# Alabama libraries debate sexually explicit content in teen books amid legal and political turmoil



In Alabama, a contentious debate has emerged over the presence of certain books in public library teen sections, sparked by new state rules restricting access to materials deemed sexually explicit. Central to the controversy is the 2006 novel Sold, which tackles the harrowing issue of sexual slavery in India. While the book is acclaimed for illuminating disturbing realities, state officials argue that the sexually explicit content warrants restricting its availability to younger readers under Alabama’s recently implemented legal standards.

The conflict came into sharp focus during a city library meeting in Fairhope, Alabama, on Monday, November 11, 2024, when local officials upheld that Sold remains appropriate for teens and decided against moving it to the adult section. Library representatives maintained that the book’s contents were not obscene, highlighting their stance that such material serves an educational purpose rather than warranting censorship. Elizabeth Williams, spokesperson for Read Freely Alabama—a group opposing book bans in the state—stressed to The Birmingham News that books like Sold “not only inform and inspire empathy, they make young people harder for would-be predators to groom.”

On the other side of the debate, Alabama State Public Library Board member Amy Minton underscored the clarity of the new state code in limiting access to works featuring any sexually explicit anatomy, regardless of educational context. “There is no gray area in there,” Minton said. “It’s very clear. But because it has one picture of anatomy, it’s the anatomy. There is no exception for education and instruction for the code in there.” The reform gives parents the authority to decide whether their children should be granted permission to access such materials. Both supporters and critics of the rules assert that their positions are guided by "common sense,” though they fundamentally differ on how “sexually explicit” content should be interpreted under the First Amendment.

Experts in constitutional law note that the issue of what qualifies as sexually explicit material remains unresolved at the highest legal level. Paul Horwitz, a professor at the University of Alabama School of Law, explained that there is “no universally agreed upon definition of ‘sexually explicit.’” He added, “It is not the same thing as obscenity, and sexually explicit material is not subject to the same level of potential restriction as obscene materials. But laws aimed specifically at restricting the access of minors to sexually explicit materials are subject to a lower degree of justification.”

The Supreme Court last addressed book censorship in libraries in 1982 during the case Board of Education, Island Trees Union Free School District v. Pico. The ruling was highly divided, offering no clear majority opinion, leading to widespread varied interpretations ever since. David Hudson, a First Amendment fellow at the Freedom Forum, observed, “That was a highly fractured opinion and was no majority opinion and I think the U.S. Supreme Court will have to decide it again.” He noted the court’s ruling did favour students' rights to free access to information but left many questions unresolved, giving considerable discretion to local governments over library content.

Similar disputes have surged in Alabama and other states more recently, driven largely by conservative groups such as Moms for Liberty and Clean Up Alabama. These organisations are pressuring library boards to relocate controversial titles—often dealing with sexual or LGBTQ themes—from children’s or teen sections to adult sections. John Wahl, chairman of both the Alabama Public Library System Board and the Alabama Republican Party, acknowledged that concerns about children’s library materials extend beyond activist groups, though groups like Read Freely say complaints chiefly arise from conservative factions.

Federal courts in other states have in some cases rebuffed efforts to restrict or relocate books deemed controversial. Notably, in 2024, a federal court in Arkansas ruled against a policy requiring LGBTQ-themed books to be removed from children’s sections, judging it a “textbook example” of viewpoint discrimination. Similarly, a federal judge in Iowa struck down a 2023 law banning books with sexual content in public schools that led to removals of classic literature such as Slaughterhouse Five and The Color Purple. Aaron Terr, director of public advocacy at the Foundation for Individual Rights and Expression (FIRE), commented on these cases: “The court says the law ‘imposes a puritanical pall of orthodoxy’ over school libraries by concluding there is no redeeming value to any book that contains a ‘description’ of a ‘sex act,’ even if the book is a work of history, self-help guide, award-winning novel or other piece of serious literature.” He also noted the ongoing legal appeals expected from state officials.

Meanwhile, voices from conservative think tanks emphasise concerns over educational quality in teen library sections. Meg Kilgannon, senior fellow for education studies at the Family Research Council, stated, “In my opinion, it’s gone unexamined by parents in America because they trust publishers and authors writing young adult material to children.” She further remarked, “I don’t believe any material produced by exploiting other people is legitimate speech.” Reflecting the political dimension, Kilgannon highlighted the role of book content issues in the 2021 Virginia governor’s race, saying it benefited Republican Glen Youngkin’s campaign.

The ongoing legal uncertainty and political interest in book censorship issues mean the debate is poised to continue. Experts expect that the Supreme Court may eventually revisit the question of how the First Amendment applies to library book bans, given the increasing number of cases arising across the United States. David Hudson summarized the situation, saying, “It’s too politically popular. We need some clarity from the Supreme Court. We haven’t had a pure book case since 1982. That’s a long time and certainly a lot has happened.”

Source: [Noah Wire Services](https://www.noahwire.com)

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