

newsletter  
on  
**intellectual**  
**freedom**



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*by Dianne McAfee Hopkins, Ph.D., Assistant Professor, School of Library and Information Studies, University of Wisconsin - Madison. The following article highlights a study of challenges to materials in secondary school library media centers in the U.S. between 1986 - 1990. The study was funded primarily through a grant from the U.S. Department of Education under the Library Research and Demonstration Program. Additional funding was received from Encyclopedia Britannica, Inc.*

## why school book challenges succeed or fail

Access to information has been an area of great interest to librarians, other educators, publishers, parents, and community members for many years. It is of particular interest to those who have concern about the young, i.e., those under the age of eighteen. Direct challenges to materials found in school library media centers have been of particular concern. The national study reported here focuses on challenges to materials in school library media centers at the secondary level.<sup>1</sup> For purposes of the study, challenge was defined as an oral or written complaint about the appropriateness of school library material. The study was conducted in two phases. Phase one was the identification of secondary schools that reported challenges during the years 1986 - 1989, and phase two focused on schools that reported challenges. Both phases were conducted using questionnaires. Phase one used a one-page questionnaire and phase two, an eight-page questionnaire.

### Phase One Overview

In phase one, a stratified random sample of all secondary public schools, i.e., schools with grades 7 or higher, in the United States was produced. The population from which the original sample was produced came from the "Common Core of Data: Public School Universe," 1987-88, obtained from the National Center for Education Statistics (NCES). In all, 6617 public schools comprised the initial sample, of which 6557 were used, for the remaining addresses were undeliverable, duplicates, etc. The response rate was 72%, with 4736 of the 6557 eligible addresses completed and returned.

The phase one questionnaire focused on four concerns: whether or not a school board-approved materials selection policy existed, the number of library media specialists working  
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## in review

**Franklin D. Roosevelt and the Future of Liberalism.** John D. Sears, editor. The Franklin and Eleanor Roosevelt Institute and Meckler, 1990. 162p.

Introspection can often lead to depressive self-analysis, a self-put-down. Liberalism has been on the run, if you've read any of the press since November, 1980, spawning neo-ideologies that have tried to re-direct classical, New Deal liberalism and also created incessant hand-wringing on where it has gone wrong. If you want to feel good and uplifted by your New Deal roots, then *Franklin D. Roosevelt and the Future of Liberalism*, especially the Arthur Schlesinger essay, is not a bad place to start.

This book is a compilation of the proceedings of the Roosevelt Institute's 50th anniversary celebration of the Franklin D. Roosevelt Library, held in October, 1989. A distinguished panel of speakers is represented here, including Justice William J. Brennan, recipient of the 1989 FDR Freedom Medal, Arthur Schlesinger, Alan Brinkley, Louis Harris, Richard N. Gardner, John Kenneth Galbrarith, and several more.

Although there are many critical analyses of the state of liberalism in each treatise, the writers approach their task as either a celebration of the Roosevelt roots of liberal Democratic party politics and an aggressive prescription for regaining the forefront of American politics or a reasoned analysis of the phenomena leading to the present state of political realities and directing paths to possible political victories. Arthur Schlesinger undoubtedly provides the most inspiring thoughts for liberals struggling with political identity or commitment crises. One of his most notable comments, for example, is, "There is no need to be defensive about liberalism. For the events convulsing the Communist world today magnificently justify the Rooseveltian and magnificently vindicate the liberal faith."

There is a topical theme to all of the commentaries beginning with overviews by Schlesinger and Brinkley. For example, Gardner illustrates the foreign policy credos of Liberal Internationalism and argues, poignantly, that it is centrism based on realism as well as idealism, and on balance of power politics as well as world order politics. However, the views expressed by each scholar are in no way an apology for liberalism, although, there is a question as to how they reconcile the successes of the conservatives of late. How did the message of the right capture the imagination of the American people? Why did the New Deal ideals that Mondale and Dukakis campaigned on so fervently fail so miserably in the polling booths of 1984 and 1988 if they are so virtuous or correct as argued here? One wonders at times while reading this work if these scholars have missed living in the past decade. Troubling as it may seem, this work must be understood as a prescription for the revival of basic liberal

tenets. It espouses Roosevelt's vision applied to contemporary national and international issues and as such, is an uncompromised celebration of the value of liberalism in modern society. It forges an excellent sword to do intellectual battle with the other side of the political spectrum, though it does not address well the failures of liberalism at the policy level or as a response to the successes of conservatism. Must reading for anyone studying liberalism is William Brennan's acceptance speech upon receiving one of the Four Freedoms Awards, which Sears included because it is an eloquent reckoning of liberal principles.

This work is rich with language and ideas. It has a decided intellectual tone, where reason runs deep and facts validate opinion. The average reader would find much of the text to be difficult reading. I doubt it will convince conservatives of their "folly", but it is a must reading for liberals, Democrats and intellectuals. It is highly recommended for all academic libraries. *Reviewed by John B. Harer, Head, Circulation Division, Texas A&M University Library, College Station, TX.* □

## from the people

*The following letters to the editor appeared in newspapers in Newport, Rhode Island, and Kermit, Texas. We at the Newsletter liked their arguments against school and public library censorship and decided to share them with our readers as examples of the true opinions held by ordinary citizens.*

*From the Winkler County News, Kermit, Texas, August 29:*

Although I reside in Monahans, I commute to Kermit daily for work and try to stay abreast of local issues through the *Winkler County News*. A recent article caught my eye regarding a Winkler County Commissioners meeting in which a local citizen protested the "appropriateness" of certain so-called cult material in the Kermit public library.

First, let me explain that I am certainly not a fan of the Church of Scientology. In fact, my limited personal knowledge of this group leads me to some frightening conclusions. For that matter, the vast, wealthy and powerful pharmaceutical empire frightens me in a similar manner, as do the historical accounts of the Salem witch trials and Hitler's Germany.

However, my feelings toward these (or any other groups) are not relevant to the intent of this letter. Rather, my concern involves the issues of censorship, freedom, and morality.

Public libraries are designed to empower the individual by means of education and/or entertainment. If we allow (albeit well-meaning) persons to determine the contents of library shelves, we compromise our own rights regarding access to current literature, good or bad.

Whose "unbiased" appraisal can we really trust, except our own? Since the facility exists for use by individuals whose

interests, beliefs and needs vary widely, perhaps there is a more constructive approach which allows the individual his freedom to choose.

If diversity is provided within the setting, individuals are allowed to pursue those topics which interest them. Knowledge is power and, conversely, ignorance breeds powerlessness. Should there be topics which offend or fail to interest one, the freedom exists to leave them on the shelf.

To allow ONE individual to determine the "appropriateness" of another's interests undermines our basic individual and constitutional freedoms. These freedoms should be guarded and cherished as we do our very lives. Each of us have our own biases, dogmas and our own classification of good and evil. Let us not allow the parameters of our individual moralities to be decided by another. Rather, let us arm ourselves with knowledge so that we can make very personal educated decisions.

*From the Newport Daily News, Newport, Rhode Island, September 16:*

I am responding to Mr. J. S—'s letter commenting on your editorial on censorship. Mr. S— is free, of course, to raise his objections to reading material which his son is liable to read and which essentially does not reflect his own values. He is, after all, a taxpayer and he should be concerned about the content of the school curriculum, which his taxpayer's money finances. What I find disturbing, even sadly ironic, is that in his self-appointed role as spokesman for "traditional American values," he has effectively deprived other students of the opportunity to judge for themselves whether the literary classics he's mentioned were inappropriate. After all, according to him, the course was elective. His son had a choice to enroll or not to enroll. However unwittingly, what the S—'s did amounted to a form of censorship. Millions have read Steinback, Hans Christian Anderson and London — the authors he cites as being "terribly depressing" and "potentially destructive," and found them to carry an important message — be it in the reality of migrant workers or the imaginary world of gnomes. Most importantly, they help the child and young adult to deal with problems they will confront every day of their lives. (Yes, Mr. S—, even fairy tales have enabled children to understand the difference between good and evil.)

The majority of people on this planet have never been exposed to different ideas, much less been able to express them. Americans are fortunate enough to have the freedom to express their opinions, to hear different points of view and to form their own judgments. This is a basic principle of a democratic society and a guaranteed right under our constitution. Mr. S—'s time would be better spent reading this important document rather than removing books from their shelves. There have already been too many bannings and burnings to date of "potentially destructive" books, from the *American Heritage Dictionary* to *Winnie the Pooh*,

because a vocal minority feels they are "morally offensive" or "inappropriate subject matter." If they had their way, our children would never hear of Mark Twain or Walt Whitman or William Shakespeare again. My greatest concern, then, is not that these books will harm our kids but that a generation of children will grow up without the ability to think independently, use their imaginations and lead happier lives. There can be no freedom without choice. Let the parents, the teachers and the students make up their own minds — and not you for them. □

## students say yes to *Playboy*

Students voting in a referendum October 16 in the University of Wisconsin student elections overwhelmingly endorsed the continued sale of *Playboy*, *Penthouse* and *Playgirl* in the student unions. A mere 4.58 percent of the Madison campus's 44,000 students — "those who cared," according to student Senator Dave Rudolph — chose to express their opinion about whether the adult periodicals should be banned from campus. Of those who voted, 82 percent, 1,972 students, said "yes" to the question: "Currently, both unions sell *Playboy*, *Penthouse*, and *Playgirl*. Do you think that the student unions should sell these magazines?"

Student Senator Dave Baumann had been among those who urged a "no" vote. "The union newsstands are not forums for public expression, and we are not censoring ideas," he said. "People are more than welcome to bring pornography into the unions. It's just that we don't want to sell it there."

But other students spoke eloquently in support of free expression. "What students are concerned about is the first right," said Dayna Verstegen, director of women's affairs for the student association, "But I am optimistic that they are also concerned with the exploitation of women." The university's Sexual Assault and Harassment Task Force had not urged a "no" vote, choosing instead to answer speech with more speech by scheduling a series of campus educational programs on pornography.

The vote was not binding, since policy on such matters is determined by the Union Council and Chancellor Donna Shalala. But previous efforts to remove the magazines were unsuccessful. In 1985, the council voted to ban the magazines, but then-Chancellor Irving Shain ordered them put back on the shelves.

In an October 10 news release, Shalala said, "To censor on the basis of personal taste is antithetical to the very nature of this university, which was founded on the precept of open expression. No group at this university should legislate its own sense of propriety into decisions on magazine sale." Reported in: *Milwaukee Journal*, October 17. □

## — censorship dateline



## libraries

### Anchorage, Alaska

On July 1, Anne Oliphant, librarian at the Z.J. Loussac Library, part of the Anchorage Municipal Libraries, removed four nude photographs from an exhibit in the library sponsored by the University of Alaska Anchorage Camera Club. "I have nothing against the photos personally," she said. "They're very artistic photos and very good photos. I'm not trying to censor or be selective in what gets shown. I'm not trying to impose what I like on anyone else."

Not everyone agreed. "The library's rationale for removal was extremely unfortunate," said June Stevens, chair of the Alaska Library Association's intellectual freedom committee. "And what's to say this sort of censorship couldn't be imposed onto the library's own adult collection next?" she asked.

The Alaska Civil Liberties Union (ACLU) also protested the removals, declaring that Oliphant's action "violated the library's mission to promote free exchange of ideas and information." The ACLU approached the artists whose work was removed and they decided to sue Oliphant and Connie Jones, the city cultural and recreational services director who oversees the library, asking for a restraining order on the removal of the photos. Superior Court Judge Joan Katz ruled that one photo by Karen Roush — of a nude man with his back to the camera — was acceptable for display. But three other photos — two by Roush depicting frontal nudity and one by Johnathon Green of a man clutching his torn-out heart (really a pig's heart) — were declared unacceptable.

Jones said that the problem arose because the library agreed to display the winners of the juried show, even though the sponsoring club had only shown library staff a few of the works. Library policy is to review all materials that are to be displayed. The lesson, said Jones, is "if you have a policy, follow it."

Stevens said the decision did not resolve the dispute. "I wish the judge addressed the constitutional issues involved, instead of just reviewing the photographs," she said. The ACLU said it would consider appealing the decision but stressed it was "not arguing for an open display policy or that library officials don't have discretion in what's displayed on their walls." Pointing out that the library had adopted the ALA *Library Bill of Rights*, ACLU executive director Jamie Bollenbach said this was "a situation where the library isn't following its own rules." Reported in: *American Libraries*, September 1991; *Library Journal*, September 1.

### San Ramon, California

Librarians and gay educators were outraged over the mysterious disappearance of donated gay juvenile romance books in three San Ramon area high schools uncovered in September, charging that their apparent removal constituted "a preposterous case of censorship." A representative of the San Ramon Valley Unified School District called the charge "ridiculous."

The novels, *Annie on My Mind*, by Nancy Garden, and *All American Boys*, by Frank Mosca, were donated to San Ramon, California, and Monte Vista high schools two years earlier by the Bay Area Network of Gay and Lesbian Educators (BANGLE). The group also donated the same books to twenty other high schools in Contra Costa County. BANGLE gave the books directly to the schools' librarians, who were more receptive than the administration to the group's concerns, said Rob Birle, a member of the group and a former high school art teacher.

