

CENSORSHIP NEWS



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LGBTQ VOICES SILENCED

LGBTQ books remain among the most censored in US schools and libraries. Recently, public libraries have faced a spate of challenges to children's books featuring LGBTQ characters and opposition to LGBTQ-friendly events.

Last year, a county in Utah banned libraries from displaying LGBTQ materials. Drag Queen Story Hours, family-friendly storytelling events hosted by drag queens, have been repeatedly challenged in public libraries across the country, with many cancelled or relocated. A Kansas community faced challenges to three books in the public library on "moral" grounds. The books, *I Am Jazz* by Jessica Herthel and Jazz Jennings, *Lily and Dunkin* by Donna Gephart, and *George* by Alex Gino, tell inspiring stories of transgender youth and have been widely lauded. Several states still prohibit classroom discussion or "promotion" of LGBTQ experiences.

The First Amendment guarantees the right of all young people to read and learn, absent bias or viewpoint restriction. NCAC strongly condemns these efforts to silence LGBTQ voices. In support of the students, teachers and librarians who value LGBTQ stories, NCAC has launched its Uncensored Pride initiative to help fight LGBTQ censorship in schools and libraries. Learn more at ncac.org/uncensoredpride

GRAPHIC NOVELS CHALLENGED

Two recent cases highlighted the continued challenges of teaching graphic novels in the classroom.

A New Jersey school district restricted access to the graphic novel *Fun Home: A Family Tragicomic* by Alison Bechdel after a challenge to the book in a nearby district. Objections were raised to images on a single page.

In January 2019, New Jersey Governor Phil Murphy signed legislation requiring boards of education to adopt instructional materials that accurately portray political, economic, and social contributions of LGBTQ people.

Fun Home has been heralded as “a pioneering work” in the comics and memoir genres. In recommending the novel for young adult readers, *Booklist* notes that “the very few incidental sex scenes” are “non-prurient” and that “the family story rings utterly and movingly true.”

Despite this, and in violation of the district’s policies, the book’s circulation was restricted to students who obtained explicit parental permission.

Markham Intermediate School in Staten Island, NY, pulled *Assassination Classroom*, a best-selling manga comic by Yusei Matsui, from its library after a parent complained.

It appears that the objection was prompted primarily by the book’s title with the fictional superhero themes taken out of context. The book itself features a class of misfit students who pledge to save the world by killing their alien super-villain teacher.

Manga and graphic novels can assist in engaging reluctant readers and help struggling students. For some students, graphic texts are less daunting than prose and more likely to be read; for others they offer an expansive reading experience.

Not only does the removal of library books based on subjective critique by community members violate students’ First Amendment rights, it also sets a dangerous precedent that will invite challenges to any idea that offends delicate reader sensibilities.

Every public school should serve as a place where students of diverse perspectives and capacities can engage with new ideas.

Following NCAC’s intervention, both books were restored to library shelves.

ANTI-BDS LEGISLATION

In February, the US Senate passed the Combating BDS Act of 2019. BDS (Boycott Divestment Sanctions) campaigns against Israel use non-violent means to protest the Israeli government’s policies towards Palestinians and Arab citizens of Israel. In practice, individuals and companies refuse to do business with entities that accept Israeli government funding.

Dozens of state laws exist that compel state contractors or employees (including public school teachers) to vow not to boycott the Israeli government or Israeli-owned businesses as a condition of their contract with the state. Federal courts have blocked enforcement of these laws in Kansas and Arizona on the basis that they are unconstitutional. The Senate bill would allow state and local governments to boycott companies participating in BDS.

The US Supreme Court has clearly recognized that boycotts involve a range of expression protected by the First Amendment. NCAC does not take a position on the political views of BDS supporters. However, we strongly oppose efforts to stifle political expression.



Three paintings by US-based Chinese artist Bing Weng were removed from a February solo exhibition in North Carolina. Following NCAC intervention, the works were restored.

FROM THE EXECUTIVE DIRECTOR

Christopher M. Finan

NCAC is proud to announce our latest campaign, Uncensored Pride.

Despite hard-won progress towards equality for LGBTQ people, books with LGBTQ characters and themes are among the most frequently banned in schools and libraries.

Seven states still have laws that ban the “promotion of homosexuality” (often called “no promo homo laws”). These laws were enacted in the midst of the AIDS crisis in the 1980s as part of the push for abstinence-only sex education.

The broad interpretation and application of no promo homo laws has chilled speech about sexual orienta-

tion and gender identity and created a culture of fear among educators and students. Many teachers are unsure of what is permitted in their classrooms. Even in states without these laws, community pressure often leads to self-censorship and prevents the inclusion of LGBTQ material in curriculums.

NCAC has been a leader in the fight against abstinence-only sex education for decades. Today we intend to wipe the remaining no promo homo laws from the books and to raise awareness of attacks on LGBTQ voices in educational spaces, highlight the dangers of LGBTQ censorship and empower students to take the lead in advocating for change in their communities and nationally.

We are joined in this effort by Lambda Legal, GLSEN, Human Rights Watch, the National Council of Teachers of English and Comic Book Legal Defense Fund.

We need LGBTQ literature. It helps LGBTQ kids maintain a healthy self-image in the face of teasing, bullying—even violence. It helps all students build self-esteem and self-acceptance.

It helps all Americans by promoting the celebration of all people—regardless of our differences.

We intend to fight for it.

