

# CENSORSHIP IN NEWS

THE NATIONAL COALITION AGAINST CENSORSHIP NEWSLETTER

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## Literature as “Pornography”

Virginia state senator Amanda Chase recently claimed that three popular and highly-regarded books for teens are “pornographic.” The books were included on a high school summer reading list, but they were not required – students were free to choose other books. Nonetheless, Senator Chase demanded that they be removed from the list and the school library.

This comes in the wake of a kerfuffle in Virginia over Toni Morrison’s acclaimed novel *Beloved*, which was assigned in a 12th grade Advanced Placement class. That led to a proposed law to require schools to notify parents about any book containing “sexually explicit content,” which was not defined, and to provide an “alternative” assignment on demand. Governor Terry McAuliffe vetoed the bill in response to objections from educators, librarians, NCAC and others, who pointed out the possible effects on education if teachers avoided valuable materials simply because they contain some sexual content.

Terms like “sexually explicit” and “pornography” are so subjective as to be essentially meaningless. They can be applied to *Hustler* and *National Geographic*, *Madame Bovary* and *Fifty Shades of Grey*. This kind of material is also protected speech, unless it’s obscene. To be obscene, a book would have to be “patently offensive,” “appeal to the prurient interest,” and, most critically, “lack serious literary, artistic, political, or scientific value.” Some explicit and pornographic content might qualify as obscene, but not all – and certainly not books like *Beloved* or those on the summer reading list: Coe Booth’s *Tyrell*, Walter Dean Myers’ *Dope Sick*, and Rainbow Rowell’s *Eleanor & Park*.

Critics of these books are not concerned with law, literature, or even education. They use terms like pornography to convey their personal antipathy to sexual content. They’re entitled to their view, but school officials are prohibited from relying on personal opinions in deciding what materials students should read. According to the Supreme Court, school officials “may not remove books from school library

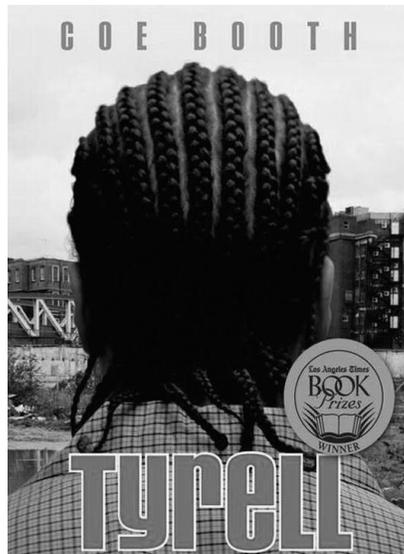
shelves simply because they dislike the ideas contained in those books.”

If parents’ and legislators’ personal beliefs about sexuality and morality were allowed to limit what students read, more than *Beloved* would be at risk. *The Working Poor* by David Shipler, a non-fiction examination of poverty in the U.S. by a Pulitzer-Prize winning author, was challenged recently in a Texas high school because some parents thought the accounts of sexual abuse suffered by poor women as children were “sexually explicit.” The book has been called “one of those seminal books that every American should read and read now.” No doubt passages in the book will be disturbing to some readers. But “sexually explicit”? You’d think the kids were assigned *Fifty Shades of Grey*.

In Kentucky, John Green’s award-winning novel, *Looking for Alaska*, was called “mental pornography.” In Tennessee, a parent described Rebecca Skloot’s best-selling medical history, *The Immortal Life of Henrietta Lacks*, as “pornographic.” Similar charges have recently been levelled about Toni Morrison’s *The Bluest Eye* in Colorado, Laurie Halse Anderson’s *Speak* in Florida, Anne Frank’s *The Diary of a Young Girl* in Michigan, and Jeannette Walls’ *The Glass Castle* in Pennsylvania.