"Whoever caused these books to not be on the shelves was just imposing their own political agenda in blatant violation of our values of free expression and thought," said Birle. "This is a preposterous case of censorship." Birle said he learned the books were missing when he polled the campuses on behalf of BANGLE to see if they would take another book.

At each of the high schools, vice principals took the two books away shortly after they arrived at the libraries, saying they wanted to examine them. The novels were not seen again, librarians at each of the schools said, despite vigorous inquiries by the librarian at Monte Vista High, Arla Stevens. She said she gave the books to Vice Principal Becky Smith as soon as they arrived. But despite writing two notes asking what happened to them, she said the last reply she got was a note from Smith in September, 1990, saying "it may take some time to uncover and discover their location."

"I want them back, but I had totally given up on my getting them back," Stevens said.

At San Ramon Valley High, librarian Alicia Jones said she gave the books to a vice principal who later left the school. They were never returned, and Jones found the books in his office after a search prompted by Birle's new inquiry. At California High, librarian Gloria Jacobsen said her books were similarly taken away and never returned.

"This is a clear case of censorship," said Birle. "These vice principals went into the libraries, took the books off the shelves and then lost them. They might as well burn them; clearly the intent is to deny students books having a gay or lesbian theme."

According to Jerry Grundhoffer, director of secondary education for the school district, the charge of censorship is "ridiculous, for crying out loud." He said he leaves book selection up to his librarians. "Those books have never been a topic, and I've never gotten a complaint about them," he said. Grundhoffer explained that donated books bypass district review procedures and noted that there was no policy that said such books must be accepted. "He [Birle] can't say it's censorship, he's not a part of our school community — he's not a teacher, he's not a resident and he's not a parent," Grundhoffer said.

American Civil Liberties Union attorney Margaret Crosby, contacted by BANGLE, agreed that the books should not have been removed. "One issue here is the sloppiness of the handling that went on," she said. "The other issue is that a school district cannot exclude the topic of homosexuality from a school library." Reported in: *Oakland Tribune*, September 21; *Tri-Valley Herald*, September 24.

### **Multnomah, Oregon**

During the 1990-91 fiscal year, the Multnomah County Library received thirteen challenges against books and another against an audio tape. Three books were removed after the library director and staff committee agreed they were inappropriate. In the other ten cases, the materials were retained.

Removed were: *Caroline*, an anonymous work of adult fiction that contains graphic descriptions of sexual acts; *Marishka II*, another anonymous work of adult fiction with graphic sex; and *Tapping the Vein, Book 2*, an adult horror novel by Clive Barker, for graphic violence, language and sexual content.

Retained were: *Evangelical Commentary on the Bible*, edited by Walter A. Elwell, and the reference work *Official Catholic Directory*, criticized by a patron who believed public funds should not be expended on religious books; *Humbug Potion: An A-B-Cipher*, by Lorna Balian, a juvenile novel challenged for promoting satanism and witchcraft; *Improvised Radio Jamming Techniques*, by Lawrence W. Myers, challenged for promoting illegal actions; and *The Lake*, by John Peyton Cooke, a young adult novel accused of having too much violence.

Also retained were: *My Life as a Body*, by Norma Klein,

a young adult novel called "too explicit;" *Shy Charles*, by Rosemary Wells, a work for preschoolers in which the mother is allegedly portrayed too negatively; *Single Solutions: An Essential Guide for the Career Woman*, by Charlotte E. Thompson, challenged for technical errors; *Suspects*, by William Caunitz, an audio tape abridgement of an adult novel called too graphic and sexual; *They Were Strong and Good*, a 1940s novel said to glorify slavery and racism; and *The Witch's Handbook*, by Malcolm Bird, charged with promoting witchcraft. Reported in: *Willamette Week*, September 26.

### **Buckhannon, West Virginia**

A mystery censor tore a page out of a library book featuring photographs of developing fetuses. Upshur County Library employee Karen Heater noticed the missing page when she attempted to repair the book *How I Was Born*, after receiving a request for it. Heater said that after noticing the missing page, she tried to get another copy through the state's interlibrary loan program, but the same page was missing.

The missing page — 19 and 20 — shows a picture of a woman giving birth on one side and frontal nude photographs of four males and four females of various ages on the other.

Kathy Wingfield, the library's interlibrary loan clerk, said she sent written requests for the book to three of the ten state libraries listed as having a copy. One library reported the book missing, and copies sent by the other two were missing the page. Wingfield said she then called six of the other libraries before locating an intact copy. Reported in: *Charleston Gazette-Mail*, September 2.

### **Cornell, Wisconsin**

A parent requested in September that a book in the Cornell Elementary School library be permanently removed from the shelves because it allegedly promotes New Age religion and includes content related to witchcraft and the occult. Mary Mandigo complained to the school about *The Unicorn Who Had No Horn*, which her third grader checked out and brought home.

"I believe it promotes a New Age religion, and I believe that to be harmful to our children," Mandigo said. The religious propaganda in the book is subtle, she admitted, but real. As an example, she described how the unicorn in the book found a crystal that leads him to a new life.

"My original intent is to have [the book] pulled from the library," said Mandigo, the wife of Rev. Greg Mandigo of New Hope Assembly of God church. "I want the parents to be more aware of what reading material is available. I hope parents will become more involved in what their children are bringing home to read," she said. School officials said the complaint would be considered by the district's Library Media Advisory Committee. Reported in: *Cadott Sentinel*, September 19.

## **schools**

### **Eureka, California**

Schools in Humboldt County in the rural north of California have not seen the type of book-banning controversies that have made the state the national leader in such activity, but some volumes have been quietly removed after parental complaints.

In the Rio Dell School District, for instance, some parents complained about the highly controversial *Impressions* reading series for third, fourth, and fifth grades. They were unhappy with stories about witches, monsters, and goblins.

"We listened to their concerns and we, in fact, agreed with them on certain parts of what they said," Superintendent Steven Lowder said. The school district contacted the publisher and found that the company was reissuing the series without some of the most frequently challenged stories. The Rio Dell district traded in its older copies for the new versions.

"The parents were happy. I believe the teachers did not feel their right to teach was affected by this, the academic freedom issue was not involved," Lowder said. "And I believe the relationship between the school and the community has been strengthened because it was not a bitter fight."

In the Ferndale Elementary School District, a concern over perceived mysticism caused parents to complain, district Superintendent-Principal Hugh Beaton said. A kindergarten and first grade self-esteem program, using mental imagery guided by recorded lessons for young students, worried some parents who thought their children might be very susceptible to suggestion.

"They weren't concerned over what we were doing. But they felt that kind of approach was inappropriate," Beaton said. "The parents felt it could have been a New Age religion. Our concept was that it had nothing to do with religion." Nevertheless, parents and officials reviewed the passages and the school chose to cut them. "We removed the sections. There were just so few of them," Beaton said. "Guided imagery was not the focus of the program."

In McKinleyville's Dow Prairie School, the word "jackass" caused a flap. Principal Denis Chamberlain said a parent was reading a twenty-year-old library book with a child and found a passage in which a student was called that name. "This was not the typical concern you'd find in the newspaper. The book was out of date and referred to kids in a demeaning manner, calling them a jackass for not learning," Chamberlain said. A parent-faculty committee and then the school board reviewed the book, agreeing overwhelmingly to cull the volume from the school library. Reported in: *Eureka Times-Standard*, September 9.

### **Oakland, California**

In the latest turn to the Oakland textbook debate, some parents have accused the school district of censorship because

they were not permitted to buy a set of the controversial social studies texts rejected by the district last spring for a sixth-grade class (see *Newsletter*, November 1991, p. 195). About a dozen parents from Joaquin Miller Elementary School wanted to purchase a set of *A Message of Ancient Days*, one of the controversial Houghton Mifflin multicultural textbooks approved by the state of California but rejected by the district as inadequately sensitive to ethnic diversity.

The district purchased alternative texts for all grades except fourth, fifth and seventh, but the Joaquin Miller parents found the alternative text inferior. School officials blocked the parents' request, insisting they must uphold the board's decision to bar the textbooks, which have become a symbol of the raging controversy over multicultural education.

"I don't know if you can make a free speech issue out of this," said school district attorney Dan Siegel. "The school board speaks for all the parents in Oakland. They decided the books' portrayal or lack of portrayal of minorities was offensive and chose not to use the books. Just because someone does not agree with that decision doesn't mean they don't have to go along with it."

While the books have stirred fierce debate, the majority of California's 1,100 school districts have adopted them, including San Francisco, Los Angeles, and Berkeley. According to parent Cornelia Rensi, at a curriculum meeting in late September, parents and teachers complained about the lack of books — so parents agreed to buy a classroom set of the sixth grade texts.

Although the school board picked another book for the sixth grade, Rensi said the teacher and parents much preferred the Houghton Mifflin book. "I thought it was a pretty simple thing," Rensi said. "I didn't know I had walked into a hornet's nest. [Houghton Mifflin] is the state-adopted curriculum. It's not like we're trying to bring in X-rated books. What is this, a book burning?"

"We thought it was just a matter that the district wouldn't buy the books. I didn't realize our kids couldn't use them," added Wendy Wyman, another Joaquin Miller parent. "We know the books aren't perfect, but they could be supplemented with extra reading material."

Desperate for materials to teach a new state-mandated multicultural curriculum that the Houghton Mifflin texts were designed to serve, teachers in other schools have photocopied chapters from the barred books, prompting a memo from Oakland Superintendent Pete Mesa warning them of copyright violations. "We cannot violate the spirit of the board action and we must observe the legal requirements of the copyright laws," the memo said. Reported in: *Oakland Tribune*, October 7.

### **Palm Beach Gardens, Florida**

Sally Beach, a Lake Worth nurse who has fought a play about teenagers and AIDS since it was first proposed in 1989, renewed her objections September 18, saying it is still inaccurate despite changes. A school district committee had ap-

proved *The Inner Circle* for use in Palm Beach County high schools again this year, but it asked for some revisions to include updated information.

"They made revisions, but none of them address my complaint," said Beach, who refiled her challenge. She maintains the play is inaccurate in implying that using condoms can prevent the spread of AIDS, that the disease cannot be transmitted through saliva, and that it is hard to catch. Beach also objects to what she said are mixed messages about drinking, drugs and sexual intercourse in the play. Reported in: *Palm Beach Post*, September 19.

### **Pembroke, Massachusetts**

A controversy surrounding the Silver Lake school system's use of *The New Teenage Body Book* refused to go away in September as outspoken textbook critic Robert Hayes charged that use of the book violates the law. The text is part of the Silver Lake schools ninth grade health curriculum. Its explicit descriptions of various sexual practices provoked a storm of protest last spring, but Silver Lake school committee members decided to retain the text.

In early September, however, school administrators agreed not to distribute the book to students, but to limit it to use as a classroom resource and to keep it available in the school library. That did not satisfy Hayes, however. The leader of the Pembroke John Birch Society said he wants school officials indicted for distributing obscene materials to minors, corrupting the morals of minors, and violating a statute calling for teachers to instruct students in sexual abstinence.

"I demand to go before the grand jury with evidence of this conspiracy to violate the laws," Hayes said. "If they can violate laws, I want the district attorney to give me a list of what laws I can violate."

"When it comes to sex education, I don't think the schools should be teaching anything beyond the biology of reproduction and the dangers of contracting sexually transmitted diseases," he said. Reported in: *Carver Reporter*, September 11.

### **Wareham, Massachusetts**

On September 25, the Wareham School Committee gave principals the duty to review, and possibly reject, films that teachers want to show in class. "There have been instances over the last few years when parents have complained about films that were not appropriate," said Stephen Stone, committee vice chair.

Asked if the policy amounted to censorship by the principals, Stone replied, "The word 'censorship' is not applicable in this case. You can't censor something that you haven't seen yet; you can only censor something if you have it specifically in front of you."

Previously, teachers in the district had shown movies at their own discretion. Now, any film that would take up

substantial class time and is not owned by the school must be previewed by the principal and curriculum director. The policy stresses that movies should be shown for educational purposes only and "not for entertainment or as a reward for students." Only G-rated movies are allowed in kindergarten through eighth grade.

School Committee member Jeanine Tobolski, who proposed the policy, said the matter was personal. "I come from a very conservative background, and I and other parents are concerned about the types of movies being shown," she said. Tobolski denied that the policy was prompted by any particular film. "No, there wasn't a recent incident," she continued, "but there was a recent case when a parent was concerned about what type of movies could or could not be shown." Reported in: *New Bedford Standard-Times*, September 26.

### **Jasper, Missouri**

The Jasper School Board has banned an English textbook that includes a story depicting life in a black community. Some parents found the book offensive because a character used profanity and slang. But the teacher who used the textbook said the board's decision to ban it gave students the wrong message. "These stories are meant to evoke critical thinking and writing. The class is not designed to teach students new curse words," said English teacher Kimberly Morrison.

Board members voted unanimously September 16 to eliminate the textbook *The Writer's Resource: Readings for Composition*. About fifty parents and teachers attended the meeting to discuss the book. "I'm in favor of putting this book in the trash can and setting it on fire," said Lonnie Morgan, a parent who did not have a child in the affected class. Profanity like that used in the story, she said, was a sin.

