

THE REPORT TO ACADEMIC COUNCIL OF
THE AD HOC COMMITTEE ON LIBRARY HOLDINGS

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In May of 1985, Academic Council empowered its Chairman to appoint an ad hoc committee made up of librarians, faculty and students to study those policies and procedures which might be necessary to govern challenges to the Library's holdings. Specifically the Committee was asked "to recommend policies and procedures by which any member of the Ryerson community can question the validity of and request the removal of, or exclusion of, or limitation of access to any item in the Ryerson Library collection."

In seeking to fulfill its mandate, this Committee has examined the policies and procedures which exist at Ryerson at the present time, determined the policies of some other libraries, reviewed the literature that exists on this subject, and debated the complex questions which reside at the heart of this most difficult and challenging issue. In wide ranging interviews with Mr. John North, Director of the Learning Resources Centre, and with Professor Audrey Sandler, Chairman of Sociology, the Committee explored the history of challenges to the Collection and to the Selection Policy. What follows is our report, but it is a report that by its very nature cannot do full justice or pay proper respect to the range of opinion and of deep feeling that exists on all sides of the questions involved. The restrictions of the mandate and of the time available combine with the overwhelming moral and ethical complexities of the subject to make it almost impossible for any committee report to articulate fully - and once and for all - the recommendations which would solve the problems posed by a serious challenge to the holdings and to the acquisitions policy of the Library. Nevertheless, we have deliberated and, in its wisdom and in full awareness of its limitations, the Committee respectfully presents this review of the issue and our recommendations.

Although the Committee came into being as the result of a motion passed by Academic Council in May, 1985, its origins may be traced to an earlier motion placed before Council in March, 1985 by Professor C. Sequeira:

Recognizing and respecting the principles of academic freedom, freedom of speech and publication and free access to materials for educational and research purposes, but recognizing too the deleterious and illegal consequences of the dissemination of literature which incites racial hatred, we request on the floor of Council a full and open discussion of the current policies regarding acquisition and classification of materials for the Library.

Council responded to the motion by requesting the Learning Resources Committee give its highest priority to a consideration of the matter and report to Council. This report was presented to the May, 1985 meeting. The LRC Report surveyed the present acquisitions and "weeding" policies, the classification system, the open-access policy, and, among other recommendations, called for the librarians "to draft a policy statement and procedure by which any member of the Ryerson community may question the validity of, and request the removal of, any items currently in the Library's collection." Council's response to this and the other recommendations was to call for a broadening of the constituency base and to establish this ad hoc Committee to offer advice to Council on policy.

The history of the germination of this report would be incomplete without reference to the specific Library holding which provoked the original motion. It is, in fact, the Ryerson Library's possession of the book, The Hoax of the Twentieth Century by A.R. Butz, the classification of the book as History, and the general, unrestricted circulation of the book that has given this debate its focus. Butz claims in this book that the Holocaust did not occur, that the number of Jewish deaths in the Second World War has been exaggerated, and that those deaths which did occur amongst the Jewish population of Europe were a by-product of war and not the product of an official Nazi government policy of genocide. The implicit (if not explicit) racism of the book provoked several members of this academic community to raise their voices in objection to the unrestricted circulation of the book. Dr. K.M. Kilbride of the Department of Sociology eloquently articulated the concern in a letter to the Learning Resources Committee on behalf of her Department:

As committed as we are to the vital principles of academic freedom and intellectual freedom, we nevertheless believe that a responsible exercise of those freedoms may from time to time involve a recognition that some works are not merely "unconventional, unpopular, or unacceptable," but may also be unsafe to the lives or well-being of those groups whom they target, deliberately or potentially, for hatred or even violence. Since such "hate literature" is not legitimated internally by its level of scholarship, academic institutions must be especially careful not to bestow upon it, albeit inadvertantly, the external legitimacy derived from being included on the open shelves of their collections.

