.<sup>39</sup> If one is not willing to go as far as Holmes, one might still agree that competition in the marketplace of ideas has a strong tendency to advance the truth—that is, there will be a strong con-

gruence in what one regards as the truth and what market forces determine to be the truth—and, therefore, rest comfortably with the concept. With less comfort, perhaps, one might allow for an occasional faltering of the market, as a result of which an idea that one finds false or pernicious carries the day. But what about the false or pernicious idea that one finds utterly abhorrent and totally beyond the pale? The ultimate test of one's commitment to a free trade in ideas is the willingness to accept the possibility that such an idea might win out in the market—a possibility that must be considered because it is most unlikely that affirmative intervention by lawmakers, librarians, and others will ever entirely eliminate distortion and bias that one finds in the marketplace.

---

**Amidst all the inspiring words in support of the interventionist role, there is little real guidance as to how librarians should act.**

---

Nazi-inspired anti-Semitism is one idea that many citizens find so false and utterly repugnant that they would ban it from the marketplace. Many otherwise stalwart supporters of a free trade in ideas changed their minds when, in 1978, a neo-Nazi group planned a march through Skokie, Illinois, home to a number of Holocaust survivors.<sup>40</sup> The thought of a parade of Nazis, in full storm trooper regalia, traumatizing the town was beyond the pale. With much soul searching, many concluded that this kind of expression was so inimical to fundamental standards of decency and civilized living that suppression was a proper course. The American Civil Liberties Union (ACLU), which came to the defense of the neo-Nazis' right to conduct the parade, was left in the difficult position of defending a process—the free trade in ideas—that seemed to have no ethical or moral content. Were there no bounds to what the ACLU would find worthy to defend? Was the process an end in itself?

Librarians and professional library associations have found themselves in the ACLU's quandary. In 1977, ALA became embroiled in controversy over its film, *The Speaker*. In the film a speaker—modeled on William Schockley, who advocates the theory that blacks are genetically inferior to whites—is invited to speak at a high school. The film, however, in attempting to illuminate the difficult issues that must be faced in upholding intellectual freedom, the film became a test of the limits many librarians would put on a free trade in ideas. The objections to the film were many, but at their core was deep unease and distaste for the speaker's theory of racial inferiority.<sup>41</sup> In 1984, the California Library Association became mired in an ethical quandary when it initially granted and then revoked exhibit space to a publisher of revisionist works claiming that the Holocaust was a hoax.<sup>42</sup> John Swan and Noel Peattie debated this incident at the 1988 ALA Annual Conference in New Orleans and later reworked the debate into a book that addresses the problem of the false and pernicious idea in thoughtful, reasoned arguments for and against allowing the revisionist publisher to display his books.

The arguments boil down to this: Swan would allow the publisher to display his books because, he says, "as a civil libertarian I do have faith that truth will—given enough time—prevail in the human imagination" and because he sees "no alternative to giving the individual mind the freedom to grow, and to grasp, as it will."<sup>43</sup> Peattie would bar the publisher because "we need to have a comprehensive view of intellectual freedom as bound up with other values. Otherwise, we are liable not only to charges of racism and other forms of discrimination, but our own professional rhetoric, our own *Library Bill of Rights* can be turned against us."<sup>44</sup> Despite Swan's criticism of Holmes's marketplace of ideas,<sup>45</sup> Swan would ultimately stand with Holmes, while Peattie recognizes a category of false and pernicious ideas for which the marketplace cannot be the final arbiter. Peattie accepts the possibil-

ity that other competing values may outweigh the value of a free trade of ideas.

The worst censorship battles for the individual librarian are surely those centered on false and pernicious ideas. To be in the position of defending an idea that one finds objectionable is a terrible moral dilemma. Unless one adopts Peattie's stance, he or she quickly may be pushed to the ACLU's Skokie position of defending a process with seemingly no ethical or moral content. A process is difficult to defend against moral and ethical claims.