The mother of one student in the elective, college preparatory class said she was "embarrassed to help her daughter with her homework" because of language in the stories. "I felt totally degraded by the language in the book," Maria Smotherman said.

The textbook is a collection of stories that includes "Aretha Has the Best Man," by Jane Howard. The story depicts a main character whose language is a mixture of profanity and slang.

Morrison said the story's main character "is not a role model for the students. She is a woman who has no self-esteem. We in this community would disagree with her lifestyle, and we are offended by her language because it is all so unfamiliar to us." At the beginning of the year, Morrison sent letters to the parents of the eleven students in the class, explaining that she did not condone some of the language in the book and asking parents with objections to contact her. No parents contacted her before the board meeting that banned the book, she said. Reported in: *St. Louis Post-Dispatch*, September 19.

### Aurora, Oregon

North Marion School District Superintendent Lee Wolfe said the removal of the controversial *Impressions* reading series in his district had more to do with poor reading scores for students than with censorship. According to Wolfe, the books for students in the first through third grades, which first came under fire in the 1987-88 school year, were replaced by computers and another book series in an attempt to create "a uniform reading program."

Wolfe said there was "absolutely no pressure" from foes of the series to remove the books. "Three years ago this district went through quite a struggle," he said. "They adopted a series of books the conservative groups did not like." Board members on both sides of the issue faced challenges by those who branded the books as "evil" and those who called the book's opponents censors. The final vote to keep the materials was a narrow 4-3. The books were only adopted for grades 1-3, Wolfe said, because district parents found the fourth and fifth grade books "objectionable."

There the matter rested until Wolfe, who became superintendent in the summer of 1990, examined the reading levels of district students and found them to be "very poor." He asked the board to support creation of the uniform reading program. He said the new program, called Writing to Read, is sponsored by IBM and is based on student interaction with computers and tape recorders, where they see, say and hear the words of a book. Reported in: *Canby Herald*, September 4.

### Eugene, Oregon

Michelangelo has been censored.

Administrators at Madison Middle School in Eugene halted what was to be the first broadcast there of Channel One, a news program for students, after learning that the day's telecast included pictures of the famous Renaissance artist's sculpture of David. The show reported that a man in Italy had attacked the nude figure with a hammer.

"What concerned us was the full, front view of the sculpture," said Elna Robinette, media specialist for the school. "For the first day of showing, we wouldn't want to show anything that parents would be offended by."

Principal Cecil Kribs decided not to show the program because "with middle-school-age students, you're just never sure how they're going to react, and we didn't want a lot of tee-heeing. We didn't want anything to destroy the integrity or distract from what we're trying to accomplish with the program. It was just a matter of timing for us." Madison Middle School was the only one of about 9,000 schools in the country subscribing to Channel One to cancel the news program. Reported in: *Portland Oregonian*, September 19; *Philadelphia Inquirer*, September 19.

### Charleston, West Virginia

A Poca Middle School parent wanted to ban the works of young adult author S.E. Hinton, but the teacher who assigned the author defended the works. Hinton's *Rumble Fish* and *That Was Then, This is Now* are considered too frank by some parents. One of them, David Patrick, pulled his twelve-year-old daughter out of a reading class in which the books were discussed.

"The words and subject matter are such that I don't think seventh-graders should be exposed to it," Patrick said. "At that age group, they're going to be zeroing in on that instead of the message."

But teacher Kristen Martin stood behind Hinton. "I personally have seen how effective and worthwhile this book has been for my students in delivering a strong anti-drug message," said Martin, who assigned *That Was Then, This is Now* to 115 students. Middle School Principal Vernon Goff agreed to let parents decide whether their children should read the book after Patrick complained, but it remained unclear whether that measure would satisfy Patrick. Reported in: *Charleston Daily Mail*, August 7.

## colleges and universities

### Lebanon, Illinois

The president of McKendree College banned the performance of at least one act of a trilogy of plays scheduled for performance at the school in November because it contains words he considers objectionable and inappropriate for a church-affiliated college. A statement issued on behalf of President Gerrit TenBrink said performance of the play, *Acts of Passion*, by a theater group would be canceled and that "profane and vulgar words will not be allowed in any cultural artistic production."

The decision outraged some of the 756 students at the college and led to three student protests, including one by nearly fifty students in front of the president's house. Student body president Michelle Hughes charged that TenBrink was "living back in the 1950s, and he's not realizing society as it is today." Scott Leach, a member of the Student Senate, said students were concerned about what may be affected next by what he called an "unfair and unjust" decision. "Is Dr. TenBrink going to approve what books we can have in the library?" he asked. The faculty also voted 38-6 to censure the action.

Doug Dennison, director of college public relations, said TenBrink made the decision after reading a script of the play and finding words he considered profanity or against the religious beliefs of the United Methodist Church, with which the college is affiliated.

"This is entertainment for the community as well as for the McKendree community," Dennison said. "Both of these have expectations about the kind of entertainment we present, and this would violate the expectations of both groups."

If someone wants to see a play with this somewhere else, that's no problem. But, this being a church-related college, we could not approve it with this kind of material. We think it is our right to decide what productions we want to sponsor and what productions we don't want to sponsor."

The board of trustees agreed. Meeting a month after the incident, the board voted to back TenBrink's decision and appointed a panel to review whether his order should become permanent college policy. The play was to be presented by a company from Iowa City called Riverside Theater. Reported in: *St. Louis Post-Dispatch*, September 18; *Chronicle of Higher Education*, October 23.

### Iowa City, Iowa

A critically acclaimed film depicting graphic homosexual sex that was shown September 26 at the University of Iowa sparked a firestorm of controversy, including criticism from Gov. Terry Branstad and state House Speaker Bob Arnould.

The film, *Taxi zum Klo* or *Taxi to the Bathroom*, raised questions because of its portrayal of graphic sexual contact, including oral sex, a rectal exam and two men urinating on each others' faces. One scene shows characters watching a movie in which a teacher and a young boy rub each others' groins.

There was some dispute over whether the film, sponsored by the university's German Department, was required viewing for approximately 45 students enrolled in three German conversation and composition courses.

"No course assignments required that students watch the film," said Richard Runge, chair of the German department, and Judith Aikin, associate dean of liberal arts, in a prepared statement. "All students were warned that the film might be considered offensive." A flyer posted in the German department said, "Don't come near this film if the world of homosexuals upsets you in any way." Assistant Professor of German Weltraud Maierhoffer chose the film as one of a series designed to help students with conversational skills.

But several students said that at least one faculty member did not make clear to them that the film was optional. Joel Nielsen, a sophomore, said that ten days before the film was shown Associate Professor Ford Parkes Perret told his class, "This film is mandatory," because the class would be discussing it and writing essays about it. Perret, who did ask students to write an essay about the film, said he may have been unclear in his instructions.

"I would never require a student to sit through something they didn't like — especially something this controversial," he said. But if students complain and attempt to ban the film, he added, "that would be going too far. That would be censorship."

Perret noted that students were much more accepting of the film when it was shown at the university's Bijou movie theater in 1982. "Students are much more conservative today," he said. "The film was made before AIDS, and

students are much more itchy about the kind of loose homosexuality depicted in the film than they were ten years ago."

In an interview with Radio Iowa, Governor Branstad said he "was shocked that this kind of activity was going on at a state-supported university and I don't think it is appropriate."

"Obviously, this film was offensive to Iowans," added Speaker Arnould. "I don't think it's a question of censorship. I think it's a question of good taste and common sense."

The two politicians were joined several days later by University of Iowa President Hunter Rawlings. In a statement released October 1, Rawlings said that "the use of this film in the context of a course on German conversation and composition demonstrated extremely poor judgment. I find it difficult to believe that it was appropriate to use this film in this course, and I have conveyed this concern to the College of Liberal Arts."

Rawlings, however, rejected calls by some legislators and newspapers that the faculty members be fired. "Calls for the dismissal of faculty members have come from many quarters," he said. "Since the very purpose of academic institutions is to create debate and transmit ideas, they are vulnerable to emotional outbursts. Hence, the need for protection of ideas and the people who present them any day."

In a nod to academic freedom, Rawlings added "Professors have the right to decide what they will teach in their courses and the University of Iowa does not infringe on this fundamental principle of academic freedom. Nonetheless, judgments must be made concerning the appropriateness of sensitive material in connection with university classes."

Dean Aikin, who also is a German professor, said, "We don't ignore complaints, but we also don't censor the contents of films that are shown in our courses. I myself would probably not require my students to see such a film. But if there are problems with the film that was chosen there will be a dialogue, not censorship."

Board of Regents President Marvin Pomerantz chided university officials who "took their eye off the ball" by contending the issue was whether the film was required. "The bigger issue was that it was in poor judgment and poor taste, whether it was required or not."

Some students who had protested the film disagreed, however. Joel Nielsen praised Rawlings for his statement: "That's all the students wanted to hear was that it was a use of poor judgment." But Nielsen also said that "if it hadn't been required, I would have no problem with it. But it was required, and my right not to view this film was taken away."

"I think the students are partly at fault," Dean Aikin added. "Nobody complained to the instructors. Nobody complained to anybody in the German department. They went to the newspapers. There are processes in the university for handling complaints, and I would hope that most complaints that students have are handled by the instructors. They are uniquely qualified to respond to complaints that students

have.”

On October 2, Johnson County Attorney J. Patrick White sent Rawlings a letter asking for information about the film showing, noting that it created “a potential obscenity question that needs to be addressed. And it also creates a question of potential child abuse.”

“One of my goals is for the university to make a determination as to the propriety or impropriety of the film,” White said. “If they say it was improper, then I’d like to make sure that it isn’t going to surface for future use. If they say it was proper, then I want to look at it.”

The Iowa obscenity law allows public libraries and educational institutions to display materials generally considered obscene provided they are “appropriate materials for educational purposes.” “I would like to know if President Rawlings believes that the statutory exemption does apply,” White said.

White in the end declined to file charges, in part because the ten-year statute of limitations on obscenity had expired on the ten-year-old film. However, university officials moved to prevent similar incidents in the future. On October 16, President Pomerantz publicly apologized for the controversy and told the regents that measures would be taken to prevent a reoccurrence.

“I don’t want to see a repetition of the misunderstandings that have caused us so much concern and have caused this board and the people of this state so much concern,” Gerhard Loewenberg, dean of the College of Liberal Arts, told the regents. Loewenberg reported that an investigation had revealed that the three instructors of the conversation course had not communicated with each other about how the film showing was to be handled. One instructor ignored the showing entirely; another told students it might be offensive and that they could read a review instead of watching it; and the third, Perret, said it would be discussed in class.

Students did not know what to expect because the instructors did not have a syllabus or clearly written explanation of the semester work for their students, even though university policy requires such written explanations, Loewenberg said. Moreover, spoken instructions in class were delivered in German, leaving open the question of whether students were interpreting them correctly. Loewenberg said he told all his college’s department heads to follow requirements for telling students what to expect. Reported in: *Des Moines Register*, September 27, 28, October 1, 2, 3, 6, 8, 10; *Cedar Rapids Gazette*, October 10, 17.

## student press

### Davis, California

Last spring at the University of California, Davis, Michael Anton founded *The Davis Republic* “to expose the hypocrisies and incompatibilities embedded within the

philosophies advanced by the campus left.” Funded exclusively by advertising, the paper had a distribution of 5,000 for the first issue.

Unlike other papers on campus — the *California Aggie* and the *Third World Focus* — *The Republic* was not recognized by the student government. Since *The Republic* could not be distributed on campus without student government ties, Anton appealed to the student council for approval. Most council members, however, expressed “strong reservations” about recognizing the self-supporting right-wing publication, although the most costly item in the student government budget is the \$45,000 allotted to the allegedly “left-wing” *Third World Forum*.

In *Healy v. James* (1972), the U.S. Supreme Court ruled that student governments may not restrict access to some publications while extending privileges to others. Fearing a lawsuit and bad publicity if they denied the paper campus distribution rights, the council chose not to act at all, instead deferring decision-making on the issue to the university administration.

Student Karl Chrisman called the action “odd,” since the council had always insisted that “the students should make all decisions.” He charged that businesses that had advertised in the paper had been harassed and threatened with a boycott. Reported in: *Rice Thresher*, October 4.

### Fort Wayne, Indiana

More than 1,500 people signed petitions that were presented to Huntington North High School principal Van Bailey October 1. They called on the principal to bar his school’s newspaper from continuing to run ads for Planned Parenthood, along with ads for Huntington County Right to Life. Reported in: *Fort Wayne Journal-Gazette*, October 3.

### Ann Arbor, Michigan

The University of Michigan student newspaper set off a storm of protest October 24 by running a full-page advertisement that challenged the extermination of millions of Jews in the Holocaust as an “irresponsible exaggeration.” The prepaid \$1,052 back page ad, signed by Bradley R. Smith of the Committee for Open Debate on the Holocaust, should not have been printed, *Michigan Daily* advertising staffers said.

Beth Warber, the *Daily*’s business manager, said the ad was mailed in camera-ready and was not read before it went into the paper. The paper’s advertising policy reserves the right to reject ads it considers unfit. “The policy was not the problem, the process was,” Warber said. “The ad slipped through without being read. We did not make a conscious decision to place the ad.”

