

I am a librarian, employed at the University of North Dakota. While my testimony is informed by my past experience as a librarian, teacher, and bookseller, it is offered as a private citizen and not as a representative of my employer, my professional organization, or my colleagues.

We have entered a very censorious age in the United States. Support for the First Amendment, however construed, is declining, especially amongst the younger generations. Online discourse is full of praise and condemnation of attempts to curb the written word and constrain readers. In recent weeks, we've seen a publisher bowdlerize the works of Roald Dahl to make them more palatable to a progressive readership, and Stanford University hauling in a student to account for himself for having been seen reading—not espousing—*Mein Kampf*, which is an important source for many historical researchers, who read it without ill effects as it is one of the least persuasive books ever written for anyone with the slightest moral sense.

When private publishers and educational institutions engage in this behavior, it may be laughable or a worrisome sign of the times, but they're certainly free to manage their affairs and intellectual property as they see fit, under the First Amendment (and private citizens may criticize them). What is actually threatening, and which inspires me to write this testimony opposed to this bill, is when this attitude is taken up by a government with the power to tax, the power to fine, and the power to imprison. This law goes far beyond the State's historic role regulating speech, the press, and thought; I believe it violates the First Amendment and I strongly suspect that the courts will be called on to decide the matter, at great expense to the State.

Common to all the censors—or, to themselves, the upholders of virtue—is an implicit belief that books are magic spells: Upon exposure to them, they work of their own accord, and compel the reader to adopt some political belief, convert to some religion, or live some sort of lifestyle. That this is untrue is self-evident to outside observers; indeed, none of the supporters of private or government censorship can claim to be protecting *themselves* from books, but some other, weaker, less intelligent, group that for whatever reason cannot speak for itself.

But we all know, since we see it every day, that children think for themselves, as do students, immigrants, or whoever else is supposed to need protection from these wicked

books—and the price of this “protection” is to place libraries, bookstores, and other public spaces under surveillance and threaten their staff with fines and prison.

That families have a role in choosing what and how their children read is self-evident; they do so no matter what libraries, bookstores, and the internet may offer, by teaching and discussing values, and with adults and children realizing that books can be read or not read, and agreed with or not agreed with.

Regarding the book—the one book—that has inspired all this legislative effort. Every family in the world believes that their children should be exposed to the variety of forms and shapes of human sexuality gradually and in certain ways. Every community is composed of families with a range of those opinions. The challenge for a good librarian is to make books available that appeal to that range; a librarian who ignores their most conservative *or* progressive patrons is not properly doing their job. But it is also a betrayal of the library to make it a weapon for one “wing” of its patron base to deny material to the other. To do so would be to infantilize a whole swath of the community, to pretend they are not intelligent or “good enough” families to read on their own.

I believe that the State of North Dakota has a role to play in strengthening and empowering North Dakota families. Improving access to childcare; credits for families with children; encouraging immigration for families from impoverished, war-torn, and authoritarian countries—all these would be an unmistakable signal to the world that North Dakota welcomes all families who wish to strengthen themselves and contribute to our state and communities.

On the other hand, if the State of North Dakota wishes to encourage and enrich First Amendment lawyers—a likely byproduct of this legislation—it might be better off to simply fund a few new positions at the University of North Dakota Law School.

I urge the state’s representatives in the legislature to turn away from this censorious moment, to treat their fellow citizens as intelligent free people, and to learn how librarians actually select books, connect with their local communities, and try to welcome everyone to their institutions.