### DEMOCRATIC VALUES

But the process needs not be an end in itself. There are ends beyond a tendency to advance the truth that the process can be said to promote. One such end is the advancement of democracy. It can be argued that a free trade in ideas is a necessary precondition to democracy, that without a protected right to bring ideas and issues into public debate, where voters and elected representatives can assess their worth, democracy cannot exist. Alexander Meiklejohn has long been regarded as the most eloquent spokesperson of this view. For Meiklejohn, democracy meant self-government—active, knowledgeable citizens advancing their ideas in the public arena in the hope of building majority support for them and simultaneously respecting the rights of those with differing views to do the same.<sup>46</sup> However, there is an immediate problem with Meiklejohn's thesis because logically it would afford protection only to political expression. What about artistic and literary expression? In time, Meiklejohn amended his thesis to encompass protection for artistic and literary expression on the ground that such expression often has a political element in some direct or indirect way, but this amended view left many commentators dissatisfied and uneasy.<sup>47</sup>

Interestingly, the most uncompromising proponent of the thesis justifying freedom of expression as instrumental to democracy has been Robert Bork. In an oft-cited 1971 law review article, he argued that "constitutional protection should be

accorded only to speech that is explicitly political."<sup>48</sup> In testimony during his 1987 confirmation hearings for an appointment to the United States Supreme Court, he recanted somewhat, saying that he no longer felt a "bright line" could be drawn to separate political and nonpolitical speech.<sup>49</sup> His confirmation went down to defeat, in part because many senators concluded that his views did not afford sufficient protection to freedom of expression.<sup>50</sup>

Librarians have cause to share the senators' concern because the typical library contains numerous artistic and literary works that would be afforded uncertain protection at best in censorship challenges. But before casting aside the thesis that freedom of expression is justified on the ground that it is a necessary precondition to democracy, it is worth remembering all those works in history, politics, and public policy that the typical library also contains. For this body of material, the thesis is a strong statement for a free trade of ideas in the library and for affirmative steps to ensure that a wide spectrum of ideas is represented. The thesis is, quite appropriately, an underlying theme of the PLA's statement of principles for the public library. The public library, it declares, is "a place where inquiring minds may encounter the rich diversity of concepts so necessary for a democratic society whose daily survival depends on the free and competitive flow of ideas."<sup>51</sup>

### *Self-Actualization*

There is another end that a free trade in ideas can be said to promote, an end that provides a firmer and more expansive anchoring for freedom of expression than the Holmes and Meiklejohn positions. It is that a free trade in ideas is ultimately necessary to promote individual human dignity and self-realization. This is where the Meiklejohn thesis leads when one asks the question "What is democracy for?" Without the right to encounter and evaluate ideas on one's own, whether true or false, good or bad, one's personal dignity is diminished and the opportunity to grow as a human being is hampered. In the sometimes bewildering and unpleasant crossfire of ideas, indi-

viduals find themselves forced to think and to draw conclusions that deepen their understanding, broaden their perspectives, and increase their empathy for others. And as constitutional theorist Martin H. Redish has stressed, it is not only a question of personal growth or self-fulfillment, but of personal empowerment as well. Freedom of expression enhances one's ability to make life-affecting decisions, to direct one's destiny.<sup>52</sup> Other legal scholars similarly have grounded freedom of expression in concepts of self-actualization.<sup>53</sup>

---

**If librarians kept in mind that actors in the marketplace of ideas operate from emotion as well as intellect, they might be better prepared for the crises that flow from censorship battles.**

---

Appending such an exalted and ennobling end to freedom of expression has practical meaning for the librarian caught in a censorship controversy or perplexed about how affirmative to be in collection building or public service. It gets one out of the dilemma of seeing the free trade in ideas as a process with no ethical or moral content, and one is not reduced to defending a process for its own sake or to groping for political and public policy implications, but it is unlikely to be an effective response to someone making an emotional plea to ban an objectionable book from a library. Perhaps the best that can be said is that the librarian may feel better about resisting such pleas and may be in less moral confusion in doing so, especially in cases where the librarian has some qualms about the book at issue. The librarian's ultimate defense of the book is not that the marketplace of ideas must be relied on to decide its worth or that its direct or indirect political content protects it, but that having the book available may be a factor in someone's potential for personal growth and empowerment.