Dr. Kilbride's argument has as its source a profound sympathy with those who feel threatened by Butz's denial of the Holocaust, and it is an argument that, together with the particular instructions from Academic Council, shaped the discussions of the ad-hoc Committee. However, the Committee has interpreted its instructions from Council to mean that it is responsible for defining the general policies and procedures that govern the Institute's handling of a particular work. We did not feel that it was within our mandate to make specific recommendations about the disposition of The Hoax of the Twentieth Century.

The Ryerson Library that exists at the moment has been shaped by a number of forces. It is the product of a Selection Policy (see Appendix A) that directs librarians "to ensure that all materials acquired support the educational endeavours of Ryerson." To a large extent, the policy defines the Library collection as a curriculum-based one. This Selection Policy works in conjunction with The Policy and Procedure on Weeding or Discarding Material (see Appendix B) that governs the removal of items which are either "outdated" or "in poor physical shape." The Library also discards extra copies of material if use does not warrant the maintaining of multiple copies. Both these formative policies must be seen in the light of the larger "Statement of Purpose of R.P.I. Library" (see Appendix C) which defines the Library's terms of reference:

The main purpose of the Library is to support and complement the formal educational activities of the Institute in the most appropriate manner. However, the Library also recognizes a responsibility to the faculty and students to meet the needs that go beyond the bounds of formal education, specifically in the areas of self-education and recreational activities.

It must also be noted that within this tripartite mandate both librarians and faculty seek to construct a collection that not only balances the three objectives but also provides a wide range of "background" material in those areas covered by the formal curriculum. It is within the context of these objectives that any policy and procedure to govern challenges to the Ryerson Library's holdings must be understood. However, one must also note the much larger ideals which form the foundation not only of the Library but of the academic community as a whole: academic and intellectual freedom. These dynamic principles, together with the Library's commitment to neutrality of presentation, are given primacy of place in the Ryerson Library's Selection Policy and it is towards the encouragement and fostering of these principles that the Selection Policy, the Weeding Policy and the Statement of Purpose are directed. The Selection Policy defines these related freedoms:

Academic freedom is the liberty to pursue legitimate study or teaching in any subject, and gives protection from pressures of censorship from individuals or groups wishing to inhibit examination of concepts considered improper or unacceptable.

Intellectual freedom is the right to access to all expressions of knowledge and opinion, including those deemed by some elements of society to be improper or unacceptable. To achieve this libraries attempt to make available all points of view, and to present them in a neutral fashion.

(These principles are entirely consistent with those in other university libraries, and the statement as a whole is endorsed by the Canadian Library Association.)

Thus it is that the Library, with all its strengths and weaknesses, is the product of the attempt to give the shape of policies and procedures to some very noble ideals. These policies and procedures are occasionally called into question, and, although the question may indeed shake the founding principles themselves, Ryerson, at present, puts the onus entirely on the librarians to answer the challenges.

At present, the subject librarians handle such queries in a relatively informal manner. On those few occasions when the response of the floor librarian is thought to be unsatisfactory, the challenge may be taken to the Director of the Learning Resources Centre, but there has been at least one instance when, in the absence of a formal challenge procedure, a faculty complaint about an art display in the Learning Resources Centre went directly to the President. Such complaints are few in number, and most originate in the external community. But every library is subject to the

appeals of groups and individuals. Libraries, almost by definition, contain material that is controversial, unsettling, and which some may consider dangerous. Indeed most libraries, particularly those which cater to an adult population, will err on the side of inclusiveness - even of the disturbing and the controversial - to maintain its essential neutrality in the making available of ideas or information. For this reason, libraries are liable to the challenges of individuals and groups who object to what they see as the library's promotion of certain views, or who wish themselves to advance a cause. In most cases these challenges will be resolved in discussion with the librarians. All such appeals and challenges are dealt with by reference - directly or indirectly - to the Selection Policy and to the Statement on Intellectual Freedom of the Canadian Library Association which is the cornerstone of all selection policies. In no case has an appeal or challenge resulted in the restriction of access to, the reclassification, or the removal of the work in question.

