

newsletter
on
intellectual
freedom



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A three-judge panel of the U.S. Court of Appeals for the Third Circuit on March 23 unanimously reversed a lower court decision and upheld the rules that the Morristown, New Jersey, public library used to evict a homeless man on the ground that his habits and body odor annoyed other patrons. The reversal said the policy at the Joint Free Public Library of Morristown and Morris Township was grounded in "well-established constitutional principle" and did not violate the rights of the homeless man, Richard R. Kreimer. The decision did concur with the district court, however, that the First Amendment "encompasses the positive right of public access to information and ideas" and that this "includes the right to some level of access to a public library, the quintessential locus of the receipt of information."

Morristown ruling reversed

U.S. District Court Judge H. Lee Sarokin had ruled last May that the library's policy infringed on Kreimer's First Amendment right to receive ideas. Sarokin declared that public libraries are traditional public forums comparable to public parks or streets, in which restrictions on access are strictly disfavored (see *Newsletter*, July 1991, p. 116; September 1991, p. 169). The Morristown library had attacked the ruling, arguing that there is no constitutional right of access to a public library.

Appearing as *amicus curiae*, the Freedom to Read Foundation argued for a middle ground (see *Newsletter*, November 1991, p. 187). The public library is a public forum, *for the purpose of having access to information* — not for expression generally, the Foundation brief said. Restrictions on the right to receive information in the library should be constitutionally disfavored, and usually rejected. But regulations of *other* conduct, and content-neutral regulations of access to information tailored to minimize interference with use of the library for access to information, may be upheld if they serve the library's important goals. The Foundation brief argued that only if the court recognized the principles advocated in its brief, "including both the right of access and libraries' circumscribed power to regulate in conformity with that right," would the court ensure that public libraries could "continue to hold open the doors of the marketplace of ideas for millions of Americans."

The Freedom to Read Foundation took no position as to whether the Morristown
(continued on page 98)

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in this issue

Morristown ruling reversed	p. 73
<i>Satanic Verses</i> paperback released	p. 75
Frohnmayr resigns	p. 75
in review:	
<i>Visions of Liberty</i>	p. 76
<i>Pornography: Private Right or Public Menace</i>	p. 77
ACT calls it quits	p. 77
<i>censorship dateline</i> : libraries, schools, student, press, colleges and universities, art, foreign	p. 78
<i>from the bench</i> : U.S. Supreme Court, libraries, obscenity, films	p. 90
student press law in Kansas	p. 92
<i>is it legal?</i> : National Endowment for the Arts, universities, "obscene music"	p. 93
<i>success stories</i> : libraries, schools, student press, obscenity, foreign	p. 94

targets of the censor

books

<i>The Adventures of Tom Sawyer</i>	p. 97
<i>The Alfred Summer</i>	p. 96
<i>Behind the Veil</i> [Egypt]	p. 89
<i>Bombs and Copies of the Quran</i> [Egypt]	p. 89
<i>Bridge to Tarabithia</i>	p. 95
<i>The Cabbages Are Chasing the Rabbits</i>	p. 94
<i>Catcher in the Rye</i>	p. 83
<i>The Cay</i>	p. 95
<i>The Chocolate War</i>	p. 96
<i>Cross Your Fingers, Spit in Your Eye</i>	p. 78
<i>Cujo</i>	p. 80, 90
<i>Daddy's Roommate</i>	p. 83, 95
<i>The Dead Zone</i>	p. 79, 80
<i>Final Friends Book 3: The Graduation</i>	p. 81
<i>The Floatplane Notebooks</i>	p. 84
<i>Forever</i>	p. 80
<i>Gloria Goes to Gay Pride</i>	p. 83
<i>The Great Gilly Hopkins</i>	p. 96
<i>Halloween</i> (three titles)	p. 78
<i>Halloween ABC</i>	p. 94
<i>Heather Has Two Mommies</i>	p. 83
<i>The Honorable Prison</i>	p. 84

<i>Human Sexuality</i>	p. 82
<i>The Islamic Khalifate</i> [Egypt]	p. 89
<i>Make a Joyful Sound</i>	p. 84
<i>More Scary Stories to Tell in the Dark</i>	p. 78, 94
<i>More Tales for the Midnight Hour</i>	p. 78
<i>More Tales to Chill Your Bones</i>	p. 94
<i>Myths and Their Meaning</i>	p. 82
<i>The Naked</i> [Egypt]	p. 89
<i>Of Mice and Men</i>	p. 82
<i>The Origins of Islamic Law</i> [Egypt]	p. 89
<i>Political Islam</i> [Egypt]	p. 89
<i>The Random House Thesaurus of Slang</i>	p. 81
<i>The Satanic Verses</i>	p. 75
<i>Scary Stories to Tell in the Dark</i>	p. 78, 94
<i>The Second Earth: The Pentateuch Retold</i>	p. 81
<i>Secret Spells and Curious Charms</i>	p. 94
<i>Sideways Stories from Wayside Schools</i>	p. 78
<i>Signposts of Islam</i> [Egypt]	p. 89
<i>Slim Down Camp</i>	p. 79
<i>Tales from Scandinavia</i>	p. 80
<i>Tales of Mystery</i>	p. 80
<i>Thousand Pieces of Gold</i>	p. 84
<i>The Tommyknockers</i>	p. 79
<i>The Trial Case of the Jihad Organization</i> [Egypt]	p. 89
<i>Usury and Interest in Islam</i> [Egypt]	p. 89
<i>Whistle in the Graveyard</i>	p. 78
<i>The Witches</i>	p. 78
<i>Witches, Pumpkins and Grinning Ghosts</i>	p. 78

periodicals

<i>Hi-Spots</i> [Tigard H.S.]	p. 86
<i>The Journal</i> [Parkersburg H.S.]	p. 86
<i>Low-Spots</i> [Tigard H.S.]	p. 86
<i>Lumen</i> [Viterbo College]	p. 87
<i>Northeast</i> [Fletcher H.S.]	p. 85
<i>The Obscure Society</i> [Coeur d'Alene H.S.]	p. 85
<i>Observer</i> [Elgin C.C.]	p. 86

(continued on page 99)

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Rushdie back again Satanic Verses paperback published

Daring again to break the confinement that has become his life in hiding, beleaguered author Salman Rushdie came to the United States to speak March 24 at a conference on freedom of expression and to publicize and applaud the paperback publication of his controversial novel, *The Satanic Verses*. It was only the second time Rushdie had traveled out of Great Britain in the three years since the Ayatollah Ruhollah Khomeini condemned *Satanic Verses* as blasphemous and offered a million-dollar reward for the writer's execution.

In December, Rushdie spoke at a dinner in New York, where he first called publicly for the swift paperback publication of the novel (see *Newsletter*, March 1992, p. 29). In March, he chose again as his podium a conference devoted to freedom of expression: the International Conference on Free Expression sponsored by the Freedom Forum, a journalism foundation.

"Finally people who can't afford hardback novels can have a go at this book," Rushdie told an interviewer, "and hopefully that will further dispel the evil image of this book that has been promoted by people, many of whom have never read it. The real book is struggling to get out from under all the rhetoric. But I've always said that the best defense of the book is the book itself, when people read it openly and realize that some terrible injustice has been done not only to me, but to the book."

The effort to bring out a paperback edition of *Satanic Verses* was dogged by disagreements over who should be responsible for publishing it and whether the risk was worth it. Viking Penguin, which published the hardcover, kept delaying the paperback for security reasons, until Rushdie asked for and was given back the rights earlier this year. The paperback was then published by an anonymous group of publishers, human rights groups, and writers' organizations calling themselves the Consortium.

Rushdie said that despite the complications and reluctance of American authorities to take responsibility, he felt compelled to come to the United States to announce with some fanfare the successful paperback publication of his book because it represented to him a triumph.

But Rushdie was quick to point out that the threat to his life had not abated. In February, the Iranian authorities reaffirmed the decree against him and those involved with the publication of the book, leaving him to feel, he said, as if his life had truly dissolved into an absurd tragicomedy.

"For a writer interested in human rights and freedom of expression to accept an invitation to speak at such a conference should be a simple matter," declared Rushdie in his speech, delivered at the Freedom Forum's headquarters in Arlington, Virginia.

"It should not be necessary for the travel plans to be

shrouded in secrecy. The security forces should not need to pay me any special attention. None of this should be happening in quite this way. It feels a little like being inside one of those science fiction yarns in which the present has been unaccountably altered, so that the Inquisition appears in Piccadilly Circus and there are witch-burnings on the Potomac. It feels a little like living in the Twilight Zone."

In his talk Rushdie emphasized, as he had in New York in December, that he was forced into hiding, that his persecution is but the most extreme and obvious case of mounting threats to freedom of expression around the world.

"I have tried repeatedly to remind people that what we are witnessing is a war against independence of mind, a war for power," the writer said. "The case of *The Satanic Verses* is, however — and I hope this can be conceded without argument — at present the most public battle in that war. It is a battle that can only be won, because the consequences of losing it are horrendous." Reported in: *New York Times*, March 25. □

Frohnmayr resigns

With song, poetry and a call for "less hate," John Frohnmayr announced an end February 21 to three stormy years as chair of the National Endowment for the Arts. He had been under constant fire from both the art world and conservative critics. President Bush accepted Frohnmayr's resignation and praised his "integrity," but offered criticism of his own.

"Some of the art funded by the NEA does not have my enthusiastic approval," the president told his departing appointee in a letter. According to a recent survey conducted by Frohnmayr, only 1 in every 4,200 Endowment grants caused any controversy during his tenure.

Rep. Dick Armey (R-TX) was among many who called the development "the firing of Chairman Frohnmayr." Just a week before his resignation, Frohnmayr had issued a statement saying that he had no "immediate plans" to leave. But on February 20 the embattled arts chair met with White House Chief of Staff Samuel Skinner to discuss his departure.

"I think he's a casualty of the New Hampshire primary," said Rep. Sidney Yates (D-IL), a chief representative of the arts community in Congress. "Pat Buchanan had singled out the Endowment for attack."

Frohnmayr had been attacked by the religious right and by Congressional conservatives for financing sexually explicit art works and performances. But avant-garde artists called him censorious for curtailing some grants — and sued him in a case that is still pending.

"We are ecstatic," said the Rev. Louis P. Sheldon, chair of the Traditional Values Coalition of Anaheim, California. Another of Frohnmayr's critics, Sen. Jesse Helms (R-NC) smiled when told of the decision. "Bon voyage," he said. Helms often accused Frohnmayr and the NEA of spending

federal money on "garbage." But Congress usually thwarted the senator's legislative attempts to ban funds for "patently offensive" art.

Probably Frohnmayer's most significant achievement in his three years at NEA was getting Congress in 1990 to renew the agency's charter for five more years without imposing obscenity tests or other government regulations on the grant process.

Some arts organizations also felt no regret at Frohnmayer's departure. "He has left a compromised agency behind him and one which artists feel they cannot trust, especially those creating important new work," said Charlotte Murphy, executive director of the National Association of Artists' Organizations, representing 1,000 community art groups.

At a meeting with a visual arts panel shortly before his resignation, Frohnmayer defended a decision by the National Council on the Arts to kill a grant to the Franklin Furnace performance space, saying that artistic merit was considered, not political pressure from NEA detractors (see page 93). Frohnmayer also pointed out to the panel that he did not have the power to override the council's veto, nor was there an appeals process for grants that were overturned by the council.

Frohnmayer, an Oregon lawyer, called together his staff and, in an emotional session, told them he was leaving the government May 1 but would carry on the fight for quality art and generosity of spirit. He said he still had faith in "the ability of our society to right itself." The departing chair sang the Shaker song "Simple Gifts," recited a poem and criticized the "lunacy" of the agency's critics.

"He got several minutes of standing ovation and then went around the room and hugged some people," agency representative Josh Dare said. Frohnmayer said he will work "for quality art, for less hate and for a generosity of spirit that allows us to live with our differences in real community." Before his staff, he affirmed his belief that only if the government supports the arts "without content restrictions" would it "encourage us to dare, to create, to grow." Reported in: *Baltimore Sun*, February 22; *Orange County Register*, February 22. □

in review

Visions of Liberty. Ira Glasser. Arcade Publishing, 1991. 288 p. \$24.95

While the subtitle of this book, *The Bill of Rights For All Americans*, is a little misleading, because the book does not cover all ten amendments of that document and does cover

some later amendments, the book itself is a good overview of the civil rights cases the American Civil Liberties Union (ACLU) considers important. That is not surprising since Ira Glasser has been the Executive Director of that organization since 1976. The book deals with freedom of religion, freedom of expression, racial equality and fundamental fairness. There are references to cases historical in nature and to some very current cases, such as the Two Live Crew trial in Florida, the Mapplethorpe fiasco in Cincinnati, and the *Rust v. Sullivan* decision by the Supreme Court. This helps the reader to understand that the struggle for rights, including free speech, is a continuing one and that we cannot sit back and rest on our laurels and think the battle has been won. The author has provided a good index and comprehensive notes, although he has designed his own notation system, which may be confusing at the beginning but is really easy to use.

Visions of Liberty is profusely illustrated with photos by Bob Adelman, a world-renowned photo-journalist. The photos complement the text with illustrations of the problems being discussed. Some photos may be disturbing for some readers, (e.g., those showing lynchings, mental institution inmates, and the effects of slavery), but they help to bring home the words of the text.

Glasser gives us a good brief history of the development of the Bill of Rights and then goes on to show how it has been used and abused since 1791. While it is obvious to the knowledgeable reader that most of the controversies covered are those in which the ACLU has been involved, there are some notable controversies missing, which I think weakens the overall work. There is no mention, for example, of the Second Amendment, which is used to combat gun control legislation, nor is there any mention of the Skokie Nazi case, which has become a classic example of the concept of free speech.

Because the book is relatively short, each of the cases is given rather brief coverage. While most have references in the notes section, I suspect Glasser's notation system will deter many from seeking additional information on those cases. I found the lack of a copy of the *Bill of Rights* to be a rather significant oversight. Agreed, everyone should know what the *Bill of Rights* is and what it contains, but as someone who works with young people every day I know that is not the case.