The ultimate end of self-actualization strengthens the librarian's affirmative stance in collection building and public

service. The issue is not just fairness—taking actions that redress unfair competition in the marketplace and creating opportunities for the disadvantaged to become informed and be heard—but ensuring that the widest spectrum of materials is available so as to maximize opportunities for personal growth and empowerment. Admittedly, this argument does not offer practical guidance in deciding how affirmative the stance should be, but it does give the stance additional ethical force.

---

**To be a citizen in society's marketplace of ideas is responsibility enough, but to be a librarian in the library's marketplace of ideas is a great responsibility indeed.**

---

If the library's marketplace of ideas is to be fairer and broader than society's marketplace of ideas, and if the ultimate end of intellectual freedom is self-actualization, the debate over social activism in the profession can be reassessed. The issue is not, as David Berninghausen put it in the title of his 1972 article, "Social Responsibility vs. the *Library Bill of Rights*," but rather how much fairer and broader the library's marketplace of ideas is to be and what sorts of interventionist actions are appropriate to undertake.<sup>54</sup> Intervention does not oppose intellectual freedom, but supports it. Unfairness, underrepresentation, political and public policy content, and, ultimately, self-actualization are reasons to make accessible controversial and unorthodox works and to reach out to dissident groups

and minority communities. Any special claims a particular idea or group has to moral rectitude or to the truth—and whether one agrees with those claims—are beside the point. From the standpoint of professional ethics as outlined here, one undertakes interventionist actions for reasons that transcend the particular idea or group. Whatever one's personal commitments regarding social responsibility, these transcendent reasons become the basis for debate and action in the professional realm. This approach has the advantage of recasting the social responsibility issue in a specifically professional context. It puts a different slant on conventional notions of social activism, which many librarians find so incompatible with professionalism.

#### CONCLUSION

When ALA officially adopted the *Library Bill of Rights* in 1939, it embraced a powerful and inspiring philosophy, but also a complex and, in some respects, problematic philosophy. To be a citizen in society's marketplace of ideas is responsibility enough, but to be a librarian in the library's marketplace of ideas is a great responsibility indeed. If librarians are to meet this responsibility in new and meaningful ways, truly making the library a more perfect market, they must explore much more fully and critically the philosophy they have so wholeheartedly embraced. Not the least of the benefits that may accrue is a better working vocabulary within the profession for discussing the philosophy and its many ramifications. One long-term benefit may be a much greater congruence of rhetoric and action.

---

#### REFERENCES AND NOTES

1. American Library Association, Office for Intellectual Freedom, *Intellectual Freedom Manual*, 3d ed. (Chicago: American Library Assn., 1989), p.14.
2. *Ibid.*, p.93.
3. American Library Association, *ALA Handbook of Organization, 1989/1990* (Chicago: American Library Assn., 1989), p.248.
4. Mark Midbon, "Capitalism, Liberty, and the Development of the Library," *Journal of Library History* 15:188 (Spring 1980).
5. *Abrams v. United States*, 250 U.S. 618 (1919).
6. *Ibid.*, p.630.