It would seem from the research undertaken by the Committee that there is an almost universal commitment amongst librarians, especially those in university libraries, to the principles articulated in the Statement on Intellectual Freedom approved by the Canadian Library Association and in the Library Bill of Rights (including the associated body of interpretation) endorsed by the American Library Association. A brief survey of librarians at six prestigious Canadian and American universities makes it clear that the issue is a turbulent one, but university librarians support the principles of freedom of access, of intellectual inquiry, and of expression. For instance, Dr. G. Garlock, Associate Librarian at the University of Toronto writes:

We acquire materials which represent a broad spectrum of views on controversial issues and do not censor any acquisitions. Our position is based on the arguments of intellectual and academic freedom, in that in an institute of higher education all views should be available for academic and intellectual scrutiny.

Dr. Martin Cohen of the Concordia University Library stated that his university also did not have formal policies and procedures which applied in cases of challenge. He wrote apologizing for the inability to provide a policy statement and saying, "we tend to let common sense, and principles rather more far-reaching than library policy, apply in these cases."

Dr. Cohen also stated:

As long as there is no legal stay on the free access to a book or other library material, we will make no effort to remove that material from the collection; we don't feel it's our place to limit or to interpret the applications of the principle of intellectual freedom.

Sydney Verba, the Carl H. Pforzheimer University Professor and Director of the Harvard University Library, wrote in words both succinct and unequivocal:

Our policy is simple. We put all books on our shelves and make them available. Sometimes we keep books off open shelves because we fear they may be stolen or abused - valuable books, books with lurid pictures, etc. The goal, though, is to make sure they are available to readers - not to keep them from readers.... Many terrible things are said in books. But our job is to let people read them.

Loud and clear though the voices of the librarians may be in support of academic and intellectual freedom, other cries must be heard. For the library is a social institution and, therefore, in the minds of some at least, has a responsibility to the social order and is subject to the fundamental social principles of the rule of law and respect for others. The library as an institution within the social context must respect the basic human right of all to live secure from persecution. Books or other materials which violate that right, which are seen to abuse the principles of freedom of speech by "inciting hatred" against "any section of the public distinguished by colour, race, religion or ethnic origin" (in the words of the Criminal Code of Canada) are liable to legal censorship. Thus, in the name of human rights, in the defence of one set of noble ideals, the library is called to impose limits on itself and to rein in its commitment to its own fundamental freedoms of expression and inquiry. And it is here, of course, in this conjunction of apparently conflicting virtues that the library and the academic community it supports are tested in fire. In this moral brazier are forged the commitments and principles that define the limits of a collection, that determine the extent to which the library will be an instrument of social policy, that demarcate those points - shifting though they may be - where freedom becomes licentious, where order becomes authoritarian.

It is the considered opinion of this Committee that, in order to respect both the rule of law and the principles of intellectual freedom and library neutrality, the Ryerson Selection and Discard policies should be endorsed by Academic Council and be subject only to the limitations that accrue from adherence to the fundamental social principle of the rule of law. Therefore, we will further recommend that material in the Library's holdings which is at present the subject of an adverse judgement in a Canadian Court of Law ought to be retained by the Library, be housed in an area of limited access, but be available for study to all who request access.

This recommendation to limit access in these cases has not been lightly taken by the Committee for we believe, fundamentally, that labelling, reclassification, limitation of access, and removal of offensive material all have at their core judgements which undermine the Library's cornerstone principle of intellectual neutrality. This principle must be respected and protected. Nevertheless, it is also clear that some of the mechanisms constructed to embody and protect that neutrality are subject to the limitations of human understanding. Open and free access to library material is just such an embodiment of the intellectual principles of the Library. As such, it is a concept that must be tempered with an understanding of the realities of use and abuse. To protect its holdings, the Library frequently removes from open shelves material that is subject to abuse or is threatened in some way because of its rare or delicate nature. The Committee believes that adherence to the rule of law imposes on the Library from time to time further restrictions on the commitment to open access as an embodiment of intellectual freedom and library neutrality. However we assert that the limitation of access should be undertaken in a manner that protects and is sensitive to the interests of research and intellectual inquiry. It is in just such a spirit that we recommend the housing of material that is the subject of legal judgements in an area of limited access, and that we recommend that it be made available upon request.