Despite the minor shortcomings mentioned above, this book would be a good addition to any collection or library serving high school students or older. Not to be considered a complete overview of the *Bill of Rights*, it certainly should be considered as supplemental reading. While the ACLU is not the primary focus of the book, it is clear from the book jacket of the involvement of that organization although once the jacket is removed it is not so easily determined.—*Reviewed by James S. McPhee, Head Instruction Librarian, Dickinson Library, University of Nevada, Las Vegas.*

Pornography; Private Right or Public Menace? Robert M. Baird and Stuart E. Rosenbaum (eds.), Prometheus Books. 1991. 248p. \$14.95.

This comprehensive collection of essays in Prometheus Books' acclaimed "Contemporary Issues" series reflects the persistent and often intense clash of values and attitudes about pornography in America. This timely book, brought together by professors of philosophy at Baylor University, includes essays that define pornography and spell out the differences between pornography, erotica, and moral realism in artistic expression. Other writings investigate evidence concerning the effects of pornography, pornography and sexism, violent pornography and women's civil rights, and the growth of the pornography industry.

Mapplethorpe's photography and the rap lyrics of 2 Live Crew have brought to the forefront again the battle lines which are often drawn between those who argue that pornography's damaging social and psychological effects justify censorship, and those who insist that restrictions violate free speech and the First Amendment. Among the distinguished contributors are *Village Voice* journalist Susan Brownmiller, Washington Coalition Against Censorship Executive Director Barbara Dority, feminist writer Andrea Dworkin, law professor Ronald Dworkin, 1968 U. S. Commission on Obscenity and Pornography dissenting member Charles H. Keating, Jr., president of Family Life Seminars Tim LaHaye, Dallas Baptist Theological Seminary professor Thomas Parker, *Ms.* magazine founding editor Gloria Steinem, and syndicated columnist George F. Will. The remaining essays are written by professors from Kenyon College, the University of Alberta, Moorhead State University, Saginaw Valley State College, the University of Houston, Mills College, San Jose State University, the University of New Orleans, and Indiana University. They mirror the traditional points of view and reflect new directions the debate has taken in recent years.

No issue elicits ambivalence within ourselves and within our culture more than pornography. The conflicting findings and recommendations of the 1970 Presidential Commission and the 1986 Attorney General's Commission are reviewed. Some of the writers support the idea that we should not compromise our individual freedom of expression and choice and others think our film, recording, and publishing industries produce materials harmful to individuals and to society. The commission reports do not resolve the question but this comprehensive volume improves our perspectives on the relevant issues surrounding pornography.

The discussions about pornography causing injuries to others and to values are quite thought-provoking. There is even a suggestion that the Congress establish a federal agency, analogous to the FDA, to oversee and regulate marketing activities, overseeing and regulating film companies and publishers. Other writers, however, indicate that this would

be constitutionally unacceptable and constraints on expression would be as un-American as ideas get. The readings show that there is no consensus among Americans regarding what they consider to be the effects of viewing or reading explicit sexual materials.

Some of the essayists tend to preach and even quote from the Bible, while others attempt a logical approach to the problem. The diversity of views represented makes this book interesting and readable. There are sections on feminist perspectives, libertarian perspectives, religious perspectives, and the causal issue, which includes a careful account of the current state of empirical research. The essays are informative across the main spectrum of controversy about the issue of pornography. This book, indeed, adheres to the *Library Bill of Rights* principle that we "should provide materials and information presenting all points of view on current and historical issues."

Each essay makes a unique contribution to the national conversation about the issue. Concerned citizens and librarians should read these different points of view and as a result, they will be better equipped to respond in moments of conflict. They will be able to evaluate for themselves the arguments advanced by advocates on both sides and arrive at their own conclusions. — *Reviewed by Gene D. Lanier, Professor, Department of Library & Information Studies, East Carolina University, Greenville, North Carolina.* □

ACT calls it quits

Action for Children's Television (ACT), a Cambridge, Massachusetts-based group that promoted educational television for children for more than two decades, announced in January that it would disband at the end of 1992. ACT co-founder Peggy Charren said the group's goals had been fulfilled when Congress passed legislation that requires every television station to provide educational programs for children. The 1990 law also limits commercials during children's programming.

Charren said the group is disbanding not for financial reasons, but because its work is done. "We had enough money to go on, but it's not worth it just to be a sound-bite," she said. "What we were trying to do was give the public a hook to hang its concerns on. We've done that. ACT was started to make the laws work for children and we've done that. It's [now] up to the communities to talk back to the stations."

Charren said that ACT always opposed censorship. "I think that censorship is worse than any of the junk on TV today," she said. "ACT opposed censorship as a method of protecting children from poor quality or inappropriate television fare. Parents can turn off TV programs they deem objectionable but they can't turn on what's missing." Reported in: *Harvard Crimson*, January 24; *Wilmington News-Journal*, January 9. □

— censorship dateline —



libraries

Gilbert, Arizona

Nine books found objectionable by a parent were to be considered for removal from the Neely Elementary School library by the Gilbert School Board in March. "I just think these books need to be out of there," said Jacqueline Mills, a Neely parent. "School is a place to learn, not to have this type of junk." Mills' request to have the books removed was previously denied by committees at both the school and district levels.

The books include *More Tales for the Midnight Hour*, by J.P. Stamper; *Witches, Pumpkins and Grinning Ghosts*, by Edna Barth; *Halloween*, by Joyce K. Kessel; *Halloween*, by Lillie Patterson; *Whistle in the Graveyard*, by Maria Leach; *Scary Stories to Tell in the Dark* and *More Scary Stories to Tell in the Dark*, by Alvin Schwartz; *Sideways Stories from Wayside Schools*, by Louis Sachar; and *Halloween*, by Helen Borten. Mills said she would also ask the board to consider removing a tenth book, *Cross Your Fingers, Spit in Your Eye*, by Alvin Schwartz.

The books show the dark side of religion through the occult, the devil and Satanism, Mills alleged. "What I'm fighting is that this is a religion like God is a religion and they're taking books on prayer out of the library. Some of these books explain Satanic rituals and make them sound like fun," Mills said. She charged that, for instance, *Witches, Pumpkins and Grinning Ghosts* "interests little minds into accepting the devil with all his evil works."

Librarian Noralie Parsons said Mills was the only parent to complain about the books. "I told her she could note on her child's library file which books she didn't want him checking out, but this wasn't enough," Parsons said. "She wants these particular books out of the library so no other children can check them out. I don't feel there is anything

wrong with those books. If I had seen anything wrong, I would have immediately removed them. We spend a great deal of time making sure material is appropriate for children."

The books came to Mills' attention on the first day of school. Her third-grader came home and described a character from *Sideways Stories from Wayside Schools*, a book his teacher had read aloud to the class. In the book, an ugly teacher with a forked tongue could change children that she did not like. "He was appalled," Mills said. "He wouldn't have brought it to my attention unless he was."

For 20-30 minutes each day for thirty days, Mills' son spent story time doing other school work in the office while his classmates listened to the rest of the book. "He feels pretty good about what we believe in," Mills said of her son. "He said, 'If that's what we have to do to show them what we believe in, that's fine.'"

Mills said that she has read and discussed the nine books she has questioned with her four children. Although her request covers only the Neely school library, Mills said that "it would be nice if the books could be removed throughout the district. And I would prefer not to have them in the public library, but they are a free agency. I don't want them at Neely. Other kids reading that stuff will believe in it and influence my children." Reported in: *Gilbert Independent*, January 29, March 5.

Escondido, California

A popular children's novel about witches was placed on a library restricted list by the Escondido Union Elementary School District after four parents filed complaints that it promoted the occult and was too frightening. School officials deemed *The Witches*, by Roald Dahl, to be "offensive" after the parents filed formal complaints in December.

"It was offensive in terms of common decency standards," said Assistant Superintendent Jim Fitzpatrick who, along with Superintendent Bob Fisher, made the decision to restrict the book, overriding a review committee's 3-1 vote in December in favor of the book. The restrictions were the first ever placed on a library book in the district.

At least two school board members expressed concern about the decision. "We need to look at the policy and the way we are going about making these decisions," said board member Linda Woods, a former school teacher. "I want to make sure we don't get into a situation where a vocal minority is making decisions for the vast majority."

"The only way someone can access this book currently is if a parent specifically asks in writing to check that book out. And if the parent didn't know that book was removed in the first place, how do they know to request it in writing?" asked board member Dawna Nerhus. "The way that this situation was handled was inappropriate. We walk a very fine line when we get into censorship of certain material." Nerhus requested a review of the board policy that led to the book's restriction.

In their complaints, the parent objected most strenuously to what they saw as the book's promotion of occultism. "We object to the introduction to the occult, to the teaching about witchcraft that this book claims to be fact, to the parts about cutting kids up, destroying them and making them disappear," wrote one parent.

Carla Grabianowski wrote that the book would cause "desensitization to violence, increased interest in the practice of witchcraft, the learning of unhealthy ways in dealing with differing groups of people." Wayne and Gwen Ervin complained that the book would result in "confusion caused from mixing truth with fiction, unhealthy interest in the occult, [and] seeds of unhealthy fear and mistrust placed in children, especially concerning women."

Fitzpatrick claimed, however, that the book's depiction of the occult played no part in his decision to restrict access to it. Instead, he said, the book was too real and "there was a concern in terms of whether or not youngsters at a primary age would become frightened."

But Stan Reid, principal at Glen View Elementary School and a member of the review committee, found the opposite to be true. "It was a tongue-in-cheek approach and the bottom line was that good will overcome evil," Reid said. "In talking with kids out in the playground and in the lunch lines, for the most part the kids thought it was hilarious. They understood that it was a fairy tale and it was make believe." Reported in: *Los Angeles Times*, February 12; *Escondido Times-Advocate*, February 13.

Duval County, Florida

To most horror fans, Stephen King is tops. But to the Duval County school system, he's out. As of March 11, two of King's novels were declared off limits to middle school students. As a result of a parent's complaint, a book review committee banned *The Dead Zone* and *The Tommyknockers*, which will be available only to high school students with parental permission.

That did not satisfy Louise Reimer, the parent who complained about the books. "But there's probably nothing I could do about it," she said. "They are adult books. Those kids are minors." Reimer had complained about the "filthy language" in the books.

Donna Deetz, a parent who sat on the review committee, said that *The Tommyknockers* was "the first book that I've ever recommended be taken off the shelves. It's extremely graphic. I just thought it was inappropriate for middle school-age kids."

Not every parent agreed, however. "I am appalled. I view it as censorship, pure and simple," said Debra Harris. "Now, they [middle school students] are so curious they are going to seek these books out, whereas before, they wouldn't have any interest at all."

But school board member Stan Jordan voiced support for the ban. He said school boards should demand from publishers "a one-page listing of all the words that are used

that are profane and just plain trash. I want to be able to look at [a book] and tell instantly what is in it. We have limited dollars. I would like to know what they didn't choose, if they chose this book." Reported in: *Florida Times-Union*, March 4, 12.

Des Plaines, Illinois

A parent's outrage over a children's book containing "questionable" language has pitted her against the anti-censorship policies of the Des Plaines Public Library. Ann Piscitello and 38 other Des Plaines residents in February petitioned library administrator Bernie Oppeneer to remove the book, *Slim Down Camp*, from the junior children section, claiming it contains "repeated profanity and immoral situations." The book concerns the adventures of a group of overweight children attending a special weight-loss camp.

Piscitello's problem with the book began when her 11-year-old son brought it home and, after reading it for a short time, said, "I don't think I'm supposed to be reading this." The characters in the book use terms like "SOB" and make references to scatological functions. There are also sophomoric sexual references. The book was shelved in the junior children section, for 9-12-year-olds.

"I am not for censorship, but I have a choice too. And I have a right to choose what my son reads," Piscitello said. Based on this belief, she wrote a letter of complaint, receiving a response a month later that she deemed inadequate. Piscitello then circulated the book to other parents, who also objected and agreed to sign her petition.

"We reserve the right to decide whether our children are exposed to repeated profanity and immoral situations, such as those portrayed in the aforementioned novel (or other novels with similar content)," the petition stated. It also asserted that the library has the "obligation to inform parents and other concerned adults" that this type of literature is present. The petition suggested that the library implement its "obligations" by removing the book from the children's section or by providing all parents with a list of books with similar material.

"They want to deprive the group this is written for from reading it. That is censorship," responded Oppeneer. "They want us to ascertain what is objectionable, no matter what level of objection a parent might have. We can't do that." While Piscitello's group may object to this book, he said, "other parents might want children to read it. What Mrs. Piscitello's child can read is one thing. What Mrs. Jones' child can read is an entirely different thing."

As for the group's suggestion that the library list the books containing such material, Oppeneer said that would be a formidable task, considering the children's section has over 30,000 books. Oppeneer did say that the petition would be referred to the appropriate committees for review and that, if necessary, the issue could go to the library board. Reported in: *Des Plaines Journal*, February 19; *Chicago Tribune*, March 3.

Herrin, Illinois

The Herrin School Board agreed February 10 to consider banning the novel *Forever*, by Judy Blume, from the junior high school library because of a request by more than 300 residents. "We are not advocates of censorship, and we do not believe that is the issue," parent Lisa Martin told the board as she presented petitions calling for the book's removal. "We're not banning a book from a public library or a bookstore. This is the Bible belt, and most people here have high moral standards."

Martin led the petition drive to remove the book, which she considers "pornographic." She called the novel "sexually provocative reading material that has made its way into our junior high school."

"I didn't have to go very far before it shocked me. First I was sick. Then I got mad," Martin said. "It's not just sexually explicit. It's arousing to a teenager. You can't just get them aroused and leave them with no place to go. This isn't the way to teach sex education. How to do it comes naturally."

School Principal Deborah Payne said that because of Martin's actions the book was being kept on reserve in the library and could be checked out only with a parent's written permission. "I've essentially pulled it until the board decides," Payne said.

Although the book has been removed from circulation, Martin said she was "still concerned that a student could forge a note to check out the book and then pass it around to the other students." Reported in: *Southern Illinoisan*, February 11.