7. John Stuart Mill, *On Liberty* (New York: Norton, 1975); originally published in 1859, is the classic work.
8. Karl R. Popper, *The Logic of Scientific Discovery* (New York: Basic Books, 1959). See also his *The Open Society and Its Enemies*, 5th ed., rev. (Princeton: Princeton Univ. Pr., 1966), especially the 1961 addendum in vol. 2, p.369-96.
9. ALA, *Intellectual Freedom Manual*, p.14.
10. *Ibid.*, p.93.
11. Frederick J. Stielow makes this point in his "Censorship in the Early Professionalization of American Libraries, 1876 to 1929," *Journal of Library History* 18:42-44 (Winter 1983).
12. Judith F. Krug and James A. Harvey, "ALA and Intellectual Freedom: A Historical Overview," in ALA's, *Intellectual Freedom Manual*, p.xiv-xvi.
13. Sidney Ditzion, *Arsenals of a Democratic Culture* (Chicago: American Library Assn., 1947), p.186.
14. Justin Winsor, "Free Libraries and Readers," *American Library Journal* 1:66 (Nov. 30, 1876). Reprinted in an "LJ Classics" supplement to the June 15, 1989, *Library Journal*, p.21.
15. *Ibid.*
16. Michael Harris, "The Purpose of the American Public Library: A Revisionist Interpretation of History," *Library Journal* 98:2509 (Sept. 15, 1973).
17. Wayne A. Wiegand, *The Politics of an Emerging Profession: The American Library Association, 1876-1917* (New York: Greenwood, 1976), p.ix.
18. Evelyn Geller, "Intellectual Freedom: Eternal Principle or Unanticipated Consequence?" *Library Journal* 99:1364-67 (May 15, 1974).
19. Judith Krug and James Harvey make this point in their historical overview in ALA's *Intellectual Freedom Manual*, p.xvi.
20. Dee Garrison, *Apostles of Culture: The Public Librarian and American Society, 1876-1920* (New York: Free Pr., 1979), p.214.
21. Dee Garrison, "Rejoinder [to a review article by Elaine Fain]," *Journal of Library History* 10:114 (Apr. 1975).
22. *Ibid.*, quoting Melvil Dewey, "Advice to a Librarian," *Public Libraries* 2:267 (1897).
23. Patrick Williams, *The American Public Library and the Problem of Purpose* (New York: Greenwood, 1988).
24. Garrison, *Apostles of Culture*, p.214.
25. ALA, *Intellectual Freedom Manual*, p.23. The quoted passage from "Free Access to Libraries for Minors" is a 1981 revision that removed sex-linked language.
26. Marjorie Fiske, *Book Selection and Censorship: A Study of School and Public Libraries in California* (Berkeley: Univ. of California Pr., 1959), p.8-9, quoted in Geller, "Intellectual Freedom," p.1366.
27. Fiske, *Book Selection and Censorship*, p.102-3, discussed in Geller, "Intellectual Freedom," p.1366.
28. ALA, *ALA Handbook of Organization, 1989/1990*, p.248.
29. See, for example, Hugh Carter Donahue, *The Battle to Control Broadcast News: Who Owns the First Amendment?* (Cambridge, Mass.: MIT Pr., 1989); U.S. Congress, House Committee on Commerce, Science, and Transportation, Subcommittee on Communications, *Media Ownership: Diversity and Concentration: Hearings, 101st Cong., 1st sess., 1989*; and Robert E. Mutch, *Campaigns, Congress, and Courts: The Making of Federal Campaign Finance Law* (New York: Praeger, 1988).
30. ALA, *Intellectual Freedom Manual*, p.4.
31. *Ibid.*, p.14.
32. *Ibid.*, p.42.
33. *Ibid.*, p.43.
34. Public Library Association, Goals, Guidelines, and Standards Committee, *The Public Library Mission Statement and Its Imperatives for Service* (Chicago: American Library Assn., 1979), p.7.
35. Oliver Garceau, *The Public Library in the Political Process* (New York: Columbia Univ. Pr., 1949), p.147.
36. Celeste West, "The Secret Garden of Censorship: Ourselves," *Library Journal* 108:1651-53 (Sept. 1, 1983).