Senator Chase wants all library books to conform to the district’s “core values,” and calls for librarians to be fired for selecting books that don’t. But her “core values” are not everyone’s. The most critical core value in any school should be providing a high quality education that prepares students for college -- if they wish to attend -- and for life. That’s what most parents want for their children, and the vast majority want books with artistic, literary, or educational value to be available to students even if they contain some sex or profanity.

Pity the librarians and teachers who are caught in the middle of the debate over valuable literature that is condemned by some because it touches on this particular aspect of the human experience. It’s their thankless task to try to find the right books for all their students, knowing that every book is not right for every child. The sensational charge that these and other books are “pornography” just makes their task harder.



Actors' Equity Association  
 American Association of School Administrators  
 American Association of University Professors  
 American Association of University Women  
 American Booksellers for Free Expression  
 American Civil Liberties Union  
 American Ethical Union  
 American Federation of Teachers  
 American Jewish Committee  
 American Library Association  
 American Literary Translators Association  
 American Orthopsychiatric Association  
 American Society of Journalists & Authors  
 Americans United for Separation of Church & State  
 Association of American Publishers  
 Authors Guild  
 Catholics for Choice  
 Children's Literature Association  
 College Art Association  
 Comic Book Legal Defense Fund  
 The Creative Coalition  
 Directors Guild of America  
 The Dramatists Guild of America  
 Dramatists Legal Defense Fund  
 Educational Book & Media Association  
 First Amendment Lawyers Association  
 Free Speech Coalition  
 International Literacy Association  
 Lambda Legal  
 Modern Language Association  
 National Center for Science Education  
 National Communication Association  
 National Council for the Social Studies  
 National Council of the Churches  
 National Council of Jewish Women  
 National Council of Teachers of English  
 National Education Association  
 National Youth Rights Association  
 The Newspaper Guild/CWA  
 PEN American Center  
 People For the American Way  
 Planned Parenthood Federation of America  
 Project Censored  
 SAG-AFTRA  
 Sexuality Information & Education Council of the U.S.  
 Society of Children's Book Writers & Illustrators  
 Student Press Law Center  
 Union for Reform Judaism  
 Union of Democratic Intellectuals  
 Unitarian Universalist Association  
 United Church of Christ, Office of Communication  
 United Methodist Church, United Methodist Communications  
 Women's American ORT  
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 Writers Guild of America, East  
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# Confronting the Past in Pain[t]

History textbooks are re-written every few years – not because the past changes, but because our understanding of it does.

Even as we reconsider our understanding of the past, artifacts survive that remind us how our predecessors saw the world. Historical paintings are a case in point. Many such works are inconsistent with contemporary attitudes about social relationships, equity, and prejudice, and are upsetting by today's standards. Should they be removed from public view? Destroyed, even? NCAC has opposed several recent attempts to remove historical paintings and sought other ways to address the negative reactions to their content.

This past spring, at the University of Wisconsin-Stout, the Diversity Leadership Team and some students requested the removal of two 1935 landscape paintings of trappers and First Nations people because they could be “harmful” for minority students. The Chancellor, who initially agreed to put the works in storage, later decided to relocate them to a “controlled,” less visible, location. He explained that Native American students may “feel bad when they look at [the paintings]” because they “symbolize [...] an era of their history where land and possessions were taken away from them.”

A few months before, the University of Kentucky shrouded a mural depicting African-American slaves picking tobacco and black musicians entertaining white dancers. The university president cited a student who complained that “each time he walks into class at Memorial Hall he looks at the black men and women toiling in tobacco fields and receives the terrible reminder that his ancestors were enslaved, subjugated by his fellow humans.” The president added, “The mural provides a sanitized image of that history. The irony is that artistic talent actually painted over the stark reality of unimaginable brutality, pain, and suffering.”

Similar debates have put a spotlight on murals in public buildings in Alabama, Idaho, Minnesota, and Connecticut, where some charge that the works “whitewash” and romanticize a brutal past or reinforce a hierarchy of oppression. Others simply do not want to confront this painful history every time they enter a public building.