Peru, Indiana

A student's mother requested late last year that twelve novels by Stephen King be removed from her son's junior-senior high school library. Pat White became upset when her seventh-grader brought home *Cujo* from school. He had previously checked out *The Dead Zone*.

"I believe, when the school provides this kind of filth for the children, the school is taking the responsibility out of the hands of the parents about what children read," White said. She added that her concerns go beyond King's books to include all materials with objectionable subject matter and language. "We feel there's kind of a double standard here," she said. "You can't use that language in the hall, but you can pick up a book off the shelf and read it."

White's complaint went initially to a school committee, which decided that the books should remain on the shelves. She then appealed to the school board, which heard the case on February 4, assisted by an Indianapolis attorney hired as a hearing officer. Reported in: *Peru Daily Tribune*, February 5.

Banner County, Nebraska

The books are off the library shelves, but the story isn't over, said Banner County School Librarian Florence

Richards. Richards was concerned because on February 14 county residents learned from an interview on a Christian radio station that two elementary school books — *Tales from Scandinavia* and *Tales of Mystery: Folk Tales from Around the World* — had been removed from the Harrisburg school library.

"It is clearly a matter of censorship and in violation of the American Library Association's *Library Bill of Rights*," Richards said. "The taxpayers should be angry because this is a public school and they [the school board] catered to an interest group."

The removal of the two books began January 20 when parent Sherry Soule filed a written complaint with the school's administration. Soule said she became aware of the two books when her fourth-grade son told her "he didn't like the pictures and didn't like the messages in the book. One chapter was called 'Three Times You Beat the Devil.' It was about demons, there were pictures about the devil, skeletons." Soule said the books were required reading for her son's class, but Richards said the boy had four shelves of books to choose from to fulfill his assignment.

Following the school's policy, adopted in 1990, the complaint was presented to the media committee, which includes Richards and four teachers. The committee decided that the books should be retained. Soule then took her complaint to the school board's three-member Americanism Committee. "I didn't feel the books are right for any kids. I felt this is what I had to do," she said.

The Americanism Committee voted on February 3 to remove the books, overruling the media committee. The books were then removed to a locked closet in the superintendent's office. Board President Bill Booker, who serves on the Americanism Committee, said the books "have to do with a lot of negative things and might not be good for someone with low self-esteem or suicide tendencies." Although Soule could have appealed to the full board had the committee rejected her initial appeal, Booker said that Richards and the Media Committee could not take the issue to the full board. "It's been decided," he said. Reported in: *Gering Courier*, February 27; *Lincoln Journal-Star*, February 23.

Oakland, Oregon

A patron's complaint about *Rolling Stone* magazine prompted the Oakland school board to uphold an administrative decision not to renew the high school library's subscription. Media Specialist Barbara Peebles brought the issue before the board in a hearing held February 26.

Kathleen Young had previously complained to Oakland High School Principal Roger Stewart about the explicit language and sexual nature of some of the magazine's articles. Young, who is also a teacher in the district, said she noticed the magazine while substituting. "During that time I became aware of the May issue of *Rolling Stone* on that rack over there, which was featuring Madonna and a new

video she had released, which was banned on MTV." Young said she talked with Peebles about her concerns to no avail. She then filed a complaint, which was upheld by district officials.

In her appeal to the school board, Peebles said she based her decision to subscribe to the magazine on periodical reviews. She said the non-renewal amounted to censorship. "Let's hope we have given them [high school students] the education and critical ability to function in today's society. There's more to the world than the world of work. They must have the intellectual maturity and expertise to make these decisions. . . and high school students do have the educational expertise to evaluate their reading material. They do not need others to tell them what they should read," Peebles said.

Superintendent Joe Reed responded that *Rolling Stone* should not be renewed for economic reasons. "There are magazines that present the same ideas as *Rolling Stone* has done, without the vulgar language and explicit sexual remarks. We're looking at cutting \$200,000. We're going to lose staff, we're going to lose programs and, at the same time, we're supposed to put out money to buy this publication? I think no."

The board turned down a motion not to renew the subscription and completely remove all back issues. The board did approve, by a 3-2 vote, a motion not to renew the subscription but to allow students to check out back issues with a note from their parents. Reported in: *Sutherlin Sun-Tribune*, February 27.

Portland, Oregon

The David Douglas School Board turned down a request to ban a book at Floyd Light Middle School library, but did order the book to be placed on a limited access shelf. *The Random House Thesaurus of Slang* will be available to students only if a teacher directs them to the book and supervises them while they read it. The thesaurus translates 12,500 standard English terms into 150,000 slang terms. Racial epithets and slang words for sex and drugs are well represented in the book, which was selected by the New York Public Library as one of 1988's outstanding reference books. Reported in: *Portland Oregonian*, March 9.

Weatherly, Pennsylvania

A request by parents to ban books from the Weatherly Area Middle School library should be denied, a review committee decided in early March, but a final decision was left to the school board. The unidentified parents protested last November after their daughter got from the library *Final Friends Book 3: The Graduation*, by popular young adult novelist Christopher Pike. The parents were upset by passages in the book dealing with depression, suicide and contraception. They asked for the removal of all books by Pike.

After receiving the complaint, a district review committee read the book and other Pike novels. "It was determined that since this was not required reading, or a requirement of the curriculum, it is the opinion of this review committee that the book in question and other selections by this author are appropriate for young adults, and the books should remain in the library for use by students," said Superintendent Clyde Blair.

School board members, however, said that they wanted to see the book and a list of the parents' complaints before they decide whether to accept the recommendation. Reported in: *Hazelton Standard-Speaker*, March 6.

Warrenton, Virginia

Tom Neely admits it takes an awful lot to make his blood boil. That's why it took the Warrenton Junior High School librarian about eight weeks to go public with the news that the school board, in violation of Virginia's Freedom of Information Act, had secretly ordered the removal of a science fiction book from the school library, overturning a unanimous review committee decision. The board's ruling came without a public hearing, with no formal vote, and with no discussion in an open meeting.

Instead, according to board chair Gary Watson, three members of the board met as a "committee," discussed the situation, and "reported in executive session — didn't vote on anything because that's against the law — but there was a concurrence with their findings." Watson contended the "concurrence" was not a vote.

The Second Earth: The Pentateuch Retold, by Patrick Woodroffe, first came to the attention of the school administration in April, 1991, after a single parent complained about its "anti-Christian" ideas and about certain of its illustrations. "The majority of her complaint was about the text, that it contained an anti-Christian, anti-Biblical message, that it was Satanic," said Neely.

Neely maintained that the parent had "missed the whole point of the book," but she did not buy his argument. He advised her to appeal his decision. The parent then followed established procedures and a review committee was formed. The committee agreed unanimously in May that the book should remain in the library. Dissatisfied, the parent exercised her right to appeal to the school board.

It was at this point that the process went secret. A petition apparently was submitted to the board calling for the removal of the book. Although it contained just ten signatures, a letter in the local press later claimed that the number was two hundred. More important, said Larry Czarda, one of the board members who decided to remove the book, "there was a threat of litigation. No lawsuit had actually been filed, though."

The Virginia Freedom of Information Act provides that "actual or probable litigation" may be discussed in executive session. However, the act states that "the potential for litiga-

tion . . . does not justify the use of this exemption." Public bodies going into executive session must specify the exemption that is being invoked and "reasonably identify" the subject of the session. Also, any action taken in executive session is ineffective until its substance is "reasonably identified" in public session and voted on publicly.

District Superintendent Anthony Lease said the school board was "real brave" in its handling of the situation. "Nothing was hidden," he said. "Some think the board shouldn't have overruled the WJHS committee. Well, if that's the case then the appeal process would be a sham. Should they have gone open with the case? No. This is not a case to be public," Lease concluded.

Neely disagreed. "I think the process was great up until the appeal to the School Board. Then it just seemed to fall apart," he said. "They were specifically trying to avoid public scrutiny. That's a sticky trap to fall into. I think there should be an open review of the book. I'd be pleased with that."

On February 24, a teacher told the school board that she hoped it would "be willing to reconsider the decision you made and open the censorship process into the sunshine. Open it and let the community decide whether the book should be in our school system." There was no response. Reported in: *Fauquier Citizen*, February 14, 28; *Fauquier Times-Democrat*, February 20.

schools

Mobile, Alabama

On February 26, two groups asked the Mobile County Board of School Commissioners to create a citizens committee to weed out allegedly objectionable materials from school classrooms.

Depressing, mystical and morbid themes of some poems and illustrations presented to a creative writing class at Theodore Middle School might be suitable for college students, but not eighth graders, said Deborah James, representing one of the groups. "With drugs, weapons, gangs and cults so widespread in schools today, wouldn't a more traditional approach be acceptable?" James asked the school board. "Cannot the literature classics be set forth as an example?"

Representing a group from Alba High School in Bayou La Batre, Alabama, M.G. "Dan" Daniels said, "At the very least, some of the material used is mentally, emotionally, psychologically and spiritually harmful to children." Daniels, who focused his comments on John Steinbeck's *Of Mice and Men*, called on the school board to create a committee to study parental concerns about "obscene" material.

James and Daniels both charged that some of the objectionable books amount to the teaching of religion in the schools. Said James: "We suggest a committee be created to filter out undesirable New Age and various forms of

religions and psychologies, or philosophies that may creep into the school system, sometimes unknowingly by our teachers. We suggest a committee of knowledgeable people in these areas to serve the school system." Among eleven people James suggested be appointed to the committee, more than half were ministers.

The Mobile County Public School System doesn't teach religion in any form, responded Dr. Anna Clausen, assistant superintendent of instructional services. Clausen also pointed out that the materials to which James objected were not used in classroom instruction. The setting, she said, was a club to which a limited number of students belong. "We constantly work with teachers and principals to avoid topics that may impart beliefs and value systems that have a religious connotation," Clausen said. Reported in: *Mobile Press*, February 27.

Woodland Park, Colorado

To teacher Scott Leonard, the exploits of Greek mythological figures like Zeus and Apollo helped shape Western civilization. To parent David Skipworth, stories about these pagan gods threaten that civilization's foundations.

Skipworth demanded in January that Woodland Park High School drop its requirement that students take an eight-week mythology segment of world literature. As an alternative, Skipworth proposed adding a course on the Bible and Christianity. School officials allowed Skipworth and two other parents to withdraw their children from the course, but have resisted his demand to change the curriculum for all 630 students.

"This material is a misleading way to get kids' eyes on gods other than the almighty God," said Skipworth. "They aren't teaching about God, and Satan is filling the void with other paganistic religions, and these pagan gods are misleading children."

Leonard's students use a book called *Myths and Their Meaning*. The book, which treats myths as stories and literature, has never been challenged in more than a decade and a half of use. "I want to equip students with knowledge so they can use this later when they read major works of literature," said Leonard.

School officials said the mythology segment helps students understand the influence of the ancient Greeks and Romans on literature and culture. As for Skipworth's campaign, principal Jim Taylor said, "I think it's important that we don't let one small group dictate to us what we offer our students." Reported in: *Colorado Springs Gazette-Telegraph*, February 1.

Atlanta, Georgia

A parents' group in February asked the Fulton County Board of Education to stop using the sex education textbook *Human Sexuality* in ninth-grade health classes. Carol

McGinniss Yeje, cofounder of Concerned Parents for Education, said that the book should not be used because it doesn't stress abstinence.

In a statement prepared for the board, the group charged: "This book is a 'how-to' book. It's not only explicit, but it promotes promiscuity in a subtle way that the determined abstainer would have second thoughts about their position." The group alleged that the text "undermines parents' authority, encourages breaking the law, and tears down normal sexual barriers by co-ed, hardcore, adult subject matter covered."

Yeje said her group had encouraged parents to "take their child out of sex-ed classes until the changes in text books have been made and 'abstinence based' textbooks are used." She added, "As long as *Human Sexuality* is in the hands of the students, regardless of the technique of emphasis on abstinence used by the teacher, the students are still open to the biased promiscuous influence and lack of factual information found in this book."

Fulton officials said the book is factual and meets state requirements. It is not mandated for use, but is available as an optional teaching tool. They said the board would review recommendations from the textbook review committee and the Concerned Parents and then make a decision. Reported in: *Southside Sun and Fayette*, February 13.

Sidell, Illinois

Catcher in the Rye, J. D. Salinger's tale of alienated youth, was distributed to students at Jamaica High School in late February, but probably for the last time. The Jamaica Board of Education voted February 20 to allow the book to remain on the reading list of a senior English class, but to review possible replacements for it because some community members objected to profanity in its pages.

"Neither side was happy with the decision," commented Superintendent Robert Yeazel. He said the district followed its policy in handling the complaint and a committee of teachers reviewed the book, but took no action on it. The decision was appealed to school board members after Troy Preston, assistant principal at the high school, and Yeazel recommended retaining it. "The book is used with an option out," Yeazel said. "It does not have to be read."

This was the second year the book had been on the reading list, and both years an alternative assignment was made available to those who found it objectionable. Janet Puzey, teacher of the eleven-student class, said one student had already requested an alternate title and if two or three followed suit, the book would no longer be effective.

Of the 26 people who attended the board meeting, almost all called for the book's removal from the curriculum. The Rev. David L. Rogers of the Sidell Pentecostal Assembly cited 500 profanities and instances where God's name was taken in vain, and objected to the premarital sex, alcohol abuse and prostitution depicted in the book. Reported in: *Champaign News-Gazette*, February 11, 12, 21; *Danville Commercial-News*, February 21.

Passaic, New Jersey

A state arbitrator ruled in early January that the Passaic school district did not violate teachers' rights to academic freedom when it removed an Uncle Remus folk tale from an eighth-grade reading list last fall. The decision ended a dispute that began when Superintendent Beryl Zankel chose to remove an anthology containing the "Wonderful Tar-Baby Story" from a middle school language art class (see *Newsletter*, March 1992, p. 45).

The ruling did not touch on the merits of the story itself and the story itself remained in the Lincoln Middle School library as part of two other anthologies. "If the children choose to read that book, so be it," Zankel said.