37. Kenneth E. Dowlin, "Access to Information: A Human Right?" *Bowker Annual of Library & Book Trade Information* 32:64-65 (1987).
38. Laurence L. Tribe, *American Constitutional Law*, 2d ed. (Mineola, N.Y.: Foundation Pr., 1988), p.578.
39. In *Gitlow v. New York*, 268 U.S. 652, 673 (1925), Holmes made it plain that he was prepared to accept market outcomes that he found highly undesirable. "If in the long run the beliefs expressed in proletarian dictatorship are destined to be accepted by the dominant forces of the community," he wrote in that case, "the only meaning of free speech is that they should be given their chance and have their way."
40. See, for example, David Hamlin, *The Nazi/Skokie Conflict: A Civil Liberties Battle* (Boston: Beacon, 1980); and Donald Alexander Downs, *Nazis in Skokie: Freedom, Community, and the First Amendment*, Notre Dame Studies in Law and Contemporary Issues, vol. 1 (Notre Dame, Ind.: Univ. of Notre Dame Pr., 1985).
41. See summaries of the controversy in Arthur Plotnik, "The Speaker: Step or Misstep into Filmmaking?" *American Libraries* 8:371-78 (July-Aug. 1977); and John Berry, "The Debate Nobody Won," *Library Journal* 102:1573-80 (Aug. 1977).
42. See Susan Kamm, "'Holocaust Hoax' Publisher Barred . . .," *American Libraries* 16:5-7 (Jan. 1985).
43. John Swan and Noel Peattie, *The Freedom to Lie: A Debate about Democracy* (Jefferson, N.C.: McFarland, 1989), p.119.
44. *Ibid.*, p.101.
45. *Ibid.*, p.15-16.
46. Alexander Meiklejohn, *Political Freedom* (New York: Harper, 1960). He first presented his views in *Free Speech and Its Relation to Self-Government* (New York: Harper, 1948).
47. Alexander Meiklejohn, "The First Amendment Is an Absolute," in *The Supreme Court Review*, ed. Philip B. Kurland (Chicago: Univ. of Chicago Pr., 1961), p.256.
48. Robert Bork, "Neutral Principles and Some First Amendment Problems," *Indiana Law Journal* 1:20 (1971).
49. U.S. Congress, Senate, Committee on the Judiciary, *Nomination of Robert H. Bork to Be Associate Justice of the Supreme Court of the United States: Hearings*, vol. 1, 100th Cong., 1st sess., 1989, p.270.
50. Stephen M. Griffin notes this as one of Bork's many problems in "Politics and the Supreme Court: The Case of the Bork Nomination," *Journal of Law & Politics* 5:570 (Spring 1989).
51. Public Library Association, Public Library Principles Task Force, "The Public Library: Democracy's Resource: A Statement of Principles," *Public Libraries* 24:153 (Winter 1985).
52. Martin H. Redish, *Freedom of Expression: A Critical Analysis* (Charlottesville, Va.: Michie, 1984), p.11.
53. See, for example, Thomas I. Emerson, *The System of Freedom of Expression* (New York: Random, 1970); C. Edwin Baker, "Scope of the First Amendment: Freedom of Speech," *UCLA Law Review* 25:964-1040 (June 1978); and Paul G. Stern, "A Pluralistic Reading of the First Amendment and Its Relation to Public Discourse," *Yale Law Journal* 99:925-44 (Jan. 1990).
54. David Berninghausen, "Antithesis in Librarianship: Social Responsibility vs. the Library Bill of Rights," *Library Journal* 97:3675-81 (Nov. 15, 1972).

# TAILORED.

## Why Blackwell is the Approval Plan leader.

*Academic and research libraries worldwide choose Blackwell for new titles because we offer services tailored precisely to their needs.*

**Service.** You benefit because we are large enough to offer a full range of services, yet flexible enough to tailor those services to your needs.

**Comprehensive coverage.** Our buyers are in daily contact with the publishers whose books are so essential to your collection. These include not only university, trade and Sci-Tech-Med presses, but also the scholarly and small presses which you need for timely, full coverage. Our unique B. H. Blackwell interface offers 100% coverage of UK new titles.

**Tailored profiling.** Create your individualized library profile to select books of interest, based on our extensive subject thesaurus, our new LC classification thesaurus, or a combination of both. The choices are yours.

**Computer access.** Innovative new services such as our New Titles Online (NTO) and New Titles Announcement Service on diskette (PC-NTAS) provide current, accurate book status information on your PC.

**Tailored invoicing and reports.** We arrange invoices to your specifications, and provide a complete package of management reports, including a projection of books and forms you will receive in the coming year and their estimated costs for budgeting.

**Extensive, interactive database.** Our approval, firm order and standing order systems interact to prevent duplication.

**Unique backrun capabilities.** What have you missed? We can show you the effect of expanding your plan, or tape match against your catalog.

**BLACKWELL**  
NORTH AMERICA, INC.

Part of a proud bookselling tradition dating from 1879.  
Lake Oswego, Oregon • Blackwood, New Jersey  
Toll free 1-800-547-6426