In the same way that open access to a library's holdings is the embodiment of certain aspects of intellectual freedom, so the classification system is an embodiment of the principle of neutrality. The Library of Congress system which is employed at Ryerson is a descriptive ordering of the Library's holdings that attempts to classify material only by subject matter. It makes no judgements about the quality of the content or the motivations of the author; it asks only what the book is about. In the breadth and depth of its coverage and its system, it is, of course, a remarkably complete

attempt to order rationally the knowledge of mankind. But it is as subject to cultural and ideological assumptions as any of mankind's attempts to structure experience systematically. It has, in the past, recognized the need to change certain features of the system in response to cultural and ideological transformations in the world at large. And it will continue to do so. The Committee feels strongly that it is the responsibility of librarians and academics to ensure that the classification system is responsive to the profound changes in attitudes and assumptions that inform our understanding. For this reason, we will recommend that, in those instances where it is the clear will of this academic community as determined and expressed by Academic Council ^{through} its designated committee, the librarians undertake to present to the Library of Congress the Institute's case for amendments to the classification system, including the headings by which the subject content is identified, as it affects particular material in the Library collection.

The Committee also considered labelling and removal of materials as ways of responding to challenges to the Library's holdings. We reject both approaches. Labelling, which is the attachment of notices to library material to warn readers about content, was rejected on the grounds that such tampering with books and other library materials not only targets the books for abuse but also, and more importantly, violates the principle of library neutrality. The removal of a work completely from the holdings was rejected on the grounds that it is both a violation of academic and intellectual freedom and, at the same time, a failure of confidence in the capacity of serious scholarship and rigorous inquiry to free the mind and the heart from the shackles of ignorance, prejudice, and injustice.

Although the informal challenge procedures which exist in the Library at the present seem entirely adequate for most questions or complaints about the Library's holdings, the Committee has been convinced that a more formal procedure is necessary to deal with those infrequent challenges which are not resolved at the librarian's level. By far, most complaints will continue to be handled by the subject librarians with reference to the Ryerson Library Selection Policy. However, in those few cases where the complainant is not satisfied by the explanations of the subject librarian, this Committee will recommend that a formal challenge procedure be

established to govern the manner and method whereby complaints against the holdings of the Library may be resolved. As a first stage in the formal challenge procedure we will recommend that complaints must be in writing and will be heard initially by a committee of librarians. A written complaint form should be developed by the librarians and approved by Academic Council to ensure that the nature of the complaint is focussed and clear to both the complainant and the Library. The use of such forms is recommended by the Office for Intellectual Freedom of the American Library Association as a means of ensuring that complaints are properly heard and that objections are thoroughly considered. (See Appendix D for an example of such a form.) A committee of librarians should be charged with the responsibility of determining and explaining in writing how the challenged material relates to the Ryerson Selection Policy, and should undertake to determine the extent to which a work is the subject of legal injunctions. We will recommend that, in those instances in which the response of the committee of librarians is not acceptable to the complainant, and in those instances in which the material in question is the subject of adverse judgements in a Canadian Court of Law, an ad-hoc sub-committee of Academic Council be established to review the challenge and to make, on behalf of Council, a decision about the dispensation of the material in question. The decision of the sub-committee shall be final. The ad-hoc sub-committee should be representative of the three constituencies in Ryerson's academic community - the teaching faculty, librarians, and students. It would be expected that the ad-hoc sub-committee would consult extensively with faculty expert in the relevant disciplines before any judgement is rendered. In keeping with earlier recommendations, it should be noted that the ad-hoc sub-committee will have essentially three options when considering a challenge: [to reject it; to request that the librarians present a case for reclassification to the Library of Congress; or to rule that the legal status of the material is such that the work ought to be removed from the shelves, be housed in an area of limited access, and be available to all who request access. Given the range of courts in this country, the variety of statutes which might be invoked, and the complexity of judgements that may be rendered, it is left to this ad-hoc sub-committee to rule on whether or not the challenged material's involvement in an adverse judgement is such that access to it should be restricted in the limited way we recommend. Books and other material housed in this area of limited access should be the subject of periodic review by the ad-hoc sub-committee to determine whether or not the legal status of the work warrants continued restriction of access.