Warber said the *Daily* would run a prominent statement explaining the mistake and apologizing to those offended. But Andrew Gottesman, editor of the *Daily*, said a statement would run on the editorial page defending the ad.

"We don't agree with the views or the supposed facts in the ad," Gottesman said. "But as editors of a newspaper we cannot condone its censorship. I saw the ad last night and it was not my decision to let it run. But if it had been my decision, I would have let it run." The newspaper received about thirty angry phone calls, he said. Reported in: *Detroit Free Press*, October 25.

### **Austin, Texas**

Administrators may recommend to Austin school board members a policy of prior review of student publications in response to controversy generated last spring by the Bowie High School newspaper. The April 19 issue of the *Lone Star Dispatch* drew the ire of Bowie parents. Six pages of the 28-page newspaper were dedicated to descriptive articles on sex education and AIDS prevention. Many parents objected to the articles, saying they encouraged promiscuity. The school's principal and journalism adviser stood behind the publication.

"The [proposed] policy will call for the building's principal to be responsible for the content of the student publication," said David Hill, assistant superintendent. "That is just putting into policy what's current practice. That doesn't mean the principals would exercise that, but they would have the right."

Journalism advisers said, however, that instituting prior review of publications into policy would hamper learning and would lead to censorship of student publications if non-supportive principals are in charge.

"There are going to be a lot more restrictions that are going to be put on us and freedoms taken away from kids," said Peggy Morton, Austin High journalism adviser. "If I come in and tell them, 'No, you can't do that,' that stops learning and also helps kids not be very motivated."

Advisers and members of a committee formed to offer input on the policy said prior review was unneeded because there have been just three controversial incidents involving student publications in twenty years. But some members of the committee said principals need to be accountable for student publications and should have the right to exercise prior restraint.

"We're dealing with minors, and I believe the students are there to learn. Therefore, the adults have to give them the guidance," said David Muralt, Texas director of Citizens for Excellence in Education and a member of the committee. "I hope it will prevent incidents from happening like we saw at Bowie." Reported in: *Austin American-Statesman*, September 19.

### **Corpus Christi, Texas**

Corpus Christi Independent School District trustees gave preliminary approval October 28 to new restrictions on the types of articles school-sponsored publications can print. The

new guidelines, approved without discussion, update district policy to take advantage of the U.S. Supreme Court's 1988 *Hazelwood* decision giving school administrators the right to bar officially sponsored school publications associated with journalism classes from printing information they deem inappropriate.

Journalism teachers and student newspaper editors in district high schools said they were unaware the district was considering the new regulations. But they said they had encountered administration censorship before, and expressed anger at the proposed rules.

"We get to a point where we ban everything because we don't like it," said Diana Ausbie, Carroll High School journalism teacher and newspaper adviser. "We need to allow these kids to experiment. We're teaching them one thing when it comes to [journalism principles], but when it comes to practicing them, we're saying, 'No, we're sorry, you guys aren't real people yet.'"

According to the new rules, student speech that district officials may bar from publication includes that which:

- "Might reasonably be perceived to advocate drug or alcohol use, irresponsible sex, or conduct otherwise inconsistent with the shared values of a civilized social order."
- "Is inappropriate for the level of maturity of the readers."
- "Does not meet the standards of the professional employees who supervise the production of the publication."
- "Associates the school with any position other than neutrality on matters of political controversy."

The proposed regulations were recommended to school districts throughout the state by the Texas Association of School Boards.

District Superintendent Charles Benson said high school newspaper advisers often bring questions about potentially controversial stories to their principals before they publish the articles. But Benson said he was unaware of any instance in which a principal had ordered students not to print a particular story.

Newspaper students and advisers, however, said conflicts with principals are not unusual. Ausbie recalled an incident last school year involving a poll the student paper took on students' experiences with racism. The school principal said the story was too negative and didn't accurately reflect the experiences of most Carroll High students. In place of the article, the paper published an apology describing the conflict with the principal.

"Principals do have the right to review material," Ausbie said. "Many of them say, 'We have the right to review, so we have the right to change.' The kids get to the point where they're not going to write material they think is going to be changed. It kind of stifles creativity." Reported in: *Corpus Christi Caller-Times*, October 29.

## Norfolk, Virginia

A tiny fire at Maury High School triggered no alarms October 17. But it set off cries of press censorship from student journalists, who were told by administrators not to photograph the smoke.

"We do have to respect the authority of our principal to censor our paper," said junior Sarah Miles, assistant editor of the *Maury News*. "But this is something that really needs to be told to the students, because it's a situation that illustrates the safety flaws in the school."

The incident occurred after someone set fire to three bulletin boards. No alarms went off, and the fire was out by the time students and teachers responded. But the halls were filled with smoke and when photographers of the *News* sought to take a picture of the scene, they were told by the assistant principals they could not because "that would give the person too much attention."

The incident called attention to other incidents in which student journalists charged censorship in the Norfolk-Virginia Beach-Hampton Roads region:

- Monica Nixon, a 1991 graduate of Virginia Beach's Princess Anne High School, said she was censored during her junior year after writing a story for *The Page* claiming that a new school board policy drastically decreased contact between gifted students and advisers. Administrators reviewed the story, said it was incomplete, and killed it. "We were just trying to keep students abreast of the issue," said Nixon, now a student journalist at the University of Virginia, "but it seemed like the administration couldn't take any criticism of their policies."

- Smithfield High senior Shelly Faulkner in Norfolk said she was censored in 1991 after writing a story about the student council chaplain's practice of reading the Lord's Prayer over the loudspeaker each morning. Faulkner said her original story for *The Wisdom* contrasted views of parents, students and the principal about prayer in school. Before publication, administrators told her the prayers would stop.

- At Oscar Smith High School, students working on *The Tiger Times* were struggling last fall with administrators over a developing story on a policy that allows teachers to smoke while students cannot. The student reporters were barred from a faculty meeting where smoking policy changes were discussed. Later, in an unprecedented move, Principal Glen L. Koonce met with the paper's staff to discuss his concerns.

"My students are caught in between the readers who say they are a goody-two-shoes who only put the good stuff in and the administration who only wants the nice things in the paper," said *Maury News* faculty adviser Barbara Cox. Reported in: *Virginian Pilot*, October 18, 26.

## newspaper

### Tuba City, Arizona

Editors of a new Navajo newspaper said a convenience store chain's decision to stop selling their paper amounted to censorship of the news on the reservation. But the chain, Thriftway Corporation, said its decision was based solely on poor sales.

On September 27, the 35 Thriftway stores on the Navajo Reservation received a memo from the chain's Farmington, New Mexico, home office telling them they would no longer carry the *Navajo Nation Today*, and not to confuse it with the *Navajo Times*, a tribe-owned paper. That directive came just three days after *Today* published a commentary critical of the chain, which said "the only thing convenient about Thriftway is the way it makes money at Navajo expense."

"They've banned our paper from their stores," said managing editor LeNora Begay. "They're choosing what type of information can go out to the Navajo people. We believe it was because of this commentary." What disturbed her most, she said, was that a non-Navajo company off the reservation can control what a Navajo-owned business based on the reservation can sell in its stores.

Thriftway area manager Manny LaCour said the decision was not based on content but on slow sales. "It's just not moving," he said. "I don't know what the excitement is about. I quit selling candy bars and I never got the news before like this. I just decided not to sell the paper no more. Just as simple as that."

*Navajo Nation Today* publisher Mark Trahan said the decision to drop the paper "rankles" because of its timing, and because there are so few distribution outlets on the huge reservation. "Thriftway is not the biggest seller of our product so it isn't devastating," he said. "But it just gives people fewer choices and in some communities it takes away their right to choose any news source." Reported in: *Arizona Daily Sun*, October 4.

## books

### Fairfield, Connecticut

On July 16, the Fairfield Upward Bound Program, a federally funded academic support program for low-income families, canceled a visit by mystery writer Walter Mosley, scheduled for July 25, which was sponsored by the PEN reading program, and returned all copies of his novel *Devil in a Blue Dress*, which had been donated to the program by its paperback publisher. The visit was canceled by a dean at Fairfield University, site of the program, who deemed Mosley's writing pornographic. The following is the text of a statement by Mosley, released by PEN.

"I was in San Francisco on a book tour when I was told that I would not be allowed to address a group of teenagers in the Upward Bound Program in Fairfield, Connecticut,

because my book (a mystery called *Devil in a Blue Dress*) was pornographic and unsuitable for sixteen-year-old, black and hispanic, inner city readers. Upward Bound is a federally funded, academic support program for low-income high school students who will be the first in their families to attend a four-year college or university. I was to have visited Upward Bound as a participating author in PEN American Center's Reading Program, an effort designed to encourage reading by sending authors, and books, to various groups across the country, at no cost to the host sites. PEN is an international organization best known for its work on behalf of censored and imprisoned writers.

"When my visit was suddenly canceled, I was stunned. All the work I'd done to develop a voice, a style and a cast of believable black characters — rejected. Why? Because the language is urban and gritty? Because at two moments in the novel sexuality is realistic and powerful? Maybe it was the portrayal of violence in the hearts and lives of black Americans.

"I don't know the answers to these questions because no one at Fairfield Upward Bound is talking. Neil Richardson, the program's director, claims he is powerless to answer, as the decision was made by a university official, Dean Georgia Day. Dean Day refuses to discuss her assertion that my novel is pornographic. The national Upward Bound headquarters isn't talking either: numerous phone calls and letters have failed to draw any response beyond the vague assurance that 'we'll look into it.'

"Young men and women are being kept from reading my book. A book that is drawn from an experience close to their own, told in voices that many of them have heard from infancy. Reading for young people can be a deep and moving experience. Reading helps them to grow and change. It helps them to see new worlds and to create themselves in ways that they might never have imagined otherwise. But the beginning reader has to see himself, or herself, in the works he encounters. A young black person from Harlem might find it difficult to identify with a world where no one cursed, no violence was explicit or immediate, where law was anything but oppressive. A world where sex was unknown or unmentioned.

"Reading is, at its base, a tool. It is being able to understand the operating instructions for a VCR and the dosages on over-the-counter drugs. But reading can also open the door for the attempt to understand yourself in a complex, treacherous and wealthy world. Kids in the inner city need this tool. Reading one book should make them hungry for another one. Reading five books should make them want to say something themselves.

"I feel cheated by Upward Bound and Dean Day. I would have liked to say to those young people, 'See, we *do* have a voice, many voices, that can raise in volume and change our world.'

"Instead I've been silenced, and the Upward Bound kids

have been gagged. They can't tell me that my book is rotten or pornographic because they never received the 65 copies of *Devil in a Blue Dress* that were donated to them by Pocket Books. They can't ask me why I wrote what I did. They can't ask me where ideas come from or how long it takes to get heard or how much money can be made by writing. They don't even know that I exist.

"I'm a black man writing my version of the black experience. These young people need to know about me and other writers like me. Upward Bound, a public organization, shouldn't be able to block my connection to the people without being held accountable, without explaining why. My work is based on the lives, ideals and desperation of the inner city dweller. If I am successful at portraying this life then the claim that the book is pornographic is also a claim that the life these children live at home is pornographic.

"'You wouldn't want to read that trash,' the censor says.

"'Why not?' asks the child. 'It's true.'

"In a perfect world the teenagers themselves would judge the value of the work. Reading about the moral, ethical and sexual conflicts of ghetto life wouldn't hurt them. It might let them know that their voices and ideas are not ignorant and pornographic.

"But even if there has to be some policy about the kind of literature permitted in the program, then let's break the silence in Washington and have the Upward Bound policymakers tell us, tell me what can and cannot be read in their programs. Let's defang the petty censor and give our children a chance to know what is possible.'" Reported by PEN American Center, September 25.

### **Boston, Massachusetts**

Alyson Publications, a Boston publisher and distributor of books for the gay and lesbian market, has had the publication of *Gay Sex: A Manual for Men Who Love Men* delayed because it has been unable to find a domestic printer willing to print it. As of late October, eighteen printers had refused to print the work.

"It's very comparable to *The Joy of Sex*, which was recently reissued," said Sasha Alyson, the firm's head. "In fact it's modeled after it. The illustrations are exactly the same, except they show two men. The text is of equal explicitness."

Most printers mentioned employee reaction to the book as the primary reason they declined to print the title. "This is a very conservative area," said Paula Jones of Offset Paperback in Dallas, Pennsylvania. "The people on the binding line would just rebel. We tried to put out a book like this a while back and there was a total uproar. We would, however, do it without the pictures."

"We reserve the right to choose," said Tom Webber, vice president of Cushing-Malloy in Ann Arbor, Michigan. "We're not censors. We just have the right to be sensitive to the material that we put through our plant."

"Most of them say their workers will be offended," said Alyson. "But only on this subject do they claim that workers in the camera room can dictate content." Alyson said she wanted to avoid the expense and delay of foreign production. "At this point we're not real sure we're going to get the book printed." Reported in: *Publishers Weekly*, November 1.

### Lancaster, Pennsylvania

Bombed earlier in the summer, the Closet, a gay and lesbian bookstore in Lancaster, was bombed a second time on August 15. There were no injuries. The earlier attack on the bookstore, apparently in retaliation against a gay rights ordinance passed in June by the Lancaster City Council, took place June 24, only six weeks after the store opened, and shattered several windows (see *Newsletter*, September 1991, p. 160).