Most of these now-controversial works were produced as part of the Works Progress Administration's (WPA) Federal Art Project, a 1930s New Deal program. Many WPA artists were aware of issues of equity and exploitation and commented on them subtly. As the writer Wendell Berry observed about the University of Kentucky mural, “The uniform clothing and posture of the workers denotes an oppressive regimentation. The railroad, its cars filled with white passengers, seems to be borne upon the slaves’ bent backs.”

Different audiences see art through their own experiences. If individuals who already feel marginalized “feel bad” viewing a work, even if the work is historically accurate and even socially progressive for its time, shouldn't a college president or a city manager take action?

Action, indeed, should be taken. The question is what kind of action. Removal, destruction, or shrouding does not change the past, or the legacy of that past, which still haunts us today. Instead of spending thousands on moving or covering a work, why not spend that money by inviting contemporary artists to create works in response? Or use it to engage the public in discussion about the work by inviting communities to reflect on how we remember the past and reconstruct history.

The feeling of offense can be a tremendous political force. It can be used destructively to stifle ideas that violate today's orthodoxies, or productively to offer new and critical perspectives and maybe even change the way we live. *(To view the paintings discussed in this article, visit the Arts Advocacy Project at [ncac.org](http://ncac.org).)*

## LEGAL BRIEFS

### Transit ads again

A decision from the federal appeals court in Chicago revisits the contentious issue of ads on public transportation. The case involves a policy in Fort Wayne, IN, against advertisements that “express or advocate opinions or positions upon political, religious or moral issues.” The ad in question promotes a “free resource for women seeking healthcare.” After discovering that the ad was sponsored by a pro-life health care provider,

transportation officials rejected it. However, the court held that the “proposed ad lacks the faintest suggestion of a political, religious, or moral aim or agenda,” and ordered the city to accept the ad. Similar policies have come up in connection with ads linking Islam to terrorism, on which the courts are split.

### Campaign finance again

New legislation in New York intended to “curb the power”

of money in elections has been attacked on First Amendment grounds. The law imposes requirements on campaign expenditure for lobbyists and political consultants, while increasing penalties for those who flout the rules. However, the New York Civil Liberties Union and Citizens Union say the “clumsily” drafted law could impinge on education and advocacy by non-profits and chill First Amendment protected speech.

Triggering Debate by Joan Bertin

In a letter released recently to incoming students, The University of Chicago reignited the debate over “trigger warnings.” The dean of students wrote that “our commitment to academic freedom means that we do not support so-called ‘trigger warnings,’ we do not cancel invited speakers because their topics might prove controversial, and we do not condone the creation of intellectual ‘safe spaces’ where individuals can retreat from ideas and perspectives at odds with their own.”

While this may seem unexceptional, and perhaps salutary in light of debates roiling campuses around the country, it was received by some with skepticism and hostility. One student wrote publicly to “express horror” at the letter, stating that “trigger warnings are not about oversensitivity – they are about empathy, and recognizing the varied experiences of all students at this university.” Academics have also been critical: some consider trigger warnings and “safe spaces” useful and necessary, while others think they undermine higher education. Most academics would defend the right of individual instructors to decide to use them or not as a matter of academic freedom.

For example, law Professor Mark Tushnet writes that the decision whether to issue warnings is one of many “pedagogic judgments” that allow instructors “to maximize their pedagogic effectiveness.” Our faculty survey revealed that instructors use a variety of techniques to address challenging material. While some provide

warnings about specific assignments, others concerned that such warnings are prejudicial prefer course descriptions that inform students more generally about the topics and kinds of material they will confront. Many invite students to speak to them individually if they have questions about course content. Overall, they express care and concern, along with occasional frustration; some pointedly observe that they’re teachers, not therapists.

UC’s statement is a welcome reminder about a principle that is fundamental to education. However, the University could have couched its statement in a way that invited debate about free speech on campus and how it relates to other fundamental values. Instead, its dismissive tone writes off those who see value in warnings and protected space and do not consider them incompatible with vigorous intellectual exchange. UC’s actions shut down this conversation, rather than opening it up.