In conclusion, we wish to assert once again our profound awareness that the nature of this issue makes final and lasting answers impossible. There are no absolute measures that would allow a community to define once and for all time the delicate balance that must be struck between the spirited exercise of academic and intellectual freedom and the intelligent and sensitive expression of social responsibility. In the absence of the absolute, we must be constantly alert to the subtle shifts in that balance that would lead, on the one hand, to the erosion of essential freedoms or, on the other, to the abuse of human and civil rights. We must, therefore, be prepared to review regularly these policies and procedures to ensure that the struggle towards this fine balance is indeed manifest in the decisions and actions of all those involved in the challenging process.

SUMMARY OF THE MAIN RECOMMENDATIONS OF
THE AD HOC COMMITTEE ON LIBRARY HOLDINGS

The ad-hoc Committee recommends:

1. That the Ryerson Library Selection and Discard policies should be endorsed, subject only to the limitations that accrue from adherence to the rule of law. (p.7)
2. That a formal challenge procedure be established to govern the manner and method whereby complaints against the holdings of the Library may be resolved. (p.8-9)
3. That, in those instances in which the response of the committee of Librarians is not acceptable to the complainant, and in those instances in which the material in question is the subject of adverse judgements in a Canadian Court of Law, an ad-hoc sub-committee of Academic Council be established to review the challenge and to make, on behalf of Council, a decision about the dispensation of the material in question; and that the decision of the sub-committee shall be final. (p.9)
4. That material in the Library's holdings which is at present the subject of an adverse judgement in a Canadian Court of Law ought to be retained by the Library, be housed in an area of limited access, but be available for study to all who request access. (p.7)
5. That, in those instances where it is the clear will of this academic community, as determined and expressed by Academic Council through its designated committee, the Librarians undertake to present to the Library of Congress the Institute's case for amendments to the classification system, including the headings by which the subject content is identified, as it affects particular material in the Library collection. (p.8)

RYERSON LIBRARY SELECTION POLICY AND PROCEDURE (ALL MATERIAL)

Academic freedom is the liberty to pursue legitimate study or teaching in any subject, and gives protection from pressures of censorship from individuals or groups wishing to inhibit examination of concepts considered improper or unacceptable.

Intellectual freedom is the right to access to all expressions of knowledge and opinion, including those deemed by some elements of society to be improper or unacceptable. To achieve this libraries attempt to make available all points of view, and to present them in a neutral fashion.

Ryerson Library policy is to encourage and foster the above concepts, and to act in a manner consistent with the Canadian Library Association Statement on Intellectual Freedom (see below).

Responsibility for selection in undertaken jointly by users of the library (who know what they require), faculty members (who know which materials their students will need), and librarians (who know which materials are in demand). It is the duty of the librarians to maintain a reasonable balance within the collections, to ensure that all materials acquired support the educational endeavours of Ryerson, and to make the wisest use of the inadequate financial resources.

This selection policy pertains to all material acquired with the library acquisition budget whether it is a book or non book item and also pertains to everybody eligible to order material under this budget whether faculty, staff or students.

All orders are directed through subject librarians for inspection, before ordering, to:

1. Avoid duplication.
2. Maintain the balance of the collections.
3. Ensure wise use of finances.

Library staff. Only subject librarians and the Director can approve orders. All other staff may initiate an order but it must be approved by the Director or the appropriate subject librarian. Approval is indicated by the librarian's initials and a budget number appearing on the order. For more details of the librarian's procedures, see the attached "Guide to ordering".

Librarians are encouraged to consult with appropriate program departments when purchasing non-reference and non-government items from their discretionary budgets.

Faculty. Faculty orders are initiated by the members of each department and must carry the departmental Chairperson's signature. The orders are then directed to the subject librarians for inspection for the three reasons stated above. If the order is approved it is initialled and forwarded to Technical Services.

