



Free Speech vs. Social Justice

Should Hate Speech be Protected?

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There is a troubling trend within the library profession. As a result of blind allegiance to free speech absolutism, librarians are forgetting that we exist in a society. Libraries are social spaces and therefore spaces for social justice.

Library school teaches us that we exist to offer a space for discourse, research, and inquiry. We must present all sides and perspectives in our collection to allow individuals to form their own opinions, informing and instructing those we serve through a lens of neutrality. But to believe this, we have to ignore the nuances of society and the structural inequities within it.

Years ago, I heard a colleague say that if we don't have something in the library that offends you, then we aren't doing our job. On the surface I understand the sentiment, but upon reflection I found deep problems. First, the person saying it is white. Second, creating offense is decidedly not our job.

Why do I mention race? White supremacy is the foundation and lens through which everything is created within this country. [When 83 percent of librarians are white](#) (DPE 2021), it's an indication we do not fully understand the difference between harm and offense because that which offends white people does not typically

harm us. [However, that which offends Black, Indigenous and people of color \(BIPOC\) can and does harm them](#) (Hernandez 2021).

So while we may say that it's important to have all sides of an issue represented in the library, when do we determine that the harm some material causes to marginalized groups outweighs its value in public discourse?

Nesrine Malik, an author and journalist, wrote a compelling piece in the *Guardian* in 2019 titled "[The Myth of the Free Speech Crisis](#)," which was excerpted from the book *We Need New Stories: The Myths that Subvert Freedom*. Malik argues that the "free speech crisis," along with five



other myths, including “The Myth of Harmful Identity Politics” and “The Myth of Gender Equality,” is perpetuated by those bent on maintaining the status quo above all social progress toward equality of marginalized groups.

The First Amendment has been mythologized to invoke one’s right to say anything and everything without consequence. Free speech in the United States does not protect some categories of speech, including obscenity, fraud, and false advertising, but it does protect hate speech. The two components to this myth, Malik says, are that all speech should be free and that free speech means freedom from objection.

Malik writes, “The myth and its promoters thrive on cognitive dissonances and good intentions, feeding them with free speech absolutism, invoking a nonexistent marketplace of ideas, fabrication of free speech scandals, and slippery slope fallacies” (60).

Supreme Court Justice Oliver Wendell Holmes first articulated the “Marketplace of Ideas” theory that Malik mentions. Holmes said more speech is better because when all ideas are offered and available, the truth will prevail through market competition ([Annenberg Classroom](#) 2021). Does this hold true for hate speech? Malik writes, “The problem with the marketplace of ideas theory (as with all ‘invisible hand’-type theories) is that it does not account for a world in which the market is skewed, and where not all ideas receive equal representation because the market has monopolies and cartels” (71-72). She points out that the ideal of this type of “marketplace” requires significant regulation.

Librarians commonly argue that if we advocate for regulation of speech we are either “censoring” or that we enter a “slippery slope.” I don’t know if we even understand what we mean when we talk about a slippery slope. Malik sees the argument as a fallacy; a false equivalence. The slippery slope does not exist, she says. She makes the point that banning Nazi propaganda does not lead to banning other, valid perspectives and points of view. “It’s less ‘First they came for the socialists, and I did nothing, then they came for me,’ and more ‘First they came for the Holocaust deniers, and then they did not come for me or anyone else, because none of us were Holocaust deniers” (83).

Hate speech has no value in public dialogue. It detracts from discourse. When white librarians, staff, and administrators continue to value free speech over the dignity of marginalized people, we send a message that we pay lip service to equity and inclusion but are not willing to sacrifice our white comfort.

A few years ago, I learned of a library request for the graphic novel *Lost Girls* by Alan Moore. The book is an

erotic graphic novel. It has a starred [review in *Publisher’s Weekly* by Neil Gaiman](#) (2006). The author is a well-known and renowned graphic novelist. Though it met all the criteria to purchase, ultimately it was rejected. The individual making the decision said it would not be added to the collection because it was “pornography.”

Fast forward to March 2021. [Dr. Seuss Enterprises ceased publication of six titles because of racist imagery](#) (2021). Not only does the same library carry four of the six books in print in the children’s section but most are available in English and Spanish as well as e-book formats. Reflect on what message that sends. There is more offense and discomfort surrounding a book that features erotica than there is a children’s book with racist depictions of Asian American and Pacific Islander (AAPI) and Black communities.

I am not suggesting removing these books from the library. Librarians may argue there is value in keeping them as archives and primary sources to study racist imagery in historical children’s literature. But what value are we serving by retaining them in the children’s section? Does access to such titles supersede the value of dismantling a white supremacist system that created a market for these racist materials in the first place? The American Academy of Pediatrics indicates that “[by ages 2 to 4, children can internalize racial bias](#)” (Anderson and Dougé 2019).

Those arguing the fallacy of the “slippery slope” might suggest that removing these books from the children’s section creates a precedent for “the other side” to remove lesbian, gay, bisexual, transgender, and queer (LGBTQ+) or anti-racist books. But this is a misapprehension. One set of books patently propagates caricatured stereotypes and dehumanizes a large swath of people. The other seeks to include, humanize, and teach about people seeking civil rights and protections of due process under the Fourteenth Amendment. How are these equivalent?

Journalism has a similar objectivity issue. Students of journalism are taught that the central tenet of the profession is neutrality and objectivity. Journalists present both sides and let the reader come to their own opinions. However, Malik shines light on her lived experience as a Black, Muslim woman in the world of journalism and politics. It is a stark example of the direct racism and even potential violence the myth of the free speech crisis engenders.

She illuminates this point about the media, “This is now the discourse; presenting bigotry and then the defense of bigotry as a ‘debate’ from which everyone can benefit. . . . As a result, mainstream media establishments began to struggle with this glut of opinion, failing to



curate the public discussion by giving into false equivalence. Now every opinion must have a counter-opinion. . . . Whenever I attempted to push back in my writing against what amounted to incitement against racial or religious minorities, my opponents fixated on the free speech argument, rather than the harmful ramifications of hate speech.”

In my personal experience with colleagues, I see similar debates. [Many librarians that hold status believe that neutrality is our ultimate goal](#) (LaRue 2018). But numerous BIPOC librarians are telling us that [neutrality directly harms them and BIPOC patrons](#) (Williams 2017). Many BIPOC librarians no longer trust the intentions of our professional organizations like the American Library Association. With her prior consent, I share April Hathcock’s perspective. Hathcock is a Black librarian and former member of the council of the American Library Association. [She wrote in 2021](#), “Having gotten a glimpse into the inner workings of the organization, I’m more convinced than ever that ALA has always been and will

always be centered on promoting the ‘neutrality’ of white supremacy and capitalism . . . there is no interest in making the organization more welcoming to those who do not represent the 87% of White librarians in the profession. ALA is what it is and it will remain what it is” (2021).

Upholding free speech absolutism, as white librarians, to grasp onto an ideal of professional integrity may seem noble, but what does it say about us as conduits of information and exploration if we are more concerned with the perception of our ethical purity than with actually serving our patrons? How we serve those who walk through our doors is the most important component of our professional integrity.

So should we continue to protect hate speech? Should we give it value in the so-called marketplace of ideas? Or should we advocate for regulating speech at the risk of facing criticism. While we may be uncomfortable with regulations, BIPOC, LGBTQ+, and other [marginalized groups are facing violent consequences](#) because of the propagation of hate speech and its protections (Hernandez 2021).

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