Of the second attack, Nancy Helm, the store's owner, said, "There is lots of damage. The bomb blew the doorway off, shattered a side window and damaged some stock." Helm said the county commissioners had denounced both bombings and that "we've received an immense amount of support from the community." Reported in: *Publishers Weekly*, August 30.

### Providence, Rhode Island

The delegate body of the Rhode Island State Grange voted unanimously in October to oppose the book *Teenage Mutant Ninja Turtles ABC's for a Better Planet*. According to the Grange, the popular children's characters are being used to promote advocacy positions detrimental to agriculture.

The Grange alleged that the book, which is produced by Random House and was included in the Troll Books Summer Fun Packages for use in schools, condemns all pesticides as bad and warns that growth hormones in meat may cause cancer. The Grange said it would notify school districts and libraries about its opposition to the book and, presumably, urge its removal. Reported in: *Kent County Daily Times*, October 26.

## television

### New York, New York

In a highly unusual move, the National Broadcasting Company (NBC) told the producers of its television series *Quantum Leap* that they would have to assume financial responsibility for any advertiser withdrawal from an episode dealing with homosexuality and suicide. The action was criticized by some as an effort amounting to censorship. It came despite the public exhortations of all three major broadcast networks urging advertisers to stick with controversial shows and stand up to boycott threats.

But the move by NBC also came as profits were falling

at the network. Advertiser withdrawals in the episode could cost NBC somewhat less than \$1 million. Sponsors have shied away from shows dealing with controversial topics. Last season, NBC had numerous pullouts for the movie *Roe v. Wade*, about the historic abortion case. ABC lost about \$1 million when sponsors backed away from an episode of *thirtysomething* showing two male lovers in bed.

Because of such incidents, producers frequently discuss the plots of their shows with a network before filming begins. But the producers of *Quantum Leap* didn't show the gay story line to NBC prior to production, a network representative said. "Since we weren't partners in this, we can't take financial responsibility," she said.

While NBC hoped to insulate itself against losses, its hard line brought threats of a different sort. The Los Angeles chapter of Gay and Lesbian Alliance Against Defamation (GLAAD) expressed "outrage" and "demanded" a meeting with network executives. "They're sending a message that gay characters aren't wanted on NBC," said Richard Jennings, executive director of the group. "We told them if that's the case, gays don't want NBC, and they should expect a boycott." Reported in: *Wall Street Journal*, September 30.

### Houston, Texas

A consumer group accused four Houston television stations of censorship October 25 for refusing to air an advertisement urging President Bush to sign an unemployment benefits bill. Citizen Action, based in Washington, wanted to run the commercial when Bush was scheduled to be in Houston for a political fund-raiser. The organization said it might file a complaint with the Federal Communications Commission.

"What right do TV sales departments have to deny the airing of legitimate public discourse?" asked Tim Curtis, executive director of the Texas chapter of Citizen Action. "These stations are licensed by the public. And yet even though they have time to sell and we have money to buy, they have made the decision that the information we are trying to present is not worthy of the viewing public."

Mike Dunlop, general manager of Houston independent station KTXH-TV, said the ad was not accepted because it did not allow a response from Bush. "This station, in particular, chose not to air the ads simply because we felt we could not air the opposing view," he said.

Peter Diaz, sales manager for KHOU-TV, said that station does not "air issue advertisements unless that issue is on the ballot." Stations KTRK and KPRC declined to offer reasons for their refusals to air the commercial. Curtis said he suspected that all four stations rejected the ad to avoid embarrassing Bush. Reported in: *Austin American-Statesman*, October 26.

## theater

### Glens Falls, New York

Glen Falls Mayor Francis X. O'Keefe's decision to ban a banner for the Glens Falls Community Theatre's production of *The Best Little Whorehouse in Texas* attracted the attention of the national media to the small Adirondack Mountains community. O'Keefe told the group the word "whorehouse" was objectionable, and he would not allow the banner to be hung across Glen Street. Reported in: *Glens Falls Post-Star*, October 13.

## art

### Riverside, California

A Newport Beach artist is fighting what he called censorship by a Riverside museum that pulled his sexually suggestive paintings from a September art exhibit on AIDS. August Spivey contended that the curator of the Riverside Art Museum's exhibit personally picked two of his most controversial works — one of which depicts Jesus Christ in a sexually suggestive manner — for the show, but then turned around and canceled them.

Curator Jim Reed said that Spivey was trying to use the show to gain publicity for his own work, rather than draw attention to the AIDS epidemic. He said his decision was not based on the paintings' content.

But Museum Director Mary Alice Cline said museum officials, who supported the decision, feared both the publicity and concerns about obscenity would take the focus away from the exhibit goal of "raising consciousness and hopefully some compassion." In an apologetic note left on Spivey's doorstep after the cancellation, Reed wrote, "I cannot show anything that will be misconstrued — i.e., nothing sexually explicit or suggestive."

"This is not about publicity," said Spivey. "This is about my rights under the First Amendment. Why is it that my other works are allowed in the show? I'm being censored." Reported in: *Newport Beach Pilot*, September 5.

## book burning

### Dayton, Ohio

A minister said he would step up his practice of staging bonfires to burn books and paraphernalia he considers satanic or pornographic, and announced plans to expand beyond Dayton. The Rev. Donovan Larkins said October 23 that he was planning two bonfires a year beginning in 1992, and would lay the groundwork for at least one other burning in another city.

"Satanic crimes and unprovoked murders speak of America's need for the power of God to intervene," Larkins

told a news conference. "It is the things we read and the things we consume that open humanity up to demon power."

Larkins staged his first book burning in 1990 in the parking lot of his Victory Bible Church. A flier distributed by the church advertises book burning as an effort to rid the city of the occult and its paraphernalia. The flier's "burn" list includes pornography, horoscopes, tarot cards, rock albums and materials related to Islam, Buddhism, Hinduism, Mormonism, Jehovah's Witnesses, Christian Science, and New Age religions. Reported in: *Dayton Herald-Star*, October 23.

## foreign

### Ottawa, Canada

In place of the latest Cannibal Corpse LP, *Butchered at Birth*, Canadian radio stations received a statement from Canadian customs officials that the albums were detained at the border for their possibly obscene content. Reported in: *New Music Report*, September 13.

### London, England

The censorship debate over rap music spread to England last summer when the group N.W.A. became entangled in the British Obscene Publications Act. Approximately 13,000 copies of the group's *Efil4zaggin* album were confiscated by police. The material was said to be of a depraved and corrupt nature, and the case was referred for prosecution. Reported in: *Pulse!*, September 1991.

### New Delhi, India

The Indian government has blocked export of the June, 1991, issue of the English-language edition of *A World to Win*, an international publication produced by the Revolutionary Internationalist Movement, a Maoist coalition that includes the Peruvian Sendero Luminoso and the U.S. Revolutionary Communist Party. The English edition is published in India. The Indian government said that some of the issue's contents "are likely to prejudicially affect India's friendly relations with other countries." Reported in: *Revolutionary Worker*, September 29.

### Zurich, Switzerland

More than 320,000 copies of the Swiss edition of *Reader's Digest* containing an article critical of the Church of Scientology were mailed to subscribers in September, in defiance of a Swiss court order. Managing Editor Hans Bosshard said the decision to ignore the order blocking distribution of the October issue was made because it was a "violation of press freedom." Under Swiss law, failure to comply with an injunction can draw an unspecified fine or up to three months in jail. In seeking the injunction, the Church of Scientology argued that the article was filled with falsehoods. Reported in: *St. Petersburg Times*, October 2. □

## from the bench



### university

#### Madison, Wisconsin

A 1989 amendment to the University of Wisconsin's student conduct code that called for disciplining students who engage in discriminatory speech or other offensive expressive conduct violates the First Amendment, the U.S. District Court of the Eastern District of Wisconsin ruled October 11. The court said the rule sweeps in speech protected under current U.S. Supreme Court doctrine.

The rule sought to eliminate "racist or discriminatory comments, epithets or other expressive behavior directed at an individual" if such comments "demean" the race, sex, religion, or other attribute of an individual and create an "intimidating, hostile or demeaning environment." It had been applied on nine different occasions.

The First Amendment generally protects speech from content-based regulation unless it falls within a few narrow categories, the relevant one in this case being the "fighting words" doctrine enunciated in *Chaplinsky v. New Hampshire* in 1942. Under that doctrine, speech can be regulated only if it threatens to incite an immediate breach of the peace. The Supreme Court has been reluctant to apply the doctrine and in subsequent decisions sharply curtailed its applicability.

The Wisconsin rule "goes beyond the scope of the fighting words doctrine," Judge Robert Warren decided, because it "covers such a substantial number of situations where no breach of the peace is likely to result." Moreover, speech that creates an "intimidating" or "hostile" environment may tend to stifle rather than provoke immediate reaction.

The court rejected the university's argument that the "fighting words" doctrine embodies a balancing test whereby speech that has minimal social value and harmful effects may be subjected to content-based regulation.

"This balancing approach is inconsistent with *Chaplinsky*," Warren wrote. "*Chaplinsky* did not state that lower courts should employ a balancing approach to identify additional categories of speech undeserving protection. Moreover, the Seventh Circuit has stated that a balancing approach is appropriate only for content-neutral speech regulation. It is clear, however, that the rule regulates speech based on its content."

"Even under the balancing test proposed by the university," the court decided, "the rule is unconstitutional. On the benefits side of the balance, this court disagrees with the university's assertion that the speech proscribed by the rule is not intended to inform or convince its listener. The rule may cover a substantial number of situations where students are attempting to convince their listeners of their positions. Nor is it true that the proscribed speech is not likely to form any part of a dialogue or exchange of views."

On the costs side of the balance, Warren concluded, "the rule does as much to hurt diversity on university campuses as it does to help; the rule limits the diversity of ideas among students and thereby prevents the robust exchange of ideas that intellectually diverse campuses provide. Any inequality in educational opportunities addressed by the rule is due to the discriminatory activity of students, not university employees."

Finally, the court concluded that the rule was "unconstitutionally vague because it does not make clear whether the prohibited speech must actually create a hostile educational environment or whether the speaker must merely intend to create such an environment." Reported in: *United States Law Week*, October 22.

### computers

#### New York, New York

A federal judge ruled October 30 that CompuServe, Inc., cannot be held liable for defamatory statements contained in a newsletter available through its electronic library. The decision by U.S. District Court Judge Peter Leisure was the first to determine standards of liability for distributors of computerized databases.

Leisure ruled that such databases cannot be held liable for information unless they know in advance that it is false. "Technology is rapidly transforming the information industry," Leisure wrote. If computerized databases were held to a higher standard of liability than public libraries, bookstores or newsstands, he said, it "would impose an undue burden on the free flow of information."

"It's a good decision," commented Jerry Berman, director of the information technology project at the American Civil Liberties Union. "It's one of the first District Court decisions ruling on the status of electronic bulletin boards, holding that they have limited liability and that without actual knowledge of a libel they are not liable."

The ruling came a week after officials at another electronic network, Prodigy, said their network is similar to a newspaper that exercises editorial discretion. Responding to complaints from the Anti-Defamation League that the network was carrying anti-Semitic messages, Prodigy officials said they prescreen messages that run on the "public" parts of their system and would ban anything considered "grossly repugnant to community standards."

CompuServe Information Service is an on-line general information "electronic library" that subscribers can access from a personal computer. Subscribers have access to thousands of information sources and to more than 150 special interest "forums" that are made up of electronic bulletin boards, on-line conferences and databases. At issue in the case was whether CompuServe could be held responsible for defamatory remarks carried in a newsletter available through one of the forums.

Leisure dismissed a lawsuit filed against CompuServe by Cubby, Inc., and Robert Blanchard, who developed a computer database called Skuttlebut that distributes electronic news and gossip in the television news and radio industries. Skuttlebut was created to compete with a computerized newsletter called Rumorville USA that is available through CompuServe.

The plaintiffs alleged that Rumorville published false and defamatory statements about Skuttlebut and Blanchard. Leisure dismissed the suit after agreeing with CompuServe that the company is a distributor, and not a publisher, and could not be held liable because it did not even know of the existence, much less the truth or falsity, of the statements. Reported in: *Washington Post*, October 31.

## church and state

### Twin Falls, Idaho

A federal judge ruled September 10 that an Idaho school district must allow a group of junior high school students to meet for Bible study during noninstructional time. U.S. District Court Judge Marion J. Callister of Boise ruled that the federal Equal Access Act requires the Twin Falls school district to allow students to use school property for religious meetings. The 1984 law requires districts that accept federal funds to treat student religious groups on the same basis as other groups not directly related to the curriculum.

Judge Callister said the federal law, upheld in 1990 by the U.S. Supreme Court, takes precedence over clauses in the Idaho Constitution that forbid the use of public money or property for religious purposes. Reported in: *Education Week*, October 2.

### Ottawa, Illinois

The U.S. Court of Appeals for the Seventh Circuit voted to hear *en banc* an appeal of a decision that upheld a ban on display of religious paintings in Ottawa's Washington Park. All eleven justices agreed to hear the case, rather than the three who ruled on it in May, 1991. The court thus vacated a 2-1 decision upholding a lower court ruling that banned display of sixteen paintings of the life of Jesus Christ. The paintings were displayed at Christmastime.