Questioning of Faculty orders occur when:

1. The library appears to already have an imbalance in the area of the collection where the items would be located.
2. There is no obvious relationship between the items ordered and the stated curriculum.
3. The items are clearly outside the subject area of the person placing the order.
4. No clear need for these items is known to the librarian.
5. Insufficient funds are available.
6. The subject, scope, level, or price of the item seems to make it an undesirable acquisition for Ryerson.

Procedure - the appropriate subject librarian contacts the faculty member and states any reservations about the items in question. Depending on the information exchanged in this process, the order is either approved, withdrawn or modified. In the few cases where no agreement is reached, the matter is referred to the appropriate Chairperson or Dean, and the Director of the Learning Resources Centre. In the event that no agreement could be reached at this level, the matter would presumably be referred to the Learning Resources Committee.

Students - students may initiate orders through the faculty, through the library suggestion box or through the student book order form (available from library staff). All orders received in the last two ways are forwarded to the appropriate subject librarian. If the order is approved it is usually paid for out of the librarians portion of the acquisition budget. The order will then be forwarded to Technical Services.

INTELLECTUAL FREEDOM

Every person in Canada has the fundamental right, as embodied in the nation's Bill of Rights, to have access to all expression of knowledge, creativity and intellectual activity, and to express his thoughts publicly. This right to intellectual freedom is essential to health and development of Canadian Society.

Libraries have a basic responsibility for the development and maintenance of intellectual freedom.

It is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end libraries shall acquire and make available the widest variety of materials.

It is the responsibility of libraries to guarantee the right of free expression by making available all the library's public facilities and services to all individuals and groups who need them.

Libraries should resist all efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Both employees and employers in libraries have a duty, in addition to their institutional responsibilities, to uphold these principles.

The above Intellectual Freedom statement was approved by the Canadian Library Association Council on June 27, 1974.

POLICY AND PROCEDURE ON WEEDING OR DISCARDING MATERIAL

Preface

It is the policy of the library to review the collection periodically and to deselect items which meet the criteria listed below.

All materials of all types whether catalogued or not (books, periodicals, government documents, association publications, etc.) must go through the discard procedure prior to disposal.

Unwanted donations; duplicated copies of periodicals; superseded material such as monthly or quarterly issues of law materials, periodical indexes, etc. need NOT go through the procedure.

1. The librarian goes through the shelves and removes material that she/he thinks should no longer be in the collection. Some reasons for this decisions could be:
 - (a) Material is outdated.
 - (b) There are more copies than recorded use would indicate are needed.
 - (c) There are multiple copies of superseded editions (one copy of an early edition may be kept for its historic perspective when required by the program).
 - (d) Material is in poor physical shape (in this case a replacement would be ordered if the item was needed in the collection).
2. Material so identified has a "Discard" label put on the front that indicates the reason for discarding.
3. After discussion with the Circulation Supervisor material is taken to Circulation and is charged out by Circulation Staff using the Discard Card. The material is then put on the discard shelves outside the Information Centre.
4. A memo is sent to the department or departments who are interested in the subject area(s) that have been weeded. They are informed of which subject areas have been weeded, where the books are located and invited to come and look at them. At least four weeks during the academic year is allowed for faculty and student comment. Any problems should be discussed with the librarian who signed the discard slip. In case of a disagreement the items in dispute shall remain in the library collection.

5. After at least four weeks the books are removed from the discard shelves. They are removed from the circulation records by the circulation staff and taken to the systems assistant.
6. The systems assistant removes them from the library records and stamps them "withdrawn from R.P.I. library".
7. The books are then ready to be sent to the Canadian Book Exchange Centre.

*Revised April 1985

STATEMENT OF PURPOSE OF RYERSON POLYTECHNICAL INSTITUTE
LIBRARY

The main purpose of the library is to support and complement the formal educational activities of the Institute in the most appropriate manner. However, the library also recognizes a responsibility to the faculty and students to meet the needs that go beyond the bounds of formal education, specifically in the areas of self education and recreational activities.