The arbitrator, Jeffrey B. Tener, noted that Zankel acted too quickly when dispatching the story and rejected his assertion that it had been removed simply because it was outdated, not because of its content. Yet Tener concluded that, since no students were prevented from reading the book, the teachers' union had no grounds to win its grievance.

Larry Leverett, the state's assistant commissioner of urban education, who has a son in the school, had filed the original complaint that led to the book's removal. "I think there needs to be a careful examination of all textbooks to make sure they are bias-free," he said. Reported in: *North Jersey Herald & News*, January 8.

Brooklyn, New York

Is Bay Ridge, Brooklyn, too conservative for a children's book depicting lesbian lifestyles? Members of Community School Board 20 think so — especially when the book, *Heather Has Two Mommies*, is on the optional reading list for the city's first-grade students. Board members voted to remove *Heather* and two other books, *Gloria Goes to Gay Pride* and *Daddy's Roommate*, from the district's curriculum.

The books were part of the New York City Board of Education's multicultural curriculum, designed to educate children about different lifestyles and cultures. The board says that while the curriculum is mandatory, the use of individual books suggested in it is optional. Still, said central board representative Frank Sobrino, "there's no skating around the issue of sexual orientation. You can't just say no, we're not going to talk about that." A district can opt not to use specific titles, but if such a decision masks "an effort to ban teaching a particular subject area that we require being discussed, you're out of compliance."

Board 20 President Ellen McQuinn said that the board objected to words in the books that were "age inappropriate." Other board members agreed that the books were designed for older children. "We're a conservative district," McQuinn said. Reported in: *Bay Ridge Paper*, February 7-13.

Henrico County, Virginia

Prompted by a parent's complaint, the Henrico County School Board banned from county middle schools an award-

winning video that advertises mystery and suspense books. The 16-minute video, produced six years ago by several Virginia school systems, includes pupils acting out suspenseful scenes from ten books.

But a parent who objected to the video said the scenes are too violent and could desensitize pupils to violence. One scene discussed by the school board showed a man holding a hypodermic needle and sneaking up on two small children playing on a swing set. After a brief struggle, he carries the unconscious children away.

A curriculum committee of parents and school officials reviewed the video and a majority agreed with the complaint. Allen G. Dorin, Jr., vice chair of the school board and a committee member, said the video contained nothing different from what children see on television. However, continued use of the video could give the impression that the school system condones violence, he said.

"I'm all in favor of anything that promotes reading, but I'm not in favor of anything that promotes specific books," said board member Kay O. Sears.

Dave Cordes, a parent on the committee, said he voted to keep the video. "The violence was a bit objectionable," he said. "But, by golly, it's hard to get middle school kids to read, and I hate to take a tool away from the teachers. The books in the video are constantly checked out."

No one complained about the books advertised in the video, which include *Where are the Children?* by Mary Higgins Clark; *I Know What You Did Last Summer*, by Lois Duncan; and short story collections introduced by Alfred Hitchcock. Reported in: *Richmond News-Leader*, January 10.

Hillsville, Virginia

An evangelist and others began in March to circulate petitions demanding the firing of Marion Goldwasser, Carroll County's teacher of the year, because she used a novel they deem obscene in two eleventh-grade English classes. The group also picketed Carroll County High School and called for the dismissal of all school officials connected with the decision to use the book.

J.B. Lineberry, an evangelist, said a parent showed him a copy of *The Floatplane Notebooks*, by Clyde Edgerton. The book was supplemental reading in an English class attended by the man's son. Lineberry objected to the book because "it was wishy-washy" and "could warp a child's mind." In particular, he objected to the book's use of four-letter words and to parts in which one of the characters loses an arm and leg in Vietnam and worries vividly about the effect on his sex life.

Goldwasser said the novel is appropriate for the age, maturity and ability of the two classes that used it. She said the words used prompted a class lesson on appropriate language. When the controversy broke, she added, the students were given a chance to return the books. She said none chose to do so.

"The teacher had talked to the kids about there was some vulgar language in it," Principal Harold Golding said. "We recognize that the book does have some words in it and it'll not be read again." Golding said he had gotten complaints from only two parents. As for his own view, he said, "I find that the language is offensive, and there's some strong language on a few pages, and I understand it would be offensive to some people."

Lineberry made the issue public through his twice weekly radio broadcasts and by distributing to churches copies of the six pages he found most offensive. He said a seventh grade teacher was chastised for trying to bring Bible class materials into school "and they have garbage like that. This thing has went too far." Reported in: *The Carroll News*, March 18; *Roanoke Times & World-News*, March 21.

Bainbridge Island, Washington

A school district committee voted unanimously January 16 to retain two books used at Commodore Middle School. The historical novels were challenged as inappropriate by three parents because of violence, sexual scenes and "lack of family values."

The books were *The Honorable Prison*, by Lyll Becerra de Jenkins, used in sixth-grade classes, and *Thousand Pieces of Gold*, by Ruthanne Lum McCunn, used in eighth-grade classes.

The committee's recommendation went to Superintendent Bill Bleakney, who was expected to accept it. The parents have the option of taking the challenge to the school board. Reported in: *Bremerton Sun*, January 17; *Bainbridge Review*, January 22.

Deer Park, Washington

A Deer Park parent complained to the school principal and the Deer Park School Board in February that an African-American poetry book used in his son's elementary school class contains a work that promotes devil worship. Joel Edward Craig wants the book removed.

The poem, "The Mask," by Dakari Kamaru Hru, is from the children's book *Make a Joyful Sound*, edited by Deborah Slier, which contains works by renowned poets Langston Hughes, Gwendolyn Brooks and Eloise Greenfield. It was used during an African mask art project for Black History Month in a fourth-grade classroom at Arcadia Elementary School. The poem reads, in part: "When my mask is on my face, my ancestors call my name. When my mask is on my face, I know from whence I came. Though they are in the spirit world, they guide me just the same."

"I was appalled," Craig said. "This is religious indoctrination. We in the Western world would refer to it as devil worship." To Craig and other members of his church, guidance from ancestral spirits smacks of so-called New Age religion. Since the poet writes in the first person, the poem

"directly involves the student because they're saying the word 'I,'" Craig said. Reported in: *Spokane Spokesman-Review*, February 7.

student press

Palo Alto, California

The editor of a Palo Alto High School underground newspaper resigned after the school administration disapproved of four-letter words in the paper and pressured him to stop the presses. The paper, called *O.Y.E.*, enjoyed a circulation of 600 at four high schools. The paper was published on former editor Dan Potter's home computer.

The controversy began when history teacher Mike McGovern protested swear words in the October issue. Principal Sandra Pearson then reminded Potter of the rules for distributing literature on campus. Potter showed the November issue to Pearson in advance. It was blank except for the words: "...Mr. McGovern..." — Sandra Pearson.

"I advised him not to distribute it," said the principal, adding that she thought it was unfair to McGovern and herself. The paper was released anyway, and someone taped a copy to McGovern's door with the scribble, "Happy Now?"

In a disciplinary meeting, Pearson then "recommended" I stop printing it," Potter said. He charged that he was warned that the district was "under no obligation to keep me around" after he turned 18 in December. Potter then decided to quit. "The administration can make up the rules as they go along," he said. Reported in: *Miami Herald*, January 23.

Jacksonville, Florida

When Fletcher High School Principal Larry Paulk heard that students on the school's newspaper wanted to write a story about condoms as protection against AIDS, he sent word that the paper could not publish such an article. It was not a question of censorship, he said: "All I saw us doing was enforcing School Board policy."

In December, 1990, the board approved a sex education curriculum for seventh graders called Teen-Aid. "[Teen-Aid] was chosen because it stressed abstinence, as opposed to birth control or safe sex," Paulk said. "That has a clear-cut implication for what can or cannot be included in the curriculum."

Amy Colella, editor of the *Northeaster*, said that no matter what program the board adopted for seventh graders, her 17- and 18-year-old peers need to learn about condoms. "I feel that sex education is a very important part in the students' lives," she said. "It is very irresponsible of adults to say that we cannot learn about it. Either we learn about it in school or we learn about it in the street. I have a real big

problem that I can't print the word 'condom' when teenage students bring their babies to school." Reported in: *Florida Times-Union*, February 7.

Coeur d'Alene, Idaho

Several students suspended from Coeur d'Alene High School for distributing an underground newspaper said December 12 that they would not stop, but would take their publication off campus. The students said they would wear black armbands to school to "protest censorship."

Principal John Brumley said nine students were suspended December 11 for three days for involvement in a publication that violated district policy. The *Obscure Society* first appeared at the school the previous week. A second issue, with less profanity than the first, appeared the day before the suspensions. Brumley said the first edition was objectionable because it was obscene, targeted individuals, and contained racial slurs.

The students said they issued the paper to "increase student awareness," and that the district policies cited in their suspension notices did not appear in student handbooks. "We just felt the institution was corrupt and wanted to express ourselves," one student said. Reported in: *Coeur d'Alene Press*, December 13.

Meridian, Idaho

The student editors of Meridian High School's student newspaper, the *Warwhoop*, said December 19 that they were told they could not print a story covering a student protest over a ban prohibiting teachers from discussing AIDS in their classrooms. The monthly edition of the paper displayed a blank space on a portion of the front page with the message: "This space was reserved for the story everyone expected to see in our school paper but that we were not allowed to print."

Editor Tina Gregory said she and others were told by the newspaper's adviser that principal Gil Koga said the story might be permitted in a future issue. She said after Koga said no to the story, it was never written and that by "mutual agreement by the entire staff" it was agreed to leave a blank space and message on page 1.

"He's denying us our First Amendment rights," Gregory said. "We were going to have a straight news story on why the rally took place, and why teachers couldn't talk about AIDS. This isn't the first time he's done this. He pulled all of our Booth Memorial Home and Planned Parenthood ads because they contained the 'p' word," that is, "pregnancy."

The ban on discussing AIDS in the classrooms was lifted a few days before the paper was published. It became an issue after Meridian's Citizens for Excellence in Education filed a complaint questioning a discussion a middle school nurse had about AIDS with sixth graders. Teachers must now obtain permission from students' parents before discussing in detail sex education or AIDS. Gregory said some 1,500 of

the school's 2,000 students turned out for the rally on December 13. Reported in: *Idaho Press-Tribune*, December 20.

Elgin, Illinois

Student journalists at Elgin Community College charged in late February that a proposal to replace their bimonthly newspaper, the *Observer*, with a magazine was a thinly veiled attempt at censorship. The students charge that the administration has tried to censor the 40-year-old paper in the past and now wants to close it down. The paper recently antagonized college administrators with stories on a gay group and on an athlete who allegedly competed despite being academically ineligible.

"Our rights are being violated," said the *Observer's* editor-in-chief, David Hartley. "Trying to shut us down is the ultimate form of shutting us up." Originally, officials recommended that the paper cease publication last December, shortly after faculty adviser Rick Clute was dismissed. But after student editors protested, the paper was reinstated for the remainder of the academic year while plans for the new magazine were studied.

"They just turned around and stabbed us in the back and took away our paper and our adviser," said *Observer* managing editor Dawn Beers. "They have no right to do that since we are a student-run organization."

"The issue we're looking at is why the format is being changed without the [student] senate being informed and without input from students" on the *Observer* staff, said Michael Cain, president of the student senate. "We're trying to come up with some kind of board policy or student rights bill that would recognize student rights and prevent this from happening in the future." Reported in: *Barrington Daily Herald*, February 29; *Chicago Tribune*, March 4.

Tigard, Oregon

Editors of *Hi-Spots*, the Tigard High School student newspaper, on January 31 filed suit against the school principal, administrators and board members of the Tigard-Tualatin School District, alleging that censorship of student writing-violated their constitutional rights. The suit seeks to prevent school officials from interfering in future publications. It also demands the revocation of disciplinary actions against students involved in two disputed publications.

The controversy began when two students at the school, Tom Jansen and Scott Barcik, sought contributions for and published an underground paper called *Low-Spots*. Their paper, which was printed and distributed off campus, got the youths suspended from school, a punishment that was later rescinded when they agreed to write ten-page papers on the First Amendment.

The *Hi-Spots* editors got involved after they wrote an editorial that expressed appreciation for the *Low-Spots* "special opinion and angle." Before the editorial was

published, school officials told the students to revise it. Instead of revising it, they removed it and filled the space with type accusing school officials of censorship.

The suit was filed on behalf of seven students, including Barcik, Jansen, and three editors of *Hi-Spots*. "We have filed this case because these students respectfully believe that their censored publications, which are not obscene, libelous or disruptive, are entitled to constitutional protection," said ACLU attorney Jonathon M. Hoffman.

Shortly after the suit was filed, the school board unanimously adopted a new policy providing for administrative review of *Hi-Spots* before it is printed. "This has been the district's position all along, in response to *Hazelwood* and the Oregon attorney general's opinion giving us the right to govern district-sponsored publications. That's the basis for the new policy," said Russ Joki, school superintendent.

On February 14, the policy was implemented for the first time. Shannon Kasten, the paper's editor-in-chief and a plaintiff in the lawsuit, said one line was questioned in an opinion column. The sentence called for students to let school administrators know through letters to the editor, to administrators, and through underground publications that students valued freedom of speech. Kasten said she refused a request to remove "underground publications" from the sentence, and it was allowed to remain.

"I think this new policy is really restrictive and unconstitutional. It's taking [administrative authority] to an unnecessary extreme. I hope it doesn't last long. The new policy puts everybody in an uncomfortable situation. It's not working very smoothly," Kasten said. Reported in: *Portland Oregonian*, January 26, February 1; *Tualatin Times*, February 20.

Parkersburg, West Virginia

A charge of obscenity was leveled at the Parkersburg High School newspaper, *The Journal*, during a Board of Education meeting February 25. The Rev. Clay Sloan passed out copies of the December 13 issue to board members and administrators and asked if they were aware of its content. He objected to an editorial opposing censorship, which featured a drawing of a nude man and a nude woman with "censored" labels on their bodies, a story on distribution of condoms for AIDS prevention, and an article on religious discrimination.

"Were you aware of it?" Sloan asked. "If you were, do you think this is the type of thing we should be encouraging in the school system?"