The American Civil Liberties Union, which challenged the display on behalf of an anonymous plaintiff, welcomed the rehearing. "We welcome an opportunity to present this case to the entire court," said ACLU attorney Jane Whicher. "We welcome their entry and are confident the judges will reach the same decision as in May."

The Ottawa Jaycees, which took control of the paintings from the city, had pressed the issue on First Amendment grounds. After the May ruling, however, the Jaycees pulled out of the case, which is being appealed by the Ottawa Freedom Association, which has legal possession of the paintings. Reported in: *Streator Times-Press*, October 24.

### Wauconda, Illinois

A federal judge ruled October 18 that Wauconda Junior High School may prevent students from distributing a religious newspaper in school under rules that were revised to keep them from violating constitutional rights. U.S. District Court Judge Paul E. Plunkett said, however, that Wauconda Community School District 118's original regulations, which contained a blanket prohibition on the distribution of religious material in elementary and junior high schools, did violate the First Amendment.

Moreover, Plunkett decided that the rights of a thirteen-year-old girl were violated when she was ordered under the original rules to stop handing out the newspaper, *Issues and Answers*. The judge awarded the student, Megan Hedges, what he called "nominal damages" of ten dollars. The question came before the court after Hedges and a few other students distributed about a hundred copies of the paper in front of the school in November, 1990, as a way of "sharing her faith with others."

School officials confiscated copies of the paper and the Hedges family filed suit, adding two additional plaintiffs after school authorities changed the rules to meet objections. In December, 1990, Plunkett issued a preliminary injunction against the board enforcing its ban. But in his final decision, the judge found the revised rules to be reasonable and hence acceptable for the "closed forum" of a junior high school.

Government "may reserve the [closed] forum for its intended purposes," he wrote, "as long as the regulation on speech is reasonable and not an effort to suppress expression merely because public officials oppose the speaker's view." Reported in: *Chicago Sun-Times*, October 19.

## press freedom

### West Palm Beach, Florida

A Judge dismissed as unconstitutional October 24 charges against a supermarket tabloid that identified the woman who said she was raped by William Kennedy Smith at the Kennedy estate. Palm Beach County Judge Robert Parker ruled that a Florida law barring the news media from identifying sex crime victims is unconstitutional on its face and as applied by prosecutors to *The Globe*.

"State statutes, even those addressing legitimate state concerns, must yield to the supreme authority of the federal Constitution's guarantee of press freedom," Parker ruled. State Attorney David Bludworth said he would appeal the ruling. A dozen rights and media groups had supported *The Globe's* arguments. Reported in: *Milwaukee Sentinel*, October 25.

## shopping mall

### Westminster, Colorado

A private shopping mall's prohibition of political hand-billing in its common areas violates the Colorado Constitution's free speech guarantee, the Colorado Supreme Court decided October 7. The court found sufficient governmental involvement to trigger the constitutional right via subsidizing of the mall's construction, furnishing of police protection, and use of space for government facilities.

The court said that Article II, Section 10, of the Colorado Constitution has long been construed to confer greater protection of free speech than the First Amendment. It observed that the U.S. Supreme Court, although holding that the First Amendment is not implicated by a private shopping center's proscription of handbilling, has acknowledged that state constitutions might protect such expressive activity.

The Colorado court said that restrictions on speech by private interests may violate the state Constitution when the government is shown to "subsidize, approve of, or encourage" those private interests. Here, the court cited the city's financing of improvements to street and drainage systems adjacent to the mall; its rent-free use of mall space for a police substation and furnishing of police protection; and the presence of military recruiting stations and voter registration drives at the mall. In addition, the court said other activities allowed at the mall, such as art shows, scout programs, and Salvation Army fundraising, indicated that it functions as a public forum. Reported in: *U.S. Law Week*, October 22.

## obscenity and pornography

### Norwood, Massachusetts

A Massachusetts judge in September ordered police in Norwood to stop threatening to prosecute businesses selling adult videotapes. The order, which also applies to stores renting

such videos, stemmed from a suit filed by the ACLU against the police last June on behalf of three video store owners. Among other things, the owners charged that the police department violated the First Amendment by restraining the dissemination of constitutionally protected materials.

"The court order is an important victory for the First Amendment," said Marjorie Heins, head of the ACLU's Arts Censorship Project. "Police departments and prosecutors around the country should take notice that ordering video stores to remove adult or X-rated films from circulation constitutes an unconstitutional prior restraint on freedom of speech."

Under terms of the order, Norwood police agreed not to require the stores "whether by threat of prosecutions or otherwise," to refrain from the sale or rental of adult videos. The order also stated that town officials will not criminally prosecute any of the stores that are plaintiffs in the case for obscenity without first obtaining a judicial determination that a particular video is obscene. Reported in: *Hollywood Reporter*, September 16. □

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(survey . . . from page 1)

in the school, whether library media specialists felt under pressure in the selection of materials, and whether challenges about materials occurred during 1986-89.

An analysis of the responses showed that most had a school library media center as well as a certified library media specialist. Responses showed that 97.4% of those responding to this question reported having a school library media center, and 91.3% reported having at least one full- or part-time library media specialist. The majority of respondents also reported having a board-approved materials selection policy, with 73.1% of those responding to this question indicating that they had a policy, while 26.9% or about one in four reported no policy or being unaware of the existence of a policy.

When one takes a closer look at policies, some differences may be noted. Those reporting no full- or part-time library media specialists were far more likely to report no materials selection policy than those with professional staff. Where no school library media specialists were reported, for example, only 39.3% reported having a materials selection policy. In addition, library media centers with two or more library media specialists were more likely to have materials selection policies than those with no library media specialists or one library media specialist. K-8 schools were more likely to report not having policies than any other type.

In answer to the question, "How many complaints regarding library media materials in this school have there been in 1986-87, 1987-88, or 1988-89?" 2,964 or 64.1% reported no complaints, while 35.9% or 1661 reported one or more

complaints. The majority of those reporting complaints, or 51.8%, reported one complaint, and 73.7% reported one or two complaints.

When challenges are divided by region of the country, i.e., Northeast, South, North Central, and West, the region reporting the highest percentage of challenges was the West with 40.1% of challenges, followed by the South, with 38.9% of challenges reported.

The question, "...to what extent do you feel under pressure from others in the selection of library media materials" was asked. The great majority of all respondents indicated feeling under little or no pressure with 84.9% reporting "hardly at all" or "not at all," while 15.1% reported "very much" pressure or "somewhat." While it is obvious that few library media specialists report feeling under pressure, when the response about pressure was examined more closely, it was found that library media specialists who reported challenges during the period 1986-89 were twice as likely to report feeling under pressure in the selection of materials than those who did not report challenges. Those with no challenges reported some degree of pressure 11.4% of the time, while those with challenges reported some degree of pressure 20.7% of the time.<sup>2</sup>

### Phase Two Highlights

In phase two, challenges to materials were examined more closely. In phase two, the 1661 respondents who indicated having one or more challenges to library media center materials were sent the phase two questionnaire. In phase two, the questionnaire focused on the years 1987-88, 1988-89, and 1989-90. There were 1171 or 70.5% who returned the questionnaire. Of those returning the questionnaire, 739 reported one or more challenges in 1987-88, 1988-89, or 1989-90 (322 reported one or more challenges in 1986-87, which was not included for further study in phase two).

Highlights of phase 2 will focus on the library media specialists who reported having challenges, and selected information about the challenges. In terms of the library media specialists who experienced challenges, the majority of respondents or 63% had either no classroom teaching experience or five years or less of classroom experience. They had worked eleven years or more as a library media specialist, i.e., 59.6%. Most or 73% had earned at least a master's degree, with only 24.4% reporting a bachelor's degree or postbachelors study. In terms of gender, 87.1% were female, while 12.9% were male, and the great majority or 96% of the library media specialists were white. The majority of respondents, or 73.3%, were in their forties or fifties, while only one respondent in five was under the age of 40.

Respondents reported on the most recent resolved challenge that had occurred since 1987. A resolved complaint was defined as one in which a decision had been reached

about the presence and/or appropriateness of the challenged library media center material. The majority of the materials challenged were books. Of the books, the majority of titles challenged were fiction books. After books, magazines were challenged most frequently. Most challenges, or 72.8%, were oral, while one in four or 27.1% of the challenges were written.

Library media specialists reported four major subject areas as the basis for the challenges: sexuality, profanity, obscenity, and morality. Parents were the initiator of challenges in 64% or 2/3 of the challenges reported, while principals and teachers were said to have initiated almost 20% of the challenges. Conservative groups were said to have initiated challenges in 2.5% of the challenges.

Outcome is reported in terms of retention, restriction, and removal. In terms of outcome, 52.3% of the materials that were challenged were retained, 21.6% were restricted, and 26.1% were removed.

Although most respondents had a board approved materials selection policy, the use of the policy during the challenge process varied considerably with 37% of responses indicating the policy was not used at all, and 25.3% indicating that the policy was used fully.

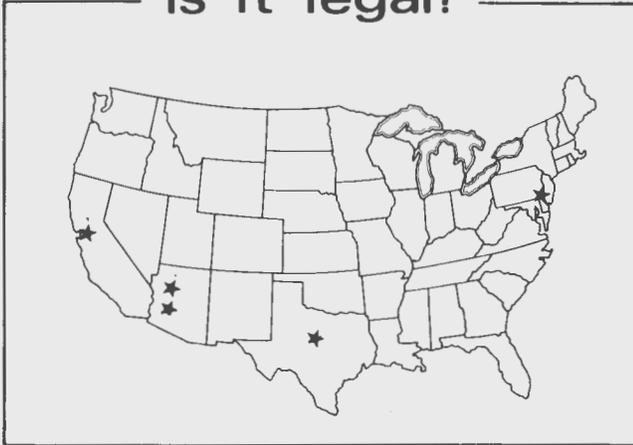
When the outcome to challenges was examined more closely, it was found that factors influencing whether materials were retained or not focused on the materials selection policy, the support received during the challenge, and the nature of the challenge. Where a materials selection policy existed, was approved by the school board, and was used during a challenge, the material was more likely to be retained. Where the library media specialist received support within the school district or outside the school district during the challenge process, the material was more likely to be retained. Where the challenge was written, rather than an oral challenge, the material was more likely to be retained.<sup>3</sup> Thus, the advice that library media specialists have received for years continues to be substantiated: have a board approved materials selection policy which is followed when a challenge occurs; seek support when material is challenged; and before the material is reviewed, be sure to have the complaint submitted in writing. □

<sup>1</sup>The research literature upon which the study is based is discussed in Hopkins, Dianne McAfee. "Toward a Conceptual Model of Factors Influencing the Outcome of Challenges to Library Materials in School Settings," *Library and Information Science Research*, vol. 11, no. 3, July - September, 1989, pages 247 - 271.

<sup>2</sup>A more detailed discussion of phase one is discussed in Hopkins, Dianne McAfee. "Challenges to Materials in Secondary School Library Media Centers: Results of a National Study," *Journal of Youth Services in Libraries*, vol. 4, no. 2, Winter, 1991, pages 131 - 140.

<sup>3</sup>The study is reported in "Factors Influencing the Outcome of Challenges to Materials in Secondary School Libraries: Report of a National Study," submitted to the U.S. Department of Education in summer, 1991. It will be available in ERIC IR 053.816 as well as future articles in journals of the profession.

is it legal?



## National Endowment for the Arts

Washington, D.C.

Standing on the floor of the United States Senate October 31 and holding aloft a large picture that resembled a sprout of broccoli, Sen. Jesse Helms (R-NC) declared, "Now, I'm not going to tell you what it is." Then, apparently not wanting to keep everyone in suspense, he announced dramatically, "It is a vagina!" It was also, he claimed, a work of art funded by the National Endowment for the Arts (NEA). Other senators then jumped in with their own works of art, Sen. Timothy Wirth (D-CO) unveiling a Titian nude and noting that it could not be funded under Helms' proposal to censor NEA grants, and Sen. Robert Byrd (D-WV) reading from the Byzantine historian Procopius.

It was all part of the ongoing debate over NEA's funding of allegedly pornographic art and it had begun when Helms once again tried to slip in an anti-pornography amendment as the Senate considered the House-Senate conference committee report on the fiscal 1992 interior spending legislation, which includes \$176 million for the NEA.

The conference report turned on what some dubbed the "corn for porn deal," worked out by conferees on October 17, in which a House-approved increase in grazing fees for rangers was dropped in exchange for the Senate's dropping of Helms' amendment restricting the NEA from funding materials that depict, "in a patently offensive way, sexual or excretory activities or organs."

The full House approved the conference report October 24, but Helms — in a highly unusual tactic so late in the game — insisted once again on trying to tack the amendment back on. After all, in September, the Senate had voted 68-22 in

favor of including his restriction in the bill, and the House endorsed it twice by better than 2-1 margins. But this time Helms failed, the Senate voting 73-25 against him.

Sen. Howard Metzenbaum (D-OH) complained that it was the ninth time in two years that Helms had offered amendments on the issue, and that he had persisted in pressing it after "we have bent over backward to accommodate" his concerns.