The library supports these three areas of concern by acquiring pertinent material regardless of the physical form in which it is available, thus both print material (books, periodicals, maps, etc.) and non-print material (motion pictures, records, slides, etc.) are collected.

The material is arranged for use and distribution in the most convenient manner, the book and periodical collections being arranged in a manner more related to student usage patterns than to library cataloguing practices.

The library facilitates access to sources of information beyond the scope of the Ryerson Polytechnical Institute collection through such mechanisms as Inter-Library Loan and the Ontario Universities' Library Co-operative System Borrower's card (for faculty) and referral to other libraries.

In addition to collecting, arranging and distributing material the library assists and instructs users of the library in making the most efficient use of the library collections. This includes general and special orientation lectures and tours, reference and information service, and library and subject guides.

The library provides facilities and equipment to create an atmosphere conducive to learning and convenient to use. Carrels and tables, catalogues on microfiche, periodical listings, microfilm readers and a related collection of books, reference books, periodicals and periodical indexes are provided on all subject floors, together with information services. Discussion rooms and xerox machines are available throughout the library.

The library provides an informal lounge area with beverage and snack machines and where smoking is allowed. Calculators and typewriters are also available in this area.

The library lends materials to meet individual needs in a manner compatible with the needs of all users and provides any material and equipment which assists library users in their formal and informal education.

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REQUEST FOR RECONSIDERATION OF LIBRARY MATERIALS

Title: _____ Book Periodical Other _____

Author: _____

Publisher (or Publication): _____

Request Initiated by: _____

Address: _____

Do you represent:

Yourself _____

An organization (name) _____

Other group (name) _____

1. To what in the work do you object? (Please be specific. Cite pages.)

2. Did you read the entire work?
read?

If not, what parts did you

3. What do you feel might be the result of reading this work?

4. Have you read the judgements of critics concerning this work?
5. What would you like the Ryerson Library to do about this work?
6. Have you read the Ryerson Library Selection Policy?

APPENDIX E

Legal censorship, its pertinent statutes, and their implications fall well beyond the detailed understanding of this Committee.

However, our research suggests that the sections of the Criminal Code of Canada dealing with "Offences Tending to Corrupt Morals" and with "Hate Propaganda" are the most commonly referred to in debates of this order. In "Censorship and Librarians" (Canadian Library Journal, December, 1983) Lois M. Bewley identifies "these sections of most concern to...librarians." They are:

159. (1) Every one commits an offence who

(a) makes, prints, publishes, distributes, circulates or has in his possession for the purpose of publication, distribution or circulation any obscene written matter, picture, model, phonograph record or other thing whatsoever, or

(b) makes, prints, publishes, distributes, sells or has in his possession for the purpose of publication, distribution or circulation, a crime comic.

159. (2) Every one commits an offence who knowingly, without lawful justification or excuse

(a) sells, exposes to public view or has in his possession for such a purpose any obscene written matter, picture, model, phonograph record or other thing whatsoever,

(b) publicly exhibits a disgusting object or an indecent show.

159. (7) In this section, "crime comic" means a magazine, periodical or book that exclusively or substantially comprises matter depicting pictorially

(a) the commission of crimes, real or fictitious, or

(b) events connected with the commission of crimes, real or fictitious, whether occurring before or after the commission of the crime.

159. (8) For the purposes of this Act, any publication a dominant characteristic of which is the undue exploitation of sex, or of sex and any one or more of the following subjects, namely, crime, horror, cruelty and violence, shall be deemed to be obscene.

281.1(4) In this section "identifiable group" means any section of the public distinguished by colour, race, religion or ethnic origin.

281.2(1) Every one who, by communication statements in any public place, incites hatred against any identifiable group where such incitement is likely to lead to a breach of the peace, is guilty of

(a) an indictable offence and is liable to imprisonment for two years;

281.2(2) Every one who, by communicating statements, other than in private conversation, wilfully promotes hatred against any identifiable group is guilty of

(a) an indictable offence and is liable to imprisonment for two years.