#UncensoredPride

LOS ANGELES MURAL PROTESTED

In December 2018, a Los Angeles school district unilaterally decided to remove a mural from the exterior wall of RFK Community Schools’ high school gym after some members of the surrounding community complained that visual elements of the work resembled the Rising Sun flag of Imperialist Japan. The mural was created as part of an arts initiative at the school, which involved workshops and seminars with students. The grant-funded work by Beau Stanton is intended as an homage to actress Ava Gardner. The surrounding rays are a common device found in many of his murals. Some community members, represented by the Wilshire Community Coalition, were offended by the rays, which they

associate with the Japanese imperialist flag, and have called for the erasure of the entire mural. Students and teachers at the school were unaware of the controversy before the district made its decision to remove the work.

NCAC called for the school district to reverse its decision and engage the community in dialogue, with the artist’s support. While schools must be sensitive to the communities in which they operate, removing this mural would set a dangerous precedent of submission to public pressure in assessing art and allowing students’ access to diverse viewpoints and ideas.

Other artists, including Shepard Fairey, warned that they would demand the removal of their work from the school if Stanton’s mural was removed. The school district has apparently relented. As of March 2019, the mural remains intact.

Keeping the mural allows RFK Community Schools to model its vision of “openness to different perspectives (that) fosters empathy, integrity, collaboration and mutual respect” in a vibrant learning community.



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A CHEERING, CHANTING, DIZZY CROWD

Vanessa Place

As a criminal defense attorney, and a mother, I am used to not being liked occasionally, and as necessary. Did you like me more when I said I was a mother? Why? Does it make me less cruel? More? As a lawyer, I know the proper response is, "it depends." Just as, as an artist, I know that context contextualizes a work. Context includes everything from the signal sent by a heavy gold frame versus a pale birch one—the classical and contemporary—but also the fact of the frame, which tells me to stop and look at dried paint on a wall. Texts now are as images, scanned, then read. And images, texts, read for meaning beyond their scanned surface. Both depend on their reception, just as the painting depends on its audience, and its audience depends on a moment in history. Put another way, what we hated in 1913, we know to love in 2019.

In 2015, part of my *Gone With the Wind* By Vanessa Place project became a contextual problem, apparently to be socially resolved. The project, begun in 2009, involved my stealing, in various ways and formats, *Gone With the Wind*; the project was designed to elicit suit by the Margaret Mitchell estate for copyright infringement, which would be the final art piece. One of my thefts consisted of tweeting the entirety of the book in daily installments. My Twitter account had an avatar image of Hattie McDaniel as Mammy and a banner image taken from 1899 sheet music, featuring a cartoon caricature of a Mammy, one uncannily mirrored in the film's staging. This was my only defense: that stereotypes and clichés cannot be copywritten, and Mitchell's ventriloquism of the racist imaginary deserved no more legal protection than my appropriation. We were equally guilty.

The project was denounced as racist, or if not racist, racially insensitive, because

it was hurtful. It was hurtful, in ways both intended and unintended, which is perhaps beside the point. There were calls to stop the Twitter project; I refused. My ethical position remains that an artist's first duty is to the work, not to its reception. Too, no good lawyer goes *pro per*. I was quickly uninvited from various events and positions; I am still something of a persona non grata. The question becomes what to do: apologize, shut up, withdraw out of shame, explain, or conveniently disappear behind a series of closing doors? Again, it depends.

IF SPEECH IS TO BE FREE, IT MUST BE GUILTY.

While much of the attention paid to my work has been preoccupied with its violence, I am more concerned with its contexts, as they display various techniques of power, its *dispositifs*, particularly the law. The law determines what is guilty and what is free, meaning both at liberty and at what cost. Social media is never free. We pay with ourselves, performing an authenticity and responding to the crowd's approval. We have access, but not authority, and our access depends on when, where, and who you happen to be, for that is the law of social media. The crowd cheers equally at triumph and execution, but our speech must be share-worthy. It can be worthy by being banal or laudable, or hateful, depending on your crowd. Someone I knew once tweeted, "why is free speech always hate speech?" And I responded, "because we already like the other kind." But hate betrays its faith. Or, with hate, we demonstrate another faith. Our faith now is our refusal to see that history is not contemporary, but

contingent, and its contingency depends, not on our moral acquiescence, but our stubborn ethics. We have an ethical opportunity to reject an ideology that punishes speech and ignores the greater crime: our gluttony for crowd approval and size, for frictionless advertising that is too terribly convenient and our purchases too terribly easy, for self-portraits pre-filtered and framed to make us look better to our digital fellows, for politics played out in quips, for a world devoid of detractors, a gluttony that is already forgiven because it is guilt-free. But, as Dante knew, the devil is a logician, and absolution given before commission forgives nothing. I have no faith in a momentary morality, any more than I do in any other verdict subject to review, or any other precedent that may be overturned on appeal. Part of the point of erecting a public monument is to be able to later tear it down.

If speech is to be free, it must be guilty. Guilty of its freedom, its anarchism, which is less a matter of being dead-set against and more a matter of being against being dead-set. Against being framed as if context is not itself a *dispositif*, a system of laws and reception, against being made either public monument or moral lesson. I don't regret my experience of ex-communication because it was an ex-communication. And it is good to be among the faithless because the faithless are free. I don't know if we all want to be free, but this is also perhaps beside the point. For we are now branded servants to and of our liking, and that is the way speech will not be free—publicly and privately. Because if we are to be, we must be completely.

Vanessa Place is a conceptual artist, poet and criminal defense attorney.

"A Cheering, Chanting, Dizzy Crowd" hymn by Thomas H. Troeger, 1985