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#300342713

Exploring challenges and book banning in Canada: implications for intellectual
freedom and access to information

Work submitted to Professor Joanne Rumig as part of the course Access and Services to Diverse
Populations (ISI 6353)

University of Ottawa

Dec. 18th, 2024

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Introduction

The practice of challenging and banning books is one that had been around since the beginning of written works. No matter the subject matter, it often seems like someone will have some sort of concern or reason to challenge the existence of information that is accessible to others. This can be a malicious reasoning, that discriminates against a certain group of people, or it could be a simple request to have something not socially acceptable placed in an area where minors and vulnerable people won't see it accidentally. Often though, it seems like many of these challenges come from a place of hatred and evil and are a danger to the access of valuable information to those marginalized groups that could really benefit from it. In Canada there is an important emphasis placed on the protection of intellectual freedoms and the rights of people having access to the information they desire, except for protecting minors from potentially harmful material.

Through research into previous book challenges and other scholarly works on the topic, this research essay will attempt to answer the questions of why books containing diverse voices and themes are challenged more than others, how do these challenges intersect with principles of intellectual freedom and access to information, and what are the societal impacts that banning books has within Canada. These questions are important to understanding why Canada has a unique reputation of upholding the rights of its citizens to access information and bar them from exposure to hate and discrimination. That is not to say that there haven't been issues, and those will also be explored in this paper. Overall, the goal is to understand, not solve, the issue of book challenges and banning in Canada in a time when global challenges of social issues is rising.

Despite being a leader on social justice and a strong advocate for equality, Canada has many instances of challenges to the freedom of information and is not immune to the existence of groups that wish to censor citizens rights to access that information. This essay argues that the challenging and banning of books in Canada often reflects the current societal biases against

marginalized groups and highlights the tension between freedom of expression and cultural values that exists within the multicultural expanse of the Canadian population.

Historical and Legal Context

Challenging of books is not a new thing, and Canada has a long history of such cases. In the Spring of 1956, a bulletin was issued as a warning to parents and educators on the dangers of reading comic books with a warning to prevent the sale and distribution of comic books in the province of Alberta (Wright, 2022). This was issued on the basis that comic books were harmful to the wholesome education of young people in the province. There are many instances of this throughout history, moving from one form of media censorship to another via mediums like music and video games. And this theme of challenging what goes against the normal societal values has been applied to books for centuries. These challenges were driven by librarians, who felt a need to encourage “good reading” and censor any materials that could cause harm (Wright, 2022).

Legal frameworks have been developed to address the challenges of books throughout Canada, and these have been set up based on some of the precedents set in the past. One major case that made headlines in 1996 was that of the Little Sisters Book and Art Emporium in Vancouver versus Canada Customs. In this case, Canada Customs repeatedly seized shipments of gay and lesbian literature that had been imported by Little Sisters bookstore and that customs officials had declared “obscene” under the customs act (Cossman & Ryder, 2011). This caused the store to challenge this as a violation of their rights under the Canadian Charter of Rights and Freedoms, specifically a breach in their rights to freedom of expression and access to information. Eventually, in 2000, the Supreme Court of Canada ruled that Canada Customs had been discriminatory and had flaws but upheld the governments right to restrict certain literature deemed “obscene” under the customs act (*Little Sisters Book and Art Emporium v. Canada (Minister of*

Justice) - *SCC Cases*, 1996). This case brought attention to the issue of using censorship as a tool to marginalize groups and led to the need to reform practices in customs enforcement to prevent discrimination.

The above is an example of a prominent case in the history of book challenges in Canada. It shows a government action against literature that was considered as harmful to the social fabric of the country. Instead, it created awareness of the practice of challenging and banning books becoming something that even official offices were participating in. This made it an issue that went against the values for Canada that are instilled in the Canadian Charter and that freedom of information and access to information are supposed to be protected by our government.

Case Analysis

Another case that has been prominent in Canada is that of the Surrey School Board's ban on books that feature same-sex families. In December of 2002 there was a ruling by the Supreme Court of Canada that overturned the Surrey School Boards banning of three children's books that had same-sex parented families. The inclusion of these books was meant to broaden the school's diversity and inclusion, but they were banned by the board for being potentially age-inappropriate and against parental religious beliefs (Knickerbocker, 2003). In this case, the court established that by banning the books based on potential religious discrimination, the school went against the secular requirements of school boards under the British Columbia School Act (Knickerbocker, 2003). This case reflected the ideas and values that tolerance is supported throughout Canada and is important for children to have access to materials that allow for education on diverse matters.

Another case that happened in the United States, but still resonates with Canada, is the banning of Art Spiegelman's graphic novel about the holocaust titled "Maus". In 2022, the McMinn County Board of Education cited "rough, objectionable language" and the cartoon drawing of a

nude woman as reasons for the banning of the graphic novel from its Grade 8 curriculum (Nijdam et al., 2022). This is again a decision often driven by good intentions but that ends up limiting students' opportunities to engage with challenging and essential topics. There is the argument that by banning the book, the school board emphasizes the importance of the book in educating students about the holocaust in a meaningful and truthful way, instead of attempting to dampen the hard historical facts (Nijdam et al., 2022). This article is a defense of the book, and a good demonstration of the importance of teaching in a truthful way.