Assistant Superintendent Bill Gainer said he could not comment on the paper's content. He told Sloan he should have contacted the school's principal or the paper's faculty adviser.

Frieda Owen, Wood County language arts supervisor for secondary schools, defended the paper's content. "I have read these articles and they are not obscene," she said. "They merely represent a difference of opinion." Owen

newsletter on intellectual freedom index to vol. 40, 1991

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*Intellectual Freedom Committee
American Library Association*

December 1981
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Right to Read

Book Review: *The American Library Association*
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A

Newsletter on Intellectual Freedom
 AAP, *See* Association of American Publishers
Ardivarks Disembark, 153
 ABA, *See* American Booksellers Association
 ABC, 101, 148, 198
Abel's Island, 16, 103
 "Abortion Ruling Threatens Speech," 99,
 115-16, 117
 Abrams, Floyd, 6, 94, 164
 Ackley, Nancy, 113
 ACLU, *see* American Civil Liberties Union
 "Active Instrument for Propaganda": The
 American Public Library During World
 War I," 40-41
 Actors Equity, 126
 ACT-UP, 199
 Adler, Allan, 229
 Adler, Louise, 36
Adventures of Huckleberry Finn, The, 15, 17,
 18, 45-46, 90, 92, 189
Adventures of Tom Sawyer, The, 18, 45-46,
 92
Advertising Age, 200
Advertising and Commercial Speech:
Readings from Communications and the
Law, 4, 9
 Advisory Committee on Civil Practice, 83
African Folktales: Traditional Stories of the
Black World, 197
 Agnos, Art, 78
 AIDS Action Committee, 159
Air Force Times, 160
 Akins, Future, 22
 Alabama:
 Anniston, 62
 Montgomery, 13-14
 Alaska:
 Anchorage, 48
 Fairbanks, 14-15, 131
 Kodiak Island, 131
ALA v. Thornburgh, 38, 145, 173
ALA v. Thornburgh II, 145, 183
 Albanese, Justice David, 6
 Albee, Edward, 4
 Albright, Joseph, 93, 95
 Alderson, Sue Ann, 178
 Aldrich, Jason, 201
 Alexander, Francis, 10
 Alexander, Justice Fritz W., II, 55
 Alfred A. Knopf, 54
Alice with Golden Hair, 28
Al-Watan, 202
 al-Yacoub, Badr Jassem, 202
 Alyson, Sasha, 211
 Alyson Publications, 211
 Amato, Nicholas, 57
 American Association of Museums, 175
 American Association of University
 Professors, 107, 118, 126
 American Association of University
 Women, 122
 American Booksellers Association, 125
 American Booksellers Foundation for Free
 Expression, 125
 American Civil Liberties Union (ACLU), 25,
 26, 29, 59, 84, 118, 164, 173, 200, 205
 Art Censorship Project, 200
 of Florida, 84
 of Minnesota, 166
 of New Jersey, 110
 of New York, 121
 of North Carolina, 201
 of Vermont, 162
 of Wisconsin, 173
 American Family Association, 5, 47, 50, 60,
 73, 163, 199-200
 American Library Association, 74, 125, 173
 Council, 31, 38, 139, 145-47

Intellectual Freedom Committee, 31, 63-66,
 139, 169-71, 181-84
 Memorandum on ALA Video and Special
 Projects, 182
 Intellectual Freedom Round Table State
 Program Award, 122
Library Bill of Rights,
 Interpretations, 141-44
 Policy Concerning Confidentiality of
 Personally Identifiable Information About
 Library Users, 144-45
 Resolution Against Pornography Victims
 Compensation Act, 181-82, 185
 Resolution in Appreciation of U.S. Supreme
 Court Justice Thurgood Marshall, 181,
 184
 Resolution on FBI Intimidation of Arab-
 Americans, 66-67
 Resolution on Federal Ethics Reform Act of
 1989, 67
 Resolution on Pentagon Press Corps
 Policies, 35
 Resolution on Revision of a Smithsonian
 Institution Exhibition, 181, 184
 Resolution on the United Nations Embargo
 Imposed on Iraq and Kuwait, 66
 Resolution on the United States Embargo
 Imposed on Iraq and Kuwait, 35
 Resolution Supporting Access to
 Information on Family Planning and
 Abortion, 182, 185
American Psycho, 63, 195
 American Psychological Association, 114
 American Society of Magazine Photographers,
 125
America: The People and the Dream, 9
 Amos, Deborah, 95
 Amundson, Justice Roland, 168
 Anderson, David, 196
 Anderson, Rev. Donald, 44
 Andrews, Carl, 109
 Andrews, Ron, 49
Angel Face, 43
 Anne Arundel Community College, 80
 Aragon, Bill, 201
 Aristophanes, 104
 Arizona:
 El Mirage, 11
 Mesa, 90
 Phoenix, 112-13
 Tucson, 133
 Arkansas:
 Fayetteville, 151, 177
 Army, Dick, 73
Army Times, 160
 Army Times Publishing Company, 160
 Arnett, Peter, 96
 Arnoult, Philip, 206
 Article 19, 10
Asbury Park Press, 120
 Ash, Gwynne, 160
As Nasty As They Wanna Be, 7, 57, 92-93,
 146
 Asserud, Mark, 78
 Associated Press, 93, 95, 96, 101
 Associated Students Board of Directors, 78
 Association of American Publishers, 82
 Association of Art Museum Directors, 180
 Atkinson, Wayne, 45
 Atlanta Arts Festival, 4
 Atlanta's Center for Puppetry Arts, 4-5
 Atlas, Charles, 199
Attacks on the Freedom to Learn, 189
 Atwood, Margaret, 15
 Aufrecht, Fay, 113
 Aukofer, Frank A., 94
 Austin, Inez, 229
 Austin Community Television, 79
 Automated Tariff Filing and Information
 System, 174

Averbeck, Samantha, 111
Awakening, The, 110

B

Babbitt, Natalie, 130
 Baidel, Mark, 21
 Bailey, Ann, 91
 Bailey, Peter, 201
 Bailey, William, 114
 Bailie, Helena, 7
 Baker, C. M. Ann, 149-50
 Baker, Mary Ann, 110
 Baker, Mike, 14
 Baker, Susan, 207
 Baldwin, Elizabeth, 42
 Ball, Steve, 43
 Balukas, Denise, 155
 Bamberger, Michael, 56, 60, 87
 Bangerter, Norman H., 25
Barnes v. Glen Theatre, 53
 Barrie, Dennis, 5
 Bartlett, Justice D. Brook, 167
 Basic Books, 121
 Bastian, Susan, 210
 Bates, Jonathan, 155
 Bauer, Traci, 58, 119, 229
Bauer v. Kincaid, et al., 58
 Baus, Gregory A., 207
 Baus, Jeffrey, 207
 Bayles, Fred, 93, 96
 BBDO Worldwide, 200
 Beach, Charles, 90
 Beach, Donna, 43-44, 90
Beast of Monsieur Racine, The, 151
 "Beatitude," 210
 "Bedecked Nude," 202
 Behl, Jack, 15
Being Born, 209
 Bell, Brenda, 113
 Bellairs, John, 11
 Bella Lewitzky Dance Company, 4
 Bella Lewitzky Dance Foundation, 37
 Belless, Susan, 13, 62
 Benna, Gary, 112-13
 Bergez, Denise, 20
 Bettag, Tom, 97
 Bette's Oceanview Diner, 197-98
Beverly Malibu, 209
 Bickel, Julia, 91-92, 179
 Biden, Joseph R., Jr., 43
Biology, 127
 Bishop, Phillip A., 118
 Black, Travis, 156-57
 Blackmun, Justice Harry A., 99, 115, 123-24,
 145, 163, 165, 166
 Blades, Ann, 178
 Blair, Celestus, Jr., 205
 Blakely, James, 130
 Blanton, John, 49
 Blatter, Shelly, 12
 Blockbuster Video, 50
 Bludworth, David, 126-27
 Blume, Judy, 62, 189
 Blumner, Robyn, 84
 Bobbsey Twins, 178
 Boccardi, Louis D., 147
 Bode, Janet, 28
 "Body, The," 62
 Bohrer, Sandy, 127
 Boiseans for Excellence in Education, 47
Bonfire of the Vanities, The, 57
 Bonnar, Tom, 52
Bookbanning in America: Who Bans Books?-
And Why, 39-40
 Booth, Douglas, 29
Boris, 43
 Bosmajian, Haig A., 134-35
 Boston College, 159

Boston Globe, 199
 Bowen-Motz, Sandra, 90
 Bowers, Betty, 48
 Boxce, Wesley, 93, 95-96
Boys and Sex, 75
Boyz N the Hood, 198
 Brademas, John, 175
 Bradford, David, 179
 Bratton, Mike, 107
 Bravo, 200
 Bray, Michael, 196
 Breene, Bette, 44
 Bremen Youth Services, 207
 Brett, Alastair, 52
Bridge to Tarabithia, 44
Brighton Beach Memoirs, 129
 Britain, 10
 British Broadcasting Corporation, 52, 93
 British Publishers Association, 10
 Brock, Nina, 206
 Brodkey, Linda, 126
 Brodsky, Jeffrey, 19
 Brooks, Bruce, 210
 Brooks, Spring, 12
 Broun, Elizabeth, 180
 Brown, Edwin R., 28
 Brown, Peter, 160
 Brown, Shawn, 130
 Brown, Stewart, 15
 Browne, Malcolm W., 94
 Brownstone Publishers, 24
 Bruce, Tammy, 63
 Bruni, Frank, 96
 Bryant, Arthur L., 83
 Buck, Richard M., 106
 Buckman, William H., 118
 Budde, Tom, 15
 Bulkhead Gallery, 160-61
 Bull, Benjamin, 5
Bullfrog v. Wick, 146
 Bumgarner, Kenneth E., 204
 Bundy, Pastor Tad C., 113-14
 Bundy, Wanda, 113
 Burghuis, Linda, 157
 Burgos, Brigitte, 15
 Burk, Marie, 92
 Burner, Dr. William, 36
 Burton, Loren G., 25
 Bush, George, and Bush administration, 33, 69, 104-105, 175
Bush Administration and the News Media, The, 104-105
 Butcher, Jane, 178
 Butler, Steven, 207
 Byrd, Angela, 58
 Byrd, Robert C., 3

C

Cable News Network, 23
 Caen, Herb, 198
 California, 36
 Albany, 207
 Berkeley, 155, 197-98
 Campbell, 46, 178-79
 Freestone, 202
 Fresno, 20
 Grass Valley, 107
 Los Angeles, 51, 112, 151-52
 McKinleyville, 42
 Oakland, 154-55, 195-96
 Pleasanton, 201
 Pomona, 25-26
 Rocklin, 113
 Rohnert, 15
 Salinas, 42
 San Diego, 15
 San Francisco, 19, 54-55, 77-78, 205

San Jose, 89, 105
 San Quentin, 167
 Santa Ana, 24
 Santa Cruz, 160-61
 Saratoga, 46-47
 Stanford, 59-60, 203
 Watsonville, 179
 California Board of Education, 9
 California Librarians Black Caucus, 151
 California State Polytechnic University, 25-26
 Calitri, Teresa, 108
 Cameron, Paul, 61
 Camosy, Art, 112
 Campbell, Jean, 209
 Campbell, Luther, 7
 Campbell, Teresa, 209
 Canada, 192-94
 Ottawa, 85
 Cannon, Randy, 43
 Capital Educators' Association, 107
 "Capitalism is Dead," 80
 Capps, Heather, 20
 Capriotti, Arlene, 130
 Carlson, Cliff, 209
 Carpinello, George, 83
 Carrillo, Sherry, 122
 Carrithers, Dennis, 196
 Carter, Jimmy, 94-95
 Carton, Marion, 161
 Cash, Mike, 128
 Casillas, Rene, 162
 Cassidy, Michael, 178
 Castell, Ron, 50
 Castillo, John Roy, 57
Catcher in the Rye, The, 15, 103, 129, 189
 Caton, David, 60
 Caywood, Carolyn, 40, 60, 136
 CBS, 96, 101, 198
 "Censorship Pressures on Canadian Libraries," 192-94
 Center for Constitutional Rights, 94
 Center for Disease Control, 114
 Central American Network, 52
 Century II cultural center, 161-62
 "Challenged Books, Blurred Boundaries," 191, 225-29
 Chambers, Rev. Thomas, 49
 Chamorro, Violetta, 81
 Chandler, Arthur, 198
 Channel One, 117
Charlotte Observer, 19
 Chartrand, Geraldine, 46
 Chaucer, Geoffrey, 104
 Chavez, Maria, 29
Cheers, 126
 Cheney, Dick, 33, 96, 101, 104, 147, 160
 Chennell, Penny, 15
 Cher, 159
 Chernesky, Edmond, 162
Chicago Tribune, 93, 101
Chief Events, The, 50
 Child, Barbara, 62
 Child Protection and Obscenity Enforcement Act, 38, 145
 Child Protection Restoration and Penalties Enhancement Act, 145, 183
 "Children in Pain," 80
 Children's Defense Fund, 157
 Chilton, Darlene, 29
 Chinnock, Anna, 29
 Chino, Jorge, 179
Chocolate War, The, 12, 13, 44
 Christensen, Ann, 152
 Christensen, F. M., 106, 134
 Christian Coalition, 175
 Christian Life Commission, 73
 Christian Worship Assembly, 113
Christine, 12
 Christofer, Michael, 196