This generation of students has a level of awareness of cultural difference and structural inequality that is laudable. Given that many students arrive at college knowing virtually nothing about the critical role the First Amendment played in promoting social justice and giving voice to the powerless – advancing civil rights, women’s rights, gay rights and other causes – it’s not surprising if they don’t understand why free speech still matters. It’s incumbent on us to explain, to address their questions and concerns, and to practice what we preach: promoting more speech, not less.

SHORT TAKES

• **Atheist Student Punished for Dissent**

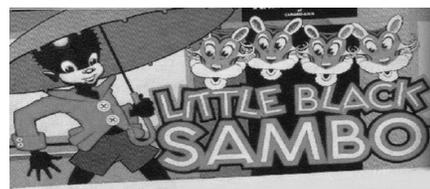
Cidney Fisk, a recent graduate of Delta High in Colorado, protested an abstinence-only sex education teacher who compared sexually active women to “used tape”; she also questioned the qualifications of an evangelical Christian guest speaker, among other objections to religious influences in her school. In conversation with NCAC, Fisk described how she unexpectedly saw her student government grade fall from 98% to 70%. Her parents emailed the principal to inquire about their daughter’s faltering performance and were told her grade would return to normal only once she reined in her behavior.

• **Coalition Opposes DHS Social Media Collection**

NCAC joined the Center for Democracy and Technology and 31 other rights groups in protesting a proposed Department of Homeland Security policy to inquire about foreign visitors’ social media accounts. The proposal would ask travelers to detail their “online presence” on popular social media sites and relinquish their account IDs, significantly increasing surveillance activity and having a disparate impact on Muslim and Arab travelers.

• **Bookstore Boycott over *Little Black Sambo***

The Oregon Shakespeare Festival (OSF) boycotted a local bookstore when the owner refused to remove *Little Black Sambo* from a display of censored books. Actors from the Festival found the book’s cover “hurtful and offensive.” In a statement, NCAC noted that a boycott that seeks to silence other views affronts a fundamental principle of free speech: the best response to bad speech is more, not less, speech. We urged OSF to support a community-wide discussion on censorship and civil rights.



• **WTF? Parents target *TTLY* and *TTFN***

Lauren Myracle’s popular YA books from her ‘Internet Girls’ series are not “age-appropriate” for middle school children, charged parents in Nassau County, FL, who are trying to remove *TTLY* and *TTFN* from school district libraries. The books, which are told in instant-messenger style transcripts and reference drinking, drug use, and sex, were two of the most frequently challenged books in 2009 and

2011 (ALA). NCAC’s letter to the school district emphasized that taking passages out of context does a disservice to works that have won praise for inventive storytelling and engage teens with literature.

• **Presidential Candidates & the 1st Amendment**

First Amendment advocates may have concerns about both major presidential candidates. Clinton has argued that video games and movies have a negative effect on young people and has talked about “closing” parts of the internet as a security measure. Trump has famously sued his critics and proposed changing libel laws to make suing news organizations easier. It’s up to voters who care about the issue to decide who is more likely to heed valid constitutional arguments.

>> **NCAC’s 2017 Film Contest Theme Announced**

At a time when movements like Black Lives Matter and events like the 2016 election are hotly debated on social media, online speech is more important than ever, especially for young people. The theme for 2017’s Youth Free Expression Film Contest – *Watch What You #Tweet! How Free Should Social Media Be?* – follows up on NCAC’s resource exploring how schools have tried to regulate and penalize students’ online speech, from profanity-laced rants and school whistleblowing to cases of harassment and bullying. Teens can visit [ncac.org/project/film-contest](http://ncac.org/project/film-contest) for more details on how to enter.