After the vote, it appeared that the NEA would be left — at least for the time being — to work within the flexible guidelines imposed by legislation in 1990 requiring that grants meet a general "decency" standard, and imposing penalties on grantees only if their work is found obscene by a court.

In the last debate, Helms complained that, despite the decency guidelines, the NEA still distributes funds to groups producing what he considers offensive material. As an example, he cited a publication called *Performance Journal Three*, which he claimed included "explicit nude photographs" and materials about "gender-confused people."

"Don't tell me the National Endowment for the Arts is straightening up and flying right — it's not so," Helms said. He complained that "self-proclaimed experts" continue to find artistic value in work that is "vile and offensive."

"Censorship has not now nor has it ever been the issue," Helms told the Senate. "Sponsorship is the issue. Why are taxpayers constitutionally obliged to finance a decadent artistic elite? If some guy wants to scrawl dirty words on a men's room wall, let him, as long as he supplies the crayon and the wall." Reported in: *Washington Post*, November 1.

## film ratings

Fort Worth, Texas

When movie industry officials and co-founders of a national movement for public ratings boards strode in to Fort Worth city council chambers, what had seemed a routine citizen's request for a board to classify movies and videotapes had mushroomed to unexpected proportions.

The proposed ordinance would provide for a 26-member classification board appointed by the City Council. The board would classify films and videos as to their suitability for viewers under 17. Three classifications would be established: Suitable for Young Persons, Not Suitable for Young Persons, and Young Persons Prohibited. Classifications would have to be posted.

"I thought it was just a little local group that was wanting this, but that's not what it is at all," said council member Jewel Woods, who heads the committee considering the proposal. "It's a national organization that's pushing it. I've just been deluged with mail and phone calls from all over the country." Proponents maintain that their attempt to get

the council to pass an ordinance creating a board to screen and classify new releases is strictly a local matter. Nevertheless, at a council hearing in September the proponents flew in national experts to testify on their behalf only, they contended, after learning that representatives of the film industry would be present.

Because success locally could trigger a national movement for such boards, the campaign has made Fort Worth the focus of attention. Backers insist that the effort is aimed not at censorship but at protecting young people from too much sex and violence on film. Indeed, the language of the proposed ordinance specifies that censorship is not its goal. The backers, however, are convinced that the current voluntary private ratings system administered by the Motion Picture Association of America (MPAA) is inadequate.

"It's our hope whoever does it, it's a good way for them to use their community values to protect their children," said Ted Baehr of Atlanta, co-founder of the National Association of Ratings Boards, which was established in 1990 to foster the creation of public ratings boards. "It's a good way to help the movie industry do what it wants to do. It says it wants to protect children, which I'm not sure it means what it says, but at least it says it," said Baehr, who also publishes *Movieguide*, a biblically based guide to entertainment.

The three council members expressed concerns about the constitutionality of the proposed ordinance, questioned whether it addresses a real concern, and have suggested that compromise might be possible. But the committee was awaiting a legal opinion from the city attorney before proceeding. Opponents of the proposal, however, were not waiting.

Rabbi Ralph Mecklenburger told the council committee, "I'm old enough to remember when 'Banned in Boston' was one of the greatest things that could happen to a book. We could, if we wish, make Fort Worth a laughingstock by having 'Scorned in Fort Worth' be a national badge of honor in order to sell movies and videos across the rest of the nation."

Gail Markels, legal counsel for the MPAA, said the film industry fulfills the mission of its rating system. "As an industry, we're concerned with protecting children," she said. "We're the only industry in America that turns away customers for the sake of protecting children. But this movement is not about protecting children. It's about censorship. An overwhelming majority of theater operators and video retail dealers uphold our ratings."

Those advocating a local board disagree, however, and formed an organization to push for the ordinance. In early August, the 200-member group presented the council with a proposal that they said would help parents judge the suitability of films for children's viewing. The ordinance would establish fines of up to \$200 for those who allow youths to see, rent, or buy films and videos deemed unsuitable.

"I feel like we as a community have the right and the responsibility to decide what is best for our community," said group member Debbie Dena. "And I really don't think that these national people have any business coming in, trying to intimidate our City Council and telling us what to do in our community."

Dena maintains that the Tupelo, Mississippi-based American Family Association, headed by Rev. Donald Wildmon, is not behind the effort, although she and others in the core group pushing the ordinance belong to the association. She said the MPAA's switch from the X to the NC-17 rating prompted the effort.

Jim Gilmore, a Fort Worth attorney who drafted the proposal, said he combined several ordinances to come up with his version. Gilmore said he relied most heavily on a similar classification statute that has been on the books in Dallas since 1966, and he also used a model ordinance from Baehr's group and another from Morality in Media. Reported in: *Fort Worth Star-Telegram*, September 23.

## press freedom

### Tucson, Arizona

Tucson police began in September to limit access by reporters and the public to written police reports that routinely had been made available. In a meeting with news representatives September 10, Police Chief Peter Ronstadt said such reports no longer would be provided because of an Arizona Court of Appeals decision. Ronstadt said that specific police reports still would be provided to the media upon request, but only after they are censored of material that might prejudice a jury.

Other law enforcement agencies in southern Arizona have maintained similar policies for more than a decade. The policy change in Tucson was prompted by a decision in a 1987 civil suit in which newspapers sought police reports in an investigation of drug use involving then-members of the Phoenix Suns basketball team. The appellate court ruled against the newspapers and declared: "Neither reporters nor the public are entitled to examine and photocopy police reports in an active, ongoing criminal prosecution, because the countervailing interests of due process, confidentiality, privacy and the best interests of the state make disclosure inappropriate." The decision has been appealed. Reported in: *Tucson Citizen*, September 20.

### Fort Worth, Texas

The *Fort Worth Star-Telegram* has asked the Texas Supreme Court to throw out a judge's order that bans the newspaper from printing the name of a rape victim — even though the editors have no intention of publishing it. The

paper said the ban violates the First Amendment because it amounts to "prior restraint." The rape victim charges that although the newspaper never printed her name, it invaded her privacy by publishing enough details of the assault to identify her.

"It's not really the right to publish her name that we're fighting for as much as the right — the assurance — that judges are not allowed to censor public information at their whim," explained Kenneth Bunting, the *Star-Telegram's* assistant managing editor.

The controversy began in 1989, when the woman was raped in her Fort Worth home. The assailant was captured in Oklahoma and the *Star-Telegram* published two articles about the case. The articles did not disclose the victim's name, but gave her age, the part of town in which she lived, and the age and make of her car, which had been stolen by the rapist. In June, 1990, the woman sued.

As part of the suit, the woman asked state District Court Judge Jeff Walker to prohibit the newspaper from printing her name or other details that might identify her. After a hearing, Walker granted a protective order on July 2. The suit was scheduled to be tried in January, but the newspaper did not wait to challenge the order. It asked the Second Court of Appeals for relief, was turned down, and then petitioned the Texas Supreme Court.

The *Star-Telegram* argued that Walker was wrong to issue the order because the woman's name was already in the public record as part of the indictment and trial of her assailant. The issue is not whether a crime victim's right to privacy is violated by identifying her, the newspaper said, but whether a judge can "prohibit a newspaper from publishing information which is included in the public record of a criminal case and which has been disclosed in open court in the trial of a criminal case." Reported in: *Austin American-Statesman*, October 1.

## obscenity and pornography

### Phoenix, Arizona

In what may be the first case of its kind involving obscenity, virtually every adult bookstore in the Phoenix area has been accused of inciting and causing a rape. It all began in March, 1986, when a woman was raped in a Phoenix suburb. Her attacker, Randall Wedding, was labeled by the media as "the real estate rapist," because his victims were real estate agents who were assaulted while showing him vacant properties. In a recent interview, Wedding said he would first go to adult book stores to "fuel his fires" before committing his rapes.

As a result, the woman filed suit against several Phoenix adult bookstores, alleging that the stores made available obscene materials which "were defectively designed" and "the consumption thereof causes susceptible persons . . .

to become addicted thereto and to develop serious and severe psychological disorders." It also alleges the materials cause susceptible persons "to engage in violent, aggressive sexual behavior toward women, including criminal assault, kidnapping and rape" and says "the materials themselves lack adequate warnings about the defective and dangerous nature . . . [and] adverse harmful consequences of consumption." The suit charges that the stores knowingly caused Wedding to become addicted to sexual material and to develop severe psychological disorders.

Hector Lara of Zorba's Adult Shop said that Wedding "was a rapist to begin with. He's copping out like Ted Bundy. Our stores are helpful in deterring crimes because we offer things to release sexual tensions in adults."

Richard Hertzberg, an attorney representing most of the stores, said he takes the case "very seriously." "Negligence seems to be the primary claim," he said, but "obscenity may have to be proved here." Reported in: *Adult Video News*.

### San Francisco, California

Jock Sturges was at his parents' home on the east coast when he finally heard: an intensive international FBI investigation into every corner of his life had ended with a federal grand jury's refusal to indict him for child pornography. The acclaimed San Francisco photographer took his parents out to dinner to celebrate. "Everything tasted better," he said.

But eighteen months after FBI agents raided his home, Sturges can still hear their footsteps as they carted off his life's work as evidence. And the investigation indelibly marked both the photographer and his art.

"I censor myself more than ever," he said "Every time I'm in the presence of what I used to shoot, a little alarm goes off in my head. I've had it branded into my psyche that certain works will create problems for me."

The American Civil Liberties Union has said it may help Sturges sue the FBI for what it alleges was "outrageous" conduct in his case. The Department of Justice has said that it properly investigated Sturges, who was never charged with a crime.

Sturges, 44, was an established but relatively unknown fine art photographer before the FBI probe thrust him into the national spotlight. About half his photos are of clothed models and ballet dancers, and the rest are of "naturists" — nude adults and children, often on beaches. His work has appeared in galleries around the country, is in the permanent collection of the Museum of Modern Art in New York, and has been featured in *Vogue*, *Harper's* and *Mothering* magazines.

He said he has never photographed a nude minor without their parents' written permission and never publishes their images without a release.

The FBI probe was sparked when an employee at Newell Color Lab phoned the FBI and alleged that some of Sturges'

negatives were "suspicious." In April, 1990, as Sturges was returning home the agents barged in. After they obtained a search warrant, they spent hours filling a rented van with the photographer's records, camera gear, correspondence, and prints. Sturges says the agents damaged some of his work and left the living room a foot deep with the contents of emptied drawers and closets.

Although the FBI eventually returned much of the property, as of early October, it still holds Sturges' personal diaries and a print of his girlfriend in the nude.

After the raid, the FBI contacted clients and friends, some of whom he had photographed as much as twenty years earlier, telling them he was under investigation for trafficking in child pornography. His sales representatives were summoned to testify before the grand jury. One friend said the agent told him, "This guy [Sturges] is going to take a fall, and if you're smart you'll distance yourself from him."

At the FBI's request, police in France and Germany also investigated Sturges. French police searched the home and office of a Paris publisher and questioned forty-four people whom he had photographed.

Without ever being charged with a crime, the photographer found he was losing business rapidly. One ballet company stopped using Sturges as its company photographer. An east coast collector dropped an agreement to buy \$30,000 in photos.

Now, eighteen months later, it's over. According to Sturges, the investigation transformed him from "a classic artist examining his navel" to an anti-censorship activist. But he said in the future, he will do most of his photography abroad, where attitudes about nudity and art are more liberal. Reported in: *San Francisco Examiner*, September 30.

door to all sorts of abuse," said Art Menius, manager of the Folk Alliance.

Dance troupes from India, theater companies from Mexico and Poland, and musicians such as Robyn Hitchcock have had difficulties obtaining visas and many have been forced to cancel tours.

But the controversy has mushroomed since the INS began attempting to put stricter regulations into effect. The proposed additions would stipulate performers could not apply for a visa until ninety days prior to their performance or tour and would require the entertainers to have a stable membership for more than one year. They would also prohibit many entertainers from performing for profit.

"This is utterly unrealistic," Menius said. For example, he noted, the Vienna Boys Choir would be denied entrance because their membership is constantly changing as the choir-boys grow older.

"The whole process is in a state of flux," Menius said. "Ideally, the 25,000 cap would be removed altogether, the one year membership requirement would be lifted, the deadline would be moved back to at least 180 days and the non-profit regulation would be removed." The campaign against the regulations is being waged by several groups, including the North American Folk Alliance, the Recording Industry Association of America, and the National Endowment for the Arts.

Bills in the Senate and Congress, sponsored in the upper house by Sens. Edward Kennedy (D-MA), Paul Simon (D-IL), and Alan Simpson (R-WY) would prohibit the new regulations. Reported in: *Bowling Green Big News*, September 18. □

## immigration

### Washington, D.C.

Regulation proposals by the Immigration and Naturalization Service (INS) have sparked a controversy concerning the rights of foreign entertainers to perform freely in the United States. The INS, which grants 25,000 "H-visas" to foreign entertainers a year, now requires performers to prove they are "preeminent," which is usually demonstrated by commercial success and high salaries. Opponents of the regulations charge that such stipulations basically mean that entertainers who are not commercially successful will not be allowed into the country. In addition, opponents say that the 25,000 limitation is deceptive, since several individual visas may be necessary for one performing arts group to enter the country.