"Chronicles of Narnia" series, 28
 Chrysler Corporation, 78
 Cincinnati Bell, 208
 Cincinnati Contemporary Arts Center, 5
 Cissell, Heidi, 153
Citizen magazine, 14, 16-17, 39, 47, 131
 Citizens Against Pornography, 113
 Citizens for Balanced Curriculum, 48
 Citizens for Quality Education, 131
 City College of New York, 203
 Clapp, Patricia, 43
 Clark, Jim, 48
 Clark, Justice Russell G., 119
 Clark, Justice Thomas A., 24
 Clarke, Peter, 77
 Clay, Andrew Dice, 201
 Clay, Edwin S., III, 13
 Cleary, Edward J., 166
 Clements, Gladys, 151
 Cloud, Stan, 101
 CNN, 101, *see* Cable News Network
 Coalition on Government Information, 122
 Coceano, Vicki, 51
 Coffey, Justice John L., 24
 Cohen, Dan, 54, 165, 178
 Cohen, Daniel, 12, 28, 129, 189
 Cohen, Warren, 104
Cohen v. Cowles Media Company, 54
 Cole, David, 72
 Coleman, Melody, 86
 Coleman, Ruth, 178
 Coleman, Thomas, 3
 Collier, James, 130
 Colorado:
 Adams County, 15
 Boulder, 177-78
 Castle Rock, 89
 Colorado Springs, 58
 Denver, 152
 Littleton, 152-53
Columbia Journalism Review, 37
 Comfort, Alex, 12
 Committee for Media Integrity, 199
 Committee in Solidarity with the People of El Salvador, 20
 Conable, Gordon M., 31, 139, 181-84
 Conboy, Justice Kenneth, 203
 Concerned Parents of School Education, 131
 Concerned Women for America, 175
 Conley, Shannon, 79
 Connecticut:
 Burlington, 90-91
 Fairfield, 202
 Hartford, 79-80
 Harwinton, 43-44
 New Britain, 155
 Newtown, 11
 Simsbury, 196-97
 Connors, Joyce, 129
 Connerty, Neal, 160-61
 Conrad, Emmett, 1
 Conrad, Pam, 178
 Conroy, Pat, 130
 Conroy, William, 162
 Consumer Product Safety Commission, 105
 Cooke, Lee, 79
 Cooksey, Lynn, 79
 Cooley, David, 75
 Cooper, Abraham, 51
 Cooper, Christine, 80
 Cormier, Robert, 12, 13, 44, 62, 90
 Cornog, Martha, 105-106
Cougarosity, The, 48
 Court decisions:
 academic freedom
 Birmingham, Alabama, 118
 access to information
 Albany, New York, 83
 broadcasting
 San Quentin, California, 167

Washington, D.C., 118-19
church and state
 San Francisco, California, 167-68
 Chicago, Illinois, 24
 Ottawa, Illinois, 168
commercial speech
 New York, New York, 84
copyright
 New York, New York, 121
dial-a-porn
 New York, New York, 166-67
etc.
 Detroit, Michigan, 57
 Newark, New Jersey, 57
evolution and creation
 New Lenox, Illinois, 55-56
foreign
 Ottawa, Canada, 85
freedom of information
 New York, New York, 23-24
government employees
 Washington, D.C., 84
Ku Klux Klan
 Atlanta, Georgia, 84-85
libel
 San Francisco, California, 54-55
 Santa Ana, California, 24
 Albany, New York, 55
 New York, New York, 120
libraries
 Morristown, New Jersey, 116
minors' access
 Atlanta, Georgia, 56
newspapers
 Providence, Rhode Island, 168
obscenity
 Winona, Minnesota, 168
press and privacy
 Kansas City, Missouri, 119
prior restraint
 Miami, Florida, 23
public forums
 New York, New York, 121-22
recording
 Lake Charles, Louisiana, 57
schools
 Raleigh, North Carolina, 117
sexual harassment
 Jacksonville, Florida, 83-84
shield law
 Trenton, New Jersey, 119-20
"Son of Sam" law
 Albany, New York, 121
student press
 Woodbury, New Jersey, 118
television
 Atlanta, Georgia, 24
video
 Kansas City, Missouri, 167
war coverage
 New York, New York, 116-17
Cown, Ron 112
Cox Newspapers, 93, 95, 101
Coyle, J. W., 181
Crabtree, Charlotte, 9
Crain, Larry, 60
Crain, Robert Eugene, 26
Crane, Philip, 3
Creative Living, 14
Crocket, Mark, 154
Cronkite, Walter, 94
Crosby, Margaret, 205
Cross, Rick, 131
Cruz, Veronica, 86
Cummings, Ann, 162
Currie, Jim, 133
Curses, Hexes, and Spells, 12, 28, 178, 189
Curtis, John, 199
Czerwicz, Nancy, 28, 103, 209

D

Dahl, Roald, 42, 108, 189
Daily Campus (Southern Methodist University), 111-12
Dallas Morning News, 95
Dana, James, 229
Daniels, Frank, III, 19
Daniels, Stephen, 61
Dannemeyer, William E., 175
Davies, Justice John G., 37
Davis, David, 199
Davis, Julie, 37
Davis, Levi, 22
Davis, Ossie, 4
Davis, Paul, 153
Davis, Robert W., 174
Davis, Will, 27
Davis Kidd Booksellers v. McWherter, 38
Dawson, Steve, 89
Day No Pigs Would Die, A, 44, 90
Day They Came to America, The, 18
Day They Came to Arrest the Book, The, 154
De Clements, Barthes, 89
DeCoster, Steven C., 166
DeJulio, Robert, 153
Delaware:
 Dover, 42-43, 107-108
Dellinger, Walter, 115
DeMann, Freddie, 51
Demcho, Dennis, 48
Deming Center for the Arts, 21
Denison, Justice Neil, 52
Dennis, Evie, 152
Dennis, Patricia, 181
Dershowitz, Alan, 198
Desert Gazette, 133
Desilets, Brien, 118
Detroit Free Press, 96
Developing Responsible Relationships, 45
Devil Did It, The, 12
Dewhurst, Colleen, 4
DiBona, Alan, 54
Dice Man Rules, 201
Dickson, Brian, 85
DiConcini, Dennis, 125
Dijols, Pedro, 7
Dill, Joe, 130
DiPasquale, Anthony, 49
Diridon, Rod, 89
Disappearing Acts, 120
Divine, Kannah Fay, 11
Dixon, Patsy, 42
Dizikes, Marilyn J., 113
Dobson, Dr. James, 14, 16, 39
Doctorow, E. L., 33, 94, 117
Donehoo, Lynne, 16
Dowling, Susan, 200
Down By Law, 200
Doyle, Kelly, 162
Dreyer, John R., 159
Driggs, John, 151, 177
Drummond, Lewis, 107
D'Souza, Frances D., 10, 74
Dubuffet, Jean, 202
Duffield, Jane Ann, 179
Duggan, Ervin, 105
Duke, David, 49
Dukes, Shirley, 86
Dull-A-Vision, 79
Dundson, David, 179
"Dungeons and Dragons," 152-53
Durang, Christopher, 4
Durlinger, Norman, 127
Dyas, Eileen, 110

E

"Eadward Muybridge and Contemporary American Photography," 180

Eagle Forum, 14
"Earth Factory Art & Performance Show, The," 21
East of Eden, 130
Eckstein, Anthony, 5, 6
E-C Records, 8
Edelman, Marian Wright, 157
Edington, Robert, 76, 132
Educational Congress of California, 36
Education in Sexuality, 197
Edwards, Don, 122
Edwards, Justice Harry, 88
Efil4zaggin, 201
Ehrenberg, Kurt, 52
El Andar, 179
"Elektra: Summambulist Bride," 156
Ellis, Bret Easton, 63, 195
Ellis, Fred, 196
Ellisor, Randy, 159
El Salvador, 19-20
Encyclopedia of Mushrooms, The, 205
England, *see* Britain
 London, 52
Engle, Madeline C., 153
Ennis, Bruce, 53, 146
Enrico, Richard J., 113
Environmental Protection Agency, 202
Episcopal Peace Fellowship, 111
Epstein, Kitty Kelly, 196
Equus, 6
Eskenazi, Gerald, 25
"Espiritu de El Salvador-The Spirit of El Salvador," 179
Etc., 157
Ethics Reform Act, 84
Evans, Liz, 48
Evans, Rowland, 72
Everett, Billie, 161
Everything You Need to Know About Sexual Abuse, 154
"Evolution Goes in the Books," 1, 27
EXCEL 25, 131
Excellence in Children's Education Literature, 91
Exposing the AIDS Scandal, 61
"Extravision," 81

F

"Factor of Abortion, A," 20
Fade, 13, 62
Fager, Rev. Jeff, 51
Fairfield Daily Ledger, 127
Fair Housing Act, 84
Fairness and Accuracy in Reporting, 94
Falk, Ruth, 12
Fallen Angels, 45
Fallinger, David, 81
Fallon, Barbara, 80
Falls, Robert, 4
Families: A Celebration of Diversity, Commitment and Love, 61
Family Concerns, 16
Family Council, 154, 195
Family Education Rights and Privacy Act, Buckley Amendment to, 58
Faude, Wilson, 79, 80
FBI, *see* Federal Bureau of Investigation
FCC, *see* Federal Communications Commission
"Fear No Art," 21
Fears, William E., 88
Fedalen, Nina, 43
Federal Aviation Administration, 105
Federal Bureau of Alcohol, Tobacco, and Firearms, 202
Federal Bureau of Investigation, 59, 104, 146
Federal Communications Commission, 59, 88, 104-105, 119, 205

Fein, Bruce, 4
 Fenneman, Cynthia, 159
 Fensch, Charles, 112
Figure in the Shadows, The 11
Financial Times, 96
Finding My Way, 179
 Finley, Karen, 4, 72, 206
 Finley, William W., 154
 Finn, Stephen, 151, 177
First Amendment, Democracy and Romance, The, 194
 Fischetti, James, 75
 Fisk, Robert, 96
 Flanders, Jeffrey, 77
 Flanigan, Patricia, 195
 FLARE-Family Life America Responsible Education Under God, Inc., 26
 Fleck, John, 4, 72, 206
 Fleming, Bill, 18
 Florida:
 Bradford County, 103
 Charlotte Harbor, 108
 Clay County, 103
 Columbia County, 104
 Duval County, 103
 Gainesville, 129
 Green Cove Springs, 15-16
 Hollywood, 108
 Jacksonville, 83-84
 Miami, 23, 59
 Miramar, 51, 86-87
 Palm Beach, 126-27
 Putnam County, 104
 Sanford, 197
 Stuart, 161
 Tampa, 20-21, 50, 58, 60
 Focus on the Family, 14, 16, 39, 47, 131
 Foglia, Ed, 36
 Folineo, Doris, 156
 Ford, Arthur "Junior," 128
 Ford, Sarah, 112, 158
 Fordham University, 157-58
 Forrest, Katherine, 209
 Foster, Chris, 108, 109
 Foster, Frances Smith, 126
 Foster Parents Plan, 126
 Fox, Mem, 153
 Francis, Justice Robert E., 118
 Francl, Terry, 91
 Frankenthaler, Helen, 207
 Franklin, Anson, 14-15, 91, 131
 Fredericks, Rev. Barry, 11
 Free Congress Foundation, 164
 Freedom of Information Law, New York State, 23
Freedom to Publish, The, 134-35
 Freedom to Read Foundation, 38-39, 87, 145-47, 169, 187, 211-14
 Freeman, Charles, 8
Freeman v. State of Florida, 146
 French Quarter Cafe, 113
 Freudenberg, Nick, 114
 Friedman, Steve, 97
 Frohnmayer, John, 3, 37, 72-73, 175, 206
 Frye, Justice Henry E., 117
 "F_____ the Police," 201
 Fuller, Susan, 89

G

Gabler, Mel, 1, 27
 Gabler, Norma, 1
 Gallant, Barbara, 129
 Galloway, Gayle, 16
 Garber, Darla, 27
 Gardner, John, 92
 Garsow, David, 8
 Gasteyer, Lois, 103, 209

Gates, Henry Louis, Jr., 8
Gauntlet, 136
 premier issue, 1990, 41, 60
 Gay and Lesbian History Month, 151
 Gay and Lesbian Military Freedom Project, 160
 Gay and Lesbian United Employees, 151, 152
 Gays United to Attack Repression, 51
 Geary, Wayne, 46
 Geer, James, 146
 Geesey, Joseph, 160
 Geiger, Debbie, 76
 Genovese, Krista, 155
 George, Jean Craighead, 191, 225-29
 George Mason University, 204
 Georgia, 131
 Atlanta, 16, 21, 24, 56, 84-85, 175
 Georgia Environment Project, 21
Georgia v. Miller, 84
 Germantown Community Theater, 26
 Getler, Michael, 33
 Giannini, Chuck, 42
 Gibbs, Diann, 92
 Gildo, Robert, 197
 Gill, Kevin, 159
 Gillum, Ted, 156, 157
Girls and Sex, 75
 Gladchuk, Chet, 159
 Glasberg, Victor, 204
 Glass, Andrew, 33
 Glass Stephanie, 147
 Glassberg, Brian, 110
 Glickman, Dan, 59
Globe, The, 126-27
Glory, 107-108
 Gmitro, Henry, 91
 GMP Publishers U.K., 211
 Godawa, Lorrrie, 91
 Goldstein Bird, 49-50
Gone With the Wind, 13
 Gonzales, Ron, 89
 Gonzales, Roberto O., 109
 Goodman, Mark, 38, 58, 118, 157
 Goodridge, Al, 177
 Gorbachev, Mikhail, 52
 Gordimer, Nadine, 74
 Gordon, Elizabeth, 75
 Gore, Tipper, 207
 Gorton, Slade, 161
 Gostelradio, 52
 Grace, Della, 211
 Gralapp, Marcelee, 178
 Grant, John, 199
Grapes of Wrath, The, 15, 130
 Gray, Jeffrey, 157, 158
 Gray, Lacei, 156
 Gray, Patsy, 156
 Gray, Spalding, 4
 Greater Hartford Architecture Conservancy, 80
Greater Tuna, 129
 Green, Bette, 90
 Green, Charlene, 49
 Greenberg, Murray I., 113
 Greene, Justice Harold H., 203
Grendel, 92
 Grenko, Suellen, 15
 Grier, Terry, 18
 Grimm Brothers, 103
 Grissom, Fred, 107
 Groat, Pamela, 12
 Gruber, Nancy, 41
Guardian, The, 33, 94, 116
Guess What?, 153
 Guest, Judith, 130
 Gugliotta, Guy, 93, 95
 Gulley, Rose-Marie, 195
 Gumas, Lynn, 62
 Gundlach, Scott, 54