The banning of graphic novels, especially as they become more popular, is seemingly creating a new boom in challenging of books. Diverse themes are commonly challenged, and this could reflect modern societal challenges. Graphic novels may face even more scrutiny as they feature a visual medium that makes explicit content more accessible and brings up questions of the ability of younger readers to access such materials (McCluskey, 2022). The debates between groups for and against banning of books are often both looking out for what they believe is best for vulnerable groups accessing this information. It is argued that clear policies are needed to handle these book challenges that balance freedom of expression with concerns of minors accessing explicit content (McCluskey, 2022). It is important to maintain intellectual freedom and reflect diverse perspectives while also protecting those vulnerable populations from possible exposure to age-inappropriate materials.

Societal Impact and resistance

To measure the representation of underrepresented groups and evaluate and enhance their representation, libraries can conduct diversity audits of their collections. These diversity audits make use of catalogue searches, checklists, and book inspections to set clear targets for diversity and inform collection development (Walters, 2023). These audits have their challenges however,

as diversity must be defined, and cultural significance of materials can be difficult. The creation of more standardized methods would aid this process. More research is also needed on how collection diversity affects library users and the communities they are in (Walters, 2023).

There is also a rise in the calls to ban books within Canada, particularly targeting works that address gender, sexuality, and diversity. It is also argued that despite this, there is an increase in the opposition to those challenges (Wong, 2024). Canadian values place importance on access to essential information and diverse perspectives, which is directly challenged by the banning of books. Most of these challenges reflect an increase in social tensions within the country, and this also emphasizes the need to balance freedom of information and the balanced decision-making (Wong, 2024).

As demonstrated by the earlier discussed ban in Tennessee of the book “Maus”, censorship can have a positive affect on a book’s success. Driven by curiosity, the ban can cause people elsewhere to access the book and discover the reasons for themselves. This often has the outcome of challenges to the original banning of the book, and advocacy for it to be restored to allow full access. It also amplifies the significance of the book in education and increases the reach of the book around the world.

Assessing challenges

An important method for assessing challenges to books is the previously mentioned diversity audits, which make use of analysis of library collections to check for diversity and meet set goals of the level of diverse works included in the collection. It is important to balance perspectives when assessing challenges to ensure that freedom of expression is protected while also ensuring that no harm comes to those who have access to the material, especially in the case of minors. By developing better standards for auditing libraries can help ensure that any assessment

of their collections will be a fair one. Only through allowing diverse collections with representation for all can this be achieved; however, this does not mean that explicit materials should be accessible by those they are not appropriate for. It is also important that libraries and government develop some long-term strategies for dealing with challenges to books, especially in a world that is rapidly shifting politically and socially. One area that could make use of future study is that of how banning of books affects Canadian society as it is today.

Many challenges of books come from places of societal issues with themes involving gender, race, sexual orientation, and mental health. There are challenges originating from the depiction of violence or explicit material as well. Marginalized communities being represented often results in challenges from groups that find discomfort in diverse perspectives and complex subject matter (*15 Frequently Banned & Challenged Books* | Penguin Random House Canada, n.d.). While a lot of these books feature LGBTQ+ characters or non-religious themes, they also are challenged based on explicit themes and sexual content. There are complex reasons behind many book challenges and therefore each case must be analyzed individually and with open-mindedness as not all book challenges are from places of discrimination.

Conclusion

Through the analysis of existing literature and some of the systems that are in place to handle book challenges in Canada, this essay looked at the history of book challenges and what may be needed in the future to handle an increase in these challenges. It also highlights the tension that exists between maintaining intellectual freedom and societal values. Book challenges come up for various reasons, from protecting minors to perpetuating discrimination. Diverse books are seemingly disproportionately challenged as they are often the ones that are giving the truthful and necessary information, which is important to educate and represent the reader. It can be argued that

a book that is challenged in this way may be an important book for the education of the topic, as if it was not challenged than it may not have contained the information necessary to convey.

Books that contain diverse themes and voices are more frequently challenged due to the fact they often contain complex or unfamiliar topics that reflect current social biases and discomfort. A lot of those who oppose these topics are simply afraid, as they do not understand and perceive it as some sort of threat to their ideas of proper society. These challenges intersect with the principles of intellectual freedom and access to information in that they directly challenge those principles. Individuals in Canada have a Charter right to seek, receive, and impart information and this is challenged when books are banned by restricting that right. Marginalized groups are affected by the lack of ability to access materials that relate to their own experiences, and this is directly contradictory to the Canadian Charter. By banning books, especially those with diverse voices, Canada risks increasing social divisions, reduction in representation in education of marginalized groups, and increases debate that becomes one-sided without access to diverse information. The social impact of book banning isn't just an immediate loss of information but also silences marginalized voices and encourages development of societal power imbalances.

This paper underscores the importance of protecting intellectual freedom and access to information within Canada, and globally. Promotion of diverse perspectives in Canadian libraries and education systems is necessary to maintain a healthy social environment and prevent pushing away of vulnerable groups. Standardized approaches to book challenges that allow for protection of minors but also freedom of expression is important and must be developed. The need for thoughtful and balanced decision-making is important in a Canada that is facing a politically and socially uncertain future.

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