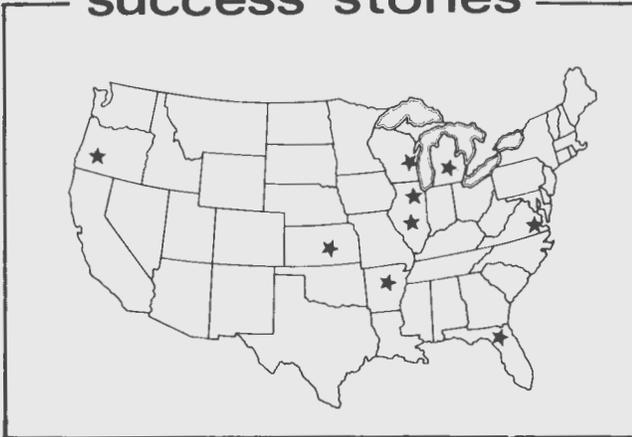
Another problem with the current visa regulations is that the immigration service may not decide to grant a visa until ninety days before a performance, which makes booking and publicizing tours difficult. "We feel the regulations open the

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## success stories



## libraries

### Rogers, Arkansas

The Rogers-Hough Memorial Library Board decided September 17 to maintain the district's current minor's access policies. In July, former board member Porky Wenzel asked the board to consider creating a special area of the library with restricted access for minors (see *Newsletter*, September 1991, p. 177). At that time, the board tabled the motion, but after hearing a report from Head Librarian Alice Medin in September the board agreed unanimously to maintain the current policy, which is in line with the American Library Association's *Library Bill of Rights*.

Medin said it was parents' responsibility to monitor their own children's reading. City Attorney Dan Ford added that it would be difficult for the board to create a "workable" restricted area and at the same time provide equal access for those minors whose parents granted them permission to use all available library materials.

Medin reported to the board that she had mailed forty-one questionnaires to various Arkansas public libraries concerning restricted reading areas. The twenty-two responses she received indicated that no library in the survey had a restricted shelf; no library had a policy requiring a permission slip from parents for children to have access to all materials; and only five libraries restricted access to audiovisuals or computers, and then to protect the materials, not restrict the content. Reported in: *Northwest Arkansas Morning News*, September 18.

### Suwannee County, Florida

In a unanimous decision October 18, the Suwannee County School Board became the third and final group to unanimously vote to return John Steinbeck's *Of Mice and Men* to the shelves of the Suwannee High School library. The decision came after two hours of listening to comments from concerned parents, teachers and students. The book, along with Gordon Parks' *The Learning Tree*, were removed from a suggested reading list in August by Superintendent Charles Blalock after county resident Zeke Townsend informally complained that they are indecent. Both books were eventually returned to the list, but at the last minute Townsend filed a formal complaint against the Steinbeck work, calling for its removal from district classrooms and libraries.

"I'm against this filthy talk," Townsend told the board. "We go to church and we teach our children right on Sunday morning for a couple hours and we send them to school five days a week and they put trash in their minds."

The board decision to reject Townsend's request confirmed the October 8 recommendation of a six-member Appellate Material Review Committee, which in turn confirmed a previous school-level decision.

"John Steinbeck was a deeply Christian man, he was a brilliant Bible student, his books are full of Christian imagery and Christian theology," Melissa Woodrum, a teacher and English Department chair at the high school, told the appellate committee. "He purposefully used Christian themes in his book because part of his desire was that people love each other."

Woodrum told the committee and the school board that in the future, reading lists distributed by her department would list alternative books and would be sent to parents before children read them. Reported in: *Suwannee Democrat*, October 9, 19; *Gainesville Sun*, September 28.

### Libertyville, Illinois

Trustees of Cook Memorial Library October 15 upheld their policy opposing censorship by refusing to restrict or remove from library shelves the controversial book *Final Exit*, by Derek Humphrey. The book by a prominent "right to die" activist has been labeled by opponents a "suicide manual." Bonnie Quirke and John and Arlene Gannon filed complaints with the Cook Memorial Library Board saying they wanted the best-selling book removed or at least restricted to readers under 18 years of age.

"In a community like Libertyville that recognizes we have a problem, having that book available is irresponsible," Quirke said. She called the book a suicide manual, purchased with taxpayers' money, that diminishes the value of the elderly and encourages breaking the law by assisting homicide and drug abuse.

Members of the library's resources and services committee decided the book should stay in the library, but Quirke and the Gannons appealed the committee decision to the library board. All trustees favored retaining the book without

restriction except for one, who abstained from the vote because she had not read the book. Reported in: *Daily Herald*, October 2; *Antioch News-Reporter*, October 16.

#### **Oak Lawn, Illinois**

*The Limerick*, edited by Gershon Legmon, took another beating September 17 when a representative of a national religious organization appeared before the Oak Lawn Library Board in an attempt to get the controversial book taken out of circulation. About fifty residents heard Thomas O'Connell, midwest coordinator for the Catholic League for Religious Freedom and Civil Rights, make a bid to change the board's 6-1 vote of July 9 to keep the book on the shelves (see *Newsletter*, November 1991, p. 29). The plea, however, failed to impress board members, who listened but did not change their decision.

"We are not here to ban any books. We're asking you to look at standards of the community of Oak Lawn," O'Connell said. "I ask you not to allow continued bigotry. You should seriously reconsider why and how this book can be on your shelves," he said, citing five limericks as examples of the book's attention to sexual topics.

The book, described by its editor as "the largest collection of limericks ever published, erotic or otherwise," includes a number of sexual topics, ranging from bestiality to incest. O'Connell also maintained that it contains material derogatory to Catholics.

Susan Land, manager of the Intellectual Freedom Forum for the Illinois Library Association, told the board that taking the book off the shelves would contradict the very purpose of the library. "The American public library was developed as a place to provide access to those freely expressed ideas," she said.

Evelyn Stanton, an Oak Lawn resident, testified for many in the community, long polarized by debates over library censorship, when she told the board that she had become disgusted by the entire discussion. "It makes me sick to hear people talk about the library as though it's a porno bookstore," she said, characterizing the controversy as "a means for a lot of publicity."

Such publicity was clearly on the minds of board members a week later when they engaged a Chicago public relations consultant. "People are beginning to think of the Oak Lawn library as a censorship library and it isn't," said board President Evelyn Goltz.

Estelle Shanley, of EMS Associates, said she was hired to make sure the community knows about the library's services and programs, as well as "to help get through this censorship issue."

"I think we have a good library and I thought [Stanton's] comment about the library being portrayed as a porno book shop echoes the feeling of the entire community," said trustee Lois Gasteyer, elected to the board last year on an anti-censorship ticket. But trustee Nancy Czerwiec, who has

spearheaded moves to remove library materials for over a decade, said that she would not cease her efforts. "The best way to let things of this nature disappear is to stop choosing those books," she said. Reported in: *Chicago Heights Star*, September 15, 19; *Southtown Economist*, September 18, 19, 26.

#### **Wichita, Kansas**

Wichita public schools encountered three attempts to censor library materials during the 1990-91 school year: *Jerome and the Witchcraft Kids*, by Eileen Christelow, was challenged by critics who said it promotes witchcraft; *ABC Halloween*, by Eve Meriam, was called satanic and disgusting; and *Anastasia Krupnik*, by Lois Lowry, was contested because it was thought to be offensive. The school districts' Professional Board of Review, which has fifteen members, ruled that all three complaints were unfounded, and all three books were retained without restriction in school libraries. Reported in: *Wichita Eagle*, September 3.

#### **Troy, Michigan**

The Troy library advisory board denied a request to pull from its shelves a forty-year-old edition of a children's book containing an illustration of a black doll. Troy resident Lynn Cummings, an African-American mother who borrowed *Miss Flora McFlimsey's Easter Bonnet*, a book about dolls, to read to her children said the illustration of the "Topsy" doll was offensive and unflattering. As pictured in the 1951 edition, the doll is dark-colored with unkempt hair. The library also carries a 1987 edition of the book that contains a different picture of the doll. In its denial, the library board said it was "not appropriate to rewrite history." Reported in: *Detroit News*, August 11.

#### **Dallas, Oregon**

Two controversial children's books that deal with themes of witchcraft and magic will remain on elementary school library shelves in the Dallas School District. The Dallas School Board voted September 9 to reject pleas by several concerned parents to remove *The Witches*, by Roald Dahl, and *Visions of the Future: Magic Boards*, by Saul Stadtmaher, from use in the district's schools.

Several parents who spoke at the board meeting said they were worried about the books enticing impressionable or emotionally disturbed children into becoming involved in witchcraft or the occult. Parent Vicki Shones, who challenged *The Witches* for its sometimes gruesome descriptions of children being preyed upon by witches, said she thought the book violated an Oregon statute requiring schools to teach ethics and morality and "other lessons which tend to promote and develop an upright and desirable citizenry."

Shones first approached the board last spring and appeared at a board meeting August 26. The book was originally challenged at Rickreall Elementary School and was removed

when the challenge was filed. Shones' complaint was directed to a review committee, which recommended 11-2 to keep the book without restrictions. School board members followed suit.

"It's not my intent to censor what's available," Shones said. "But we have a positive law that addresses this subject and just because it may not be popular, we don't use it. I don't think that's any option here." More than forty people, including a self-proclaimed former occult high priestess, now a born-again Christian, attended the board meeting.

The board also decided to follow the review committee's 8-5 recommendation to keep *Visions of the Future*, but with the reservation the book not be used for direct instructional material. The book was previously used as part of a Dewey Decimal lesson to show what types of books could be found with particular numbers. Reported in: *Dallas Itemizer-Observer*, September 11; *Salem Journal*, September 10.

### Williamsburg, Virginia

An anthology of gay and lesbian science fiction sparked a debate about censorship at the Williamsburg Regional Library. In mid-August, a patron posted a note on the library's suggestion board objecting to one of two gay lesbian science fiction collections on the shelves. "Do these sinful subjects have to pervade everything? It's bad enough with all the books on magic, New Age, etc., but please have some decency," it read.

Librarian Mary Sawyer wrote a response explaining that the two books, *Kindred Spirits* and *Worlds Apart*, were purchased after receiving favorable reviews. It's the library's responsibility to guarantee freedom of expression, she said.

That brought a note from a second patron, who said, "I emphatically agree with the above Christian lady's comments. Don't you think you're taking things a bit far? Perhaps 'freedom of expression' needs to be redefined as 'freedom of perversion.'" The note went on to say the library has a responsibility to "maintain and censor, if necessary, material that is deemed inappropriate. A public library is not meant to serve as an outlet for material that promotes violence and immoral behavior."

Sawyer responded that the two books had not been deemed inappropriate by the general community, nor do they promote immoral behavior. But the librarian needn't have bothered to respond, because other patrons soon took up the struggle. Among the many notes that now crowded the suggestion board were the following comments:

- "I might not agree with the ideas behind the book 'Lesbian and Gay Sci-Fi,' but they should not be censored. I simply will not read it."

- "You don't have to read it, but you do have to pay for it. Payers have rights, too."

- "I am gay, I am proud, I pay taxes, ignorance is violence and censorship is perversion."

- "A policy of censorship is the first step on the long, dark road to an oppressive and ultimately harmful society. I need no one to censor what I read. I am intelligent enough to do so myself."

No books were removed or restricted, no formal complaints were filed. And the discussion of censorship itself was a success story. Reported in: *Virginia Gazette*, October 5.

### Racine, Wisconsin

A group of parents lost their battle to ban a sex education book from high school libraries in the Racine Unified School District. On October 7, the Racine school board voted 6-3 to keep the book *What to Do If You or Someone You Know is Under 18 and Pregnant* on unrestricted shelves of three high school libraries. "We're very disappointed, but we're not defeated," said John Kalashian.

His group, the Racine Concerned Adults chapter of the American Family Association, wanted the book removed because it uses profanity and, they argued, does not support the school curriculum. The book uses street language to describe sexual intercourse and contraceptives, contains "sexually suggestive and provocative" language, and "promotes teenage sexual promiscuity," according to Kalashian. Rick DeYoung, a member of the group who described himself as a recovering sex addict, said the book could lead to such addiction and to rape.

A four member subcommittee of the board voted 3-1 September 9 to recommend the book not be pulled. A motion to place it on a restricted shelf died on a 2-2 vote. The district's library review committee had previously recommended the book stay on school shelves, and Interim Superintendent Delbert Fritchen upheld the recommendation.

Board member Geoffrey Van Remmen, an attorney, said he thought the group won its case when it produced a letter from the district's health and physical education director saying the book was "definitely one that I would not have approved." But Van Remmen said he voted to keep the book because the board needed to do more to stem the increase in teen pregnancy in Racine.

Board member David Weiss recommended that the board donate all copies of the book to the Racine Public Library, in accordance with a section of the district's library policy which states, "Requests for materials of a highly controversial nature should be referred to the public library, local book stores, or news stands." Other board members protested, however, that virtually anything could be called controversial if someone protests against it.

"The issue is censorship and don't think otherwise," board member Thomas Kexel told the meeting. "It's scary that a group of people feels it has a divine right to impose its narrow morality on all children in the district." Reported in: *Racine Journal Times*, October 7, 8. □

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