"Gymnastics for the George Bush Regime," 21

H

Haase, Robin, 197
 Hackworth, Col. David, 147
 Hagan, John, 157
 Haile, John, 127
Hair, 79
 Halaby, Samia, 21
 Hall, Debbie, 14
 Hall, Maud, 16-17
Halloween ABC, 178
 Hamilton, Gary, 110
 Hamilton, William, 210
 Hamlin, Liz, 43
 Hammill, Connie, 46-47
 Hamons, Juanita, 47
 Hancock, Justice Stewart F., Jr., 55
Handmaid's Tale, The, 15
 Harcourt Brace Jovanovich, 14, 39, 47, 91, 107, 131
 Harden, Jim, 58
 Hardison, James, 54
 Hardy, Boys, 177-78
 Harer, John B., 134-35
 Harington, Donald, 151
 Harnagel, John, 129
 Harper & Row, 121
 Harper Collins, 121
Harper's, 33, 94, 116
 Harrelson, Woody, 126
 Harrington, Donald, 177
 Harris, Dave, 42
 Harris, Jean, 121
 Harris, John, 48
 Harris, Luke, 75-76
 Harris, Robert Alton, 167
 Harris, Steve, 78
 Hartman, Paul, 51
 Harvest Records, 57
 Harvey, Edmund J., 76-77, 132
Hastings Law News, The, 19
 Hatch Orrin, 3
 Hatfield, Jay, 21
 Hawley, Mary, 11
 Hayes, Hugh, 45
 Hayes, Robert, 17
 Haynes, Todd, 73
Headless, Cupid, The, 155-56
 Healy, Bernadine, 175
 Hearst, William Randolph, III, 77
 Hearst Newspapers, 101
Hearts and Minds, 45
 Hedges, Chris, 93, 96
 Hefner First Amendment Awards, Hugh M., 229
 Hegarty, Irene, 155
 Heileman Brewing Company, G., 202
 Heinke, Rex S., 165
 Heins, Marjorie, 200
 Helm, Nancy, 160
 Helms, Jesse, 3, 4, 19, 88, 114, 119, 166
 Helms, Julia
 Helms Amendment, 166
 Henderson, Jim, 58
 Henley, David C., 25-26
 Henry, Randa, 47
 Henry, Tracy, 58
 Hentoff, Nat, 18, 154
 Hern, Elsa, 132
 Herndon, Leon W., 111
 Hervas, Charles E., 56
 Hess, Robert, 14
 Hewitt, Kathryn, 153
 Hiebert, Rhonda J., 41, 150
 Hilferty, Robert, 199

Hill, Henry, 82
Hill, Justice James C., 56
Hilton, Justice Claude M., 204
Hinckle, Warren, 77-78
Hines, Craig, 93
Hinesley, Howard, 58
Hoever, Justice William M., 23
Hoffman, Fred S., 94
Hogwild Records and Tapes, 92
Holding Me Here, 178
Hom, Ken, 90
Homer, Phil, 108
Honda, Michael, 89
Honkisz, Robert, 103, 209
Hoover, Mary, 154-55
Hoover, Robert, 47
Horace Mann School, 111
Horn, Zoia, 41
Horrock, Nicholas M., 93
Houghton Mifflin, 9, 154-55
Houston, George, 58
How to Eat Fried Worms, 153, 189
Hoylan, Margo, 21
Hoyt, Clark, 101
Huddleston, Charlotte, 92
Hudson, Mike, 1
Hughes, Holly, 4, 72, 206
Hughes, Langston, 151-52
Hughes, Mike, 198
Hunter, James, 104
Hunter, Nan, 72
Hunter, Rev. Ron, 47
Hurricane Watch, 49
Huspeni, Justice Doris, 168
Hwang, David Henry, 4
Hyten, William, 76

Iaococca, Lee, 78

Ida and the Wool Smugglers, 178

Idaho:

Boise, 47

Ketchum, 108-109

"IFC Report to ALA Council," 31, 63-66,
139, 181-84

"If I Could Hold Back Time," 159

Illinois:

Arlington Heights, 131

Barrington, 29, 91

Bremen Township, 207

Calumet Park, 86

Chicago, 47

Dakota, 89

DeKalb, 86

Downers Grove, 61

LaGrange, 80

Lake Villa, 129-30

Libertyville, 153

Morton, 127

New Lenox, 55-56

Niles, 59

Oak Lawn, 28, 103, 209

Ottawa, 168

Troy, 75-76

Wheaton, 16-17, 131-32, 197

Winfield, 61

Immigration and Naturalization Service, 105

Immroth Memorial Award for Intellectual

Freedom, John Phillip, 122

Imp in the Basket, The, 130

Impressions reading series, 14-15, 16-17, 29,

36, 39, 46-48, 76-77, 91-92, 107, 109,

131-33, 178-79, 189, 197

Independent, The, 96

Indiana:

Fort Wayne, 48-49

Indianapolis, 105

LaPaz, 153

South Bend, 128, 159

Warsaw, 76

West Lebanon, 49

Indiana Alcohol Beverage Commission, 128

Indian River Community College, 161

Indonesia:

Jakarta, 114

In Flight, 55

*Influence: How Organized Crime Influences
Professional Football*, 25

Information Freedom and Censorship:

World Report 1991, 74, 149

In Re R.A.V., 146-47

Insel, Larry, 108

Inskeep, Kenneth, 153

Intellectual Freedom Committee, 31, 63-66,
139, 169-71, 181-84

*Intellectual Suppression: Australian Case
Histories, Analysis and Responses*, 149-50

Interfax, 52

International Periodical Distributors
Association, 125

"In the Heat," 90

In These Times, 33, 94, 116

In the Spirit of Crazy Horse, 55

Intimacy Between Men, 151, 177

Into the Woods, 202

Iowa:

Fairfield, 127

Johnson County, 114

Sioux City, 26-27

Iraq, 10

I Remember Valentine, 43

Irwin, Richard D., 121

Issues and Answers, 58

Ivins, Melody, 12

J. Roderick MacArthur Foundation, 59

Jackson, Justice Thomas Penfield, 84

Jacksonville Shipyards, Inc., 83-84

James, Carol, 28, 103

James, Jean, 153

James and the Giant Peach, 108

James Madison Award, 122

Janklow, William J., 55

Jarmusch, Jim, 200

Jean, Amy, 158

Jefferson County Right to Life group, 127

Jeffries, Leonard, 203

Jehl, Douglas, 96

Jeness, Aylette, 61

Jensen, Carl, 71

Jeschke, Susan, 12

"Jesus Was a Punk!," 108

Jimenez, Tony, 92-93

Jipping, Thomas, 164

Jividen, Peggy M., 108

Jogging, 103

Johnson, Andrea, 45

Johnson, Bill, 130

Johnson, Bob, 206

Johnson, Eugene, 112

Johnson, Michael, 62

Johnson, Pamela, 62

Johnson, Tom, 23

Johnson, Wanda, 152

John Wiley & Sons, 121

Jonas, Ann, 153

Jones, Barbara M., 106, 134

Jones, Ed, 18

Jones, James, 5

Jones, James Earl, 4

Jones, Kristi, 58

Jordan, June, 12

Joseph, Burton, 78, 87

Joseph Burkey v. Quest International, 146

Joyce, James, 15

Joy of Lesbian Sex, The, 12

Joy of Sex, The, 12

Julia and Julia, 200

Jung, Kim Dae, 59

Junior Great Books Reading Program, 75-76

Justify My Love, 51

J. Walter Thompson USA, 200

K

KABC, 20

Kallemeyn, Pieter, 89

Kalyani, Nik, 49

Kane, Doug, 79

Kansas:

Wichita, 79, 161-62

Karl, Barbara, 91

Karst, Kenneth L., 6

Kassebaum, Nancy, 3

Kaye, Justice Judith S., 55

KCET, 199

Keck, Daniel B., 131

Keegan, Ken, 15

Keegstra, Jim, 85

Kehoe, Michael, 11

Keich, Kevin, 112

Kellerman, Faye, 151

Kelly, Tom, 33

Kendall, Joan, 14

Kendell, Rich, 92

Kennedy, Justice Anthony M., 99, 163, 164,
165, 166

Kennedy, Donald, 60

Kennedy, Edward M., 3

Kennedy, John, 127

Kennedy, Joy, 28

Kentucky:

Owensboro, 50-51

Kentucky Wesleyan College, 50-51

Kenya:

Nairobi, 22

Kernan, Mary, 75

Kerski, Michael, 80

Kesey, Ken, 108

Kessler, Larry, 159

Kesting, Bob, 108-109

Khameini, Ayatollah Ali, 37

Kidd, Thelma, 87-88

Kidder, Margot, 126

Kids' Book of Questions, The, 18, 154

"Kids Have Rights, Too," 190, 214-25

*Kids Having Kids: The Unwed Teenage
Parent*, 28

Kifner, John, 93

Kiger, Gary, 49

Kilcrease, Irvin, 87

Kimble, Byron, 127

Kincaid, Kasey, 127

King, Carolyn S., 111

King, John, 93

King, Mary, 201

King, Stephen, 12

Kinko's Graphics Corporation, 121

Kinney, Mary Frances, 17

Kinney, Patsy, 129

Kirtley, Jane, 23, 74, 104

Kitchens, Carolyn, 129

Kitty Kat Lounge, 163, 164

Kitzinger, Sheila, 209

Klare, Michael, 33, 94, 116

Klein, Norma, 43, 129

Klein, Kevin, 4

Knight, Anne, 209

Knott, Kerry, 73

Knowles, Alice, 131

Knowles, John, 76

Kohn, Robert, 190, 214-20

Kokopelli, 21
 Kopp, Quentin, 77
 Korbut, Olga, 13
 Korcorns, Justice Charles, 53
 Kornfeld, Nat, 160
 Kostmayer, Peter, 180
 Kotler, Jonathan, 127
 Kovacs, Joseph, 110
 Kovic, Ron, 52
 Kowalewski, Ron, 156
 KQED, 167
 Kramer, Mike, 131
 Kravitch, Justice Phyllis A., 56
 Kreimer, Richard R., 116
Kreimer v. Morristown, 146, 169-71, 182-83, 187, 211-14
 Kreiser, Robert, 126
 Kropp, Arthur J., 189
 Krug, Judith F., 148, 172, 175-76
 Kruger, Wendy, 48, 49
 Kudler, Justin, 19
 "Kudzu" comics, 19
 Kuebler, John, 18
 Ku Klux Klan, 84-85
 Kupferman, Theodore R., 9, 135-36
 Kurry, Kristin, 156
 Kuwait, 202
 Kuwait City, 202

L

L.A. Weekly, 33
 Lacavo, Danilo, 81
 Ladeau, Bruce, 49-50
 LaGuardia Community College, 210
 Lambersten, Terri, 127
La Prensa, 81
 "La Primerisima," 81
 Laracy, Frederick J., 198
 Lardis, Jack, 202
 Larkins, Rev. Donovan, 22
Last Temptation of Christ, The, 50
 "La Toilette," 161
 Latshaw, Patricia H., 135-36
Laugh Lines, 42
 Law, Cardinal Bernard F., 109, 159
 Law, Jim, 158
L.A. Weekly, The, 94, 116
 League of American Theaters and Producers, 126
 Lear, Norman, 200
 Lee, Tommy, 26
 Legal Action Center for the Homeless, 53
 Legmon, Gershon, 209
 Leis, Simon, 6
Lemon v. Kurtzman, 167-68
 LeMoyné, James, 96
 L'Engle, Madeleine, 62, 189
 Leo Burnett USA, 200
 Lepre, Gennaro, 110
Lettice and Lovage, 126
 Levin, Michael, 203
 Lewis, C. S., 28
 LeWitt, Sol, 180
 Lewitzky, Bella, 229
 Libel Defense Resource Center, 207-208
Libraries, Erotica & Pornography, 105-106
Library Bill of Rights, Interpretations, 141-44
 Licht, Renee, 205
Lightning Bug, 151, 177
 "Like a Virgin," 159
Limerick: 1,700 Examples With Notes, Variants and Index, The, 209
 Lindblom, Lance, 59
 Lines, Arnett C., 29
 Links, Robert, 55
 Linthicum, Richard, 108

Lion, the Witch and the Wardrobe, The, 28
 Littlefield, Warren, 112
Little Green, The, 19
Little Red Riding Hood, 103
Living Room, 12
 Lloyd, Kathleen, 111
 Lockwood, Jason, 156
 Lodice, Rose, 202
 Loeffel, Marilyn, 26
 Lofgren, Zoe, 89
 Lofquist, William, 10
London Times, 96
 Lonis, Walter, 107
 Lord, David, 152
 Lorimar Television, 112
Los Angeles Times, 63, 96, 101
Lost Boys, 154
 Louisiana:
 Lake Charles, 57
 New Orleans, 49
Love Bites, 211
Love Letters, 126
 Lubavitch Chabad House, 24
 Lucas, Craig, 4
 Ludwig, John, 4-5
Lu Lu and the Witch Baby, 89
Lysistrata, 104

M

McArthur, John R., 94
 McCaughey, Patrick, 155
 McConnell, Michael, 173
 McCoy, Kathy, 17
 McDaniel, Larry, 26
 McDonald, Frances, 220-23
 McGraw-Hill, 121
 McIntyre, Dennis, 54
 McKenna, Dianne, 89
 McKeown, Bob, 97
 McKinven, Mary Jane, 199
 McLachlin, Justice Beverly, 85
 McLamore, Gertrude, 7
 McLeon, Eugene, 107
 McMillan, Terry, 120
 McNally, Edward, 21
 Maceri, Peter, 51
 MacQuigg, Georganna, 197
 Madonna, 51, 159
 Mahdi, Akil, 22
 Maine:
 Gardiner, 109
 Hiram, 162
 Malcolm, Janet, 54, 164
 "Male Nude," 113
 Malik, Hassan Abdul, 22
 Malley, Anne, 91
 Manwell, Clyde, 149-50
Many Waters, 153
 Mapplethorpe, Robert, 3, 5-6
 Maraby, Lynda, 50
 Marcussen, Kristin, 49
 Marlette, Doug, 19
 Marquez, Gabriel Garcia, 18
Married and Single, 14
 Marshall, Justice Thurgood, 99, 115, 163, 164, 165, 166, 171-72
 Martenson, Susan, 12
 Martin, Brian, 149-50
 Martin, Craig, 77
 Martino, Alex, 55-56
 Martone, Edward, 110
 "Mary Had a Little Habit," 201
 Maryland:
 Anne Arundel, 210
 Arnold, 80
 Baltimore, 207
 Bowie, 157