## “I Don’t Want to be a Safe Writer”: An Interview With Rainbow Rowell

Author Rainbow Rowell has won enormous praise for stories like *Eleanor & Park*, which perfectly captures the growing pangs, hormonal joys and general awkwardness of the teenage experience. Her raw portrayals of teenage life have, however, frequently made her books subject to censorship attempts. We spoke to Rowell about these challenges and how her commitment to free speech influences her writing.

**Your books are very relatable to young people. What would you say to parents who think *Eleanor & Park* is not appropriate for their teenage children to read?**

I think the story is very, very appropriate for most teens.

What I’d say to those concerned parents is:

Your kids live in a hard world. And they’re doing their best to get through. Just like Park and Eleanor. This book is about two kids who are doing their best to rise above violence, poverty, racism, peer pressure.

If your kid is feeling alone or helpless, this book might give them hope.

If your kid is doing fine, this book might give them compassion toward people who are struggling.

And if you let your kid read *Eleanor & Park*, you can read it yourself after they’re done. It’s pretty good! There are lots of ‘80s references — you might like it!

**Have you encountered anyone who previously objected to the content of your work come around to its value and merit?**

No...But I don’t go looking for people’s opinions about my books. That’s a short path to insanity. I wrote what I wrote. It’s out there. I hope people like it. I hope they *find* it. But I’ll never get anything else written if I get too hung up on other people’s judgments.

**E&P has been a target of censors since it was published, the most recent controversy coming in Chesterfield, VA where one parent labeled your book and others (*Tyrell*, *Dope Sick*) on a summer reading list as “vile” and “pornographic.” One can argue that there’s a self-censor in all of us when criticized. Do these controversies in any way affect how you write now when you describe sexual or other “mature” situations, or craft dialogue that may include curse words?**

The very first time my book was challenged, it hit me hard. I kept thinking, “But they don’t understand! If they read it, they would understand!” I felt really deeply misunderstood and, I’m embarrassed to say this now, shamed. There’s a lot of me in the

book, and I felt like the things people were saying — filth, disgusting, pornographic — were about me.

Honestly, other types of criticism sunk in just as deep. It was hard not to take it all personally, even if I vehemently disagreed with it.

That’s one of the reasons my fifth book, *Carry On*, was so hard to write. I had all of these new voices in my head — some of them angry. You can’t write like that. You can’t write if you’re trying to make everyone happy.

**NCAC believes that rating books like movies is a bad idea. You’re adapting *Eleanor & Park* for the big screen. What MPA rating do you think it will receive and/or deserve?**

Rating *movies* seems like a bad idea! Or at least a very imperfect one.

*Eleanor & Park* isn’t currently in development, but I did think about this issue while I was working on an adaptation last year. It makes sense to try to avoid an R rating when you adapt a YA book because you want teens to be able to see the movie.

It’s hard for me to think about leaving out the cursing and other unpleasant language in *E&P* — because it’s part of the plot.

**What’s your favorite “banned” book?**

I’m going to go with *Brave New World*. I read that book over and over again in the ninth grade.

**NCAC is thrilled to honor you as a defender of free expression at our November gala. Had you ever thought of yourself as a champion or advocate for First Amendment rights?**

First of all, thank you!

I don’t think I’ve felt that way as a novelist.

But I did go to journalism school, and I spent the first decade of my career working at a newspaper. I definitely had the feeling *then* that I was part of something important — that I had an obligation to seek out the truth and share it. Also, journalism showed me how important it is to exercise our freedom of speech. To speak boldly. Especially when everyone is feeling nervous and careful, when it’s tempting to hedge or whisper.

Those feelings come back to me sometimes when I’m writing fiction. I don’t want to be a safe writer. I don’t want my choices guided by fear or timidity.

*NCAC will honor Rainbow Rowell, artist Aaron Bell, and other free speech luminaries at our annual Celebration of Free Speech & Its Defenders on November 1. For details, visit [ncac.org/benefit](http://ncac.org/benefit).*



Photo Credit: Augusten Burroughs