College Park, 88
 Howard County, 11-12, 28, 178
 Silver Spring, 43
 Waldorf, 129, 155-56
 Massachusetts:
 Boston, 159, 201, 210-11, 211
 Hudson, 109
 Kingston, 44-45
 Pembroke, 17
 Quincy, 198
 Masson, Jeffrey M., 54, 164-65
Masson v. New Yorker Magazine, 54
 Mast, Coleen Kelly, 173
 Masters, Michael, 157
Matrix, 42
 Matthews, Deborah, 194
 Matthews, Robert, 54
Matthews v. DiBona, 54
 Matthiesen, Peter, 55
 Mattox, Jim, 27
 Mayfield, Tom, 21
 Mbah, P. Delores, 207
 Meacham, Standish, 126
 Medeiros, Anita, 19
 Medin, Alice, 151, 177
 Mehdi, Mohammed, 37
 Mehta, Sonny, 63
 Melicharek, Milan, 80-81
 Melton, Justice Howell, 83
 Menke, Darrell, 45
 Mergler, Howard, 110
 Merki, Mary Bronson, 45
 Merrett, Christopher, 122
 Merriam, Eve, 178
 Meyer, Justice Andrew Gill, 210, 211
 Meyers, Cindy, 78
 Mezibov, Marc, 6
Miami Herald, 95, 127
 Michigan:
 Ann Arbor, 21
 Baldwin, 12
 Detroit, 57, 78
 Kalamazoo, 49
 Livonia, 62
 Pontiac, 156
 Michigan Council for the Arts, 21
 Michigan Model Program for Comprehensive School Health Education, 189
 Mikva, Justice Abner, 88
 Miles, Thomas, 49
Milk and Honey, 151
 Miller, Arthur, 4
 Miller, Jodi, 89-90
 Miller, Randy, 89-90
 Miller, Tim, 4, 72, 206
Miller's Tale, 104
 Millet, Kate, 63
 Million Dollar Masters Mimics Show, 161
 Minberg, Elliott, 47
 Miner, Justice Roger J., 82, 166
Minneapolis Star-Tribune, 54, 165
 Minnesota:
 St. Paul, 84
 Winona, 168
 Minnie, Ida Belle, 110
 Minnifield, Charlie, 90
Miranda and Brother Winn, 129
 Mischen, Bettye, 18, 45
 Mississippi, 131
 Tupelo, 200
 Missouri:
 Carthage, 195
 Kansas City, 119, 167
 Mitchell, Tamara, 130
 Mitroff, Donald, 131
 Mobley, Karen, 62
 Modern Language Association, 126
 Moi, Daniel Arap, 22
 Moldea, Dan, 25

"Momart," 209
 Monaco, Frank, 51
 Monan, Rev. J. Donald, 159
Monologues: Women II, 15
 Montana:
 Livingston, 12
 Montclair State College, 49
Montclarion, 49
 Montford, James, 79, 80
 Moore, Jimmy, 26
 Moore, Robin, 153
 Morello, Carol, 94
 Morgan, Candice, 39-40
 Morgan, Carolyn, 45
 Morgan, Catherine, 11
 Morrow Publishers, William, 121
Mother Jones, 33, 94, 116, 153, 154, 195
 Motion Picture Association of America, 50, 82, 88
 Motley, Justice Constance Baker, 121
 Motley Crue, 26
 Moyer, Jennifer, 37
 Moyer, Larry, 55
 MPAA, *see* Motion Picture Association of America
 MTV, 159-60
 Mulkerrin, Martin S., 131
 Muller, Linda, 61
 Mullins, Norman, 130
 Mullins, Raymond, 57
 Munroe, Mary Jeanne, 133
 Murphy, Charlotte, 72, 173
 Murphy, Harriet, 103
 "Mutazoids," 152-53
 "Muybridge I," 180
My Brother Sam is Dead, 130
My Friend Flicka, 15-16, 103

N

NAACP, *see* National Association for the Advancement of Colored People
Nairobi Law Monthly, 22
 Nakabayashi, David, 21
 Nancy Drew, 177-78
 Natalia, Tullia, 113
 Nathan, Deborah, 229
Nation, The, 33, 94, 116
 National Association for the Advancement of Colored People, 57, 90
 National Association of Artists Organizations, 72, 125, 173
 National Association of Broadcasters, 88
 National Black Gay and Lesbian Leadership Forum, 151, 152
 National Campaign for Freedom of Expression, 125
 National Campaign for Freedom of Expression Legal Defense Team, 4
 National Center for Science Education, 127
 National Coalition Against Censorship, 132
 National Council on the Arts, 37, 206
 National Endowment for the Arts, 3-5, 36-37, 72-73, 125, 175, 180, 200, 206-207
 National Heart, Lung and Blood Institute, 59
 National Institutes of Health, 175, 203
 National Organization for Women, 63
 National Public Radio, 95
 National Security Archive, 146
 National Society of Newspaper Editors, 122
 National Transportation Safety Board, 105
Navy Times, 160
 NBC, 101, 112, 127, 198
 Nebraska:
 Beaver City, 109-10
 Elkhorn, 109-10
 Needed Change, A, 77
 Neighbor to Neighbor, 20

Neill, Mary Gardner, 180
 Nelson, Jack, 36
 Nemes, Dennis, 81
 Nevada:
 Las Vegas, 204
 New Hampshire:
 Durham, 159
 Manchester, 19, 52
 Newhouse, Samuel, Jr., 63
 New Jersey:
 Metuchen, 110
 Montclair, 49
 Morristown, 116, 146, 169-71, 187, 211-14
 Newark, 57
 Woodbury, 118
 New Jersey Constitution, 118
 Newman, Justice Jon O., 82
 Newman, Robert, 208
 New Mexico:
 Albuquerque, 17
 Deming, 21
 Las Cruces, 162
 Santa Fe, 29
 New Mexico State University Art Gallery, 162
Newport Daily News, 168
 Newport Harbor Art Museum, 37
Newsweek, 96, 101, 151
New Teenage Body Book, The, 17, 44
 Newton, Robert, 90
 New York, 99
 Albany, 55, 83, 121
 Bronx, 157-58
 Central Islip, 75
 Lakewood, 76-77, 132
 Lisbon, 75
 Long Island City, 210
 New York, 19-20, 23-24, 25, 84, 99, 111, 116-17, 120, 121-22, 126, 166-67, 198-99, 203, 207-208
 New York City Transit Authority, 53
New Yorker, 54, 164
 New York State Department of Buildings, 24
New York Times, 25, 63, 69, 93, 96, 101, 127
New York v. Sullivan, 38
 "Nexus of Existence," 21
 Nicaragua:
 Managua, 81
 Nichols, Fred, 159
Niggas4Life, 201
 "Nightmarish Textbooks Await Your Kids," 131
 "Nights for New Films," 199
 Noble, David, 162
 Noble, Gary, 114
 Noble, William, 39-40
No Place for Me, 89
Norman, Is That You?, 51
 North Carolina, 131
 Chapel Hill, 12
 Hickory, 201
 Raleigh, 19, 111, 117
 Wake Forest, 107
 Norwood, James, 43
 Novak, John, 110
 Novak, Robert, 72
 Nuclear Regulatory Commission, 105
 N.W.A., 201

O

Oates, Joyce Carol, 61
 Ocepek, Louis, 162
 O'Connell, Rick, 89
 O'Connor, Jane, 89
 O'Conner, Justice Sandra Day, 99, 115, 124, 163, 165

O'Donoghue, Joe, 77
 Offley, Ed, 148
Of Mice and Men, 62, 103, 110, 189
 Ogden, David, 125
 O'Hara, Charles, 79
 O'Hare, Rev. Joseph A., 158
Oh California, 155
 Ohio:
 Amherst, 110
 Bluffton, 45
 Cincinnati, 208
 Dayton, 22
 Firelands, 110
 Hubbard, 153
 Lorain, 110
 Vermillion, 110
 Willard, 47-48
 "Oh, What a Censored War!," 69, 93-97
 O'Keefe, Richard, 83
 Oklahoma:
 Grove, 179
 Oklahoma City, 180-81
 Oliver, Bill, 131
 Oliveria, Brenda, 47
 O'Malley, Joann, 86
One Flew Over the Cuckoo's Nest, 108-109
One Hundred Years of Solitude, 18
 O'Neil, Robert M., 118
 Operation Desert Shield, 33, 147-48
 Operation Desert Storm, 69, 101-102
Orange County Register, 24
 Oregon:
 Lakeview, 209
 Newport, 91-92, 179
 Oregon Department of Education, 122
 Oregon Intellectual Freedom Clearinghouse, 124
 Oregon Library Association Intellectual Freedom Committee, 122
 Oregon State Library, 122
Orlando Sentinel, 127
 Orrick, Justice William H., Jr., 205
 Ott, Elaine, 86-87
 Oyer, Dr. Philip E., 59, 203

P

Pacifica Radio News, 94
 Pacific Grove Library, 42
 Pacific News Service, 33, 94, 116
Pacific Stars and Stripes, 105
 Palmer, Joe, 12
Panther Press, 158
 Parents and Educators for Academic Excellence, 107
 Parents for a Balanced Curriculum, 132
 Parents for Integrity in Education, 129-30
 Parents for Rock and Rap, 207
 Parents Music Resource Center, 207
 Parents of Minority Students Council, 112
 Parish-Pixler, Michele, 25, 46
 Parker, Tom, 14
 Pascal Center Art Gallery, 80
 Paskel, Robert W., 153-54
 Paterson, Katherine, 44
 Patillo, Linda, 148
Patriot Pride, 49
 Patten, Jim, 37
 Patterson, Justice Robert P., 166-67
 Patton, Ron, 207
 Patton, Steven, 130
 Paul, Dan, 60
 Paulsen, Thane, 48, 132
 Pavek, Bryn, 113
Paw Prints, 111
 Payton, Heather, 50
 Pearson, General Linley E., 128
 Peck, Robert, 156-57

Peck, Robert Newton, 44
Peery, Doris, 177
Peery, Ken, 177
Pegase, Clos, 202
Pell, Claiborne, 3
Penguin USA, 120, 121
"Penis Envy," 59
Pennsylvania:
 Allentown, 80-81
 Annville, 130
 Carroll Township, 110
 Erie, 17
 Lancaster, 160
 North Hills, 28-29
 Tyrone, 61-62
Pennsylvania Association of School Retirees,
 17
Penthouse, 78
Penthouse International, 60, 125
People and the Press, 94
People for the American Way, 1, 14, 146,
 164, 189
Perata, Don, 201
Performance Network, 21
Perkins, Lucien, 95
Perlman, Brett, 108
Perot, Ross, 27
Perretta, Emily, 91
Perry, David, 18, 45, 92
Peterson, Kay, 46
Pettigrew, Dorothy, 89
Pettine, Justice Raymond J., 8
Pettit, Robert, 88
Pfizer, 200
Phelps, Joyce, 110
Philadelphia Inquirer, 94, 101
Phillips, Scott, 109
Pierce, Allene, 113
Pigman, 44, 90
Pileggi, Nicholas, 82
Pilot, *The*, 109
Pioneer Press, 118
Pique, Charles, 51
Pissing in the Snow, 151
Pitkoff, Evan, 155
Pittas, Denise, 131
Planned Parenthood, 99, 127, 159, 204
Planned Parenthood of Southern Nevada v.
 Clark County School District, 204
Playboy, 60, 78, 86-87, 180-81, 197-98
Playboy Foundation, 229
Playgirl, 78
Playhouse in the Park, 6
Pocket Books, 120
Pogna, Millie, 29
Pointer, Justice Sam C., Jr., 56
Poison, 73
Polak, Jonathan, 111
Polisar, Barry Louis, 210
Politan, Justice Nicholas H., 57
Polka Dot Playhouse, 202
Poly Post, 26
Pomeroy, Wardell, C., 75
Pons, Lillian, 210
Popadiuk, Roman, 73
Pope Must Die, *The*, 198-99
Pornography: The Other Side, 106, 134
Port St. Lucie Community Center, 161
Potter, Frances, 52
"P.O.V." series, 199-200
Powers, Pamela, 91, 179
Powers, Robert, 207
Powers, Ron, 69
Preer, Jean, 40-41, 149
Prentice, Ann E., 9
Prestice Hall, 121, 127
Pretty Woman, 154
Preventing Teen Pregnancy, 189
Prince, Harold, 4

Pritchett, Daniel W., 107-108
Privacy and Publicity: Readings from
 Communications and the Law, 135-36
Private Function, 200
Procter & Gamble Co., 208
Progressive, *The*, 33, 94, 116
Project Censored, 71-72
Project Respect, 173
Prosecutor's Task Force on Unwed
 Pregnancy, 76
Prospector, 112
Pruett, Martha, 13
Prybylo, David, 114
Public Broadcasting System, 96, 199
Puffer, Dick, 18
Pugh, Cedric, 149-50
Pursell, Carl, 21

Q

Quest, 109-10
Quest International, 109, 110, 146, 189

R

Racanelli, Justice John T., 54-55
Ragin v. New York Times, 84
Rakowitz, Cindy, 78
Raleigh, News and Observer, 19
Ram, The (Fordham University), 157, 158
Randolph, Vance, 151
Random House, 63
Rangel, Charles, 104
R.A.V. v. St. Paul, 166
Reagan, Ronald, and Reagan administration,
 133
Reasenber, Ann, 95
Rebel News, *The*, 50
Rebourg, Laurent, 96
Record, *The* (Horace Mann School), 111
Record Industry Association of America, 8
Redden, Gene, 131
Redgrave, Vanessa, 126
Redican, Bill, 197-98
Redmond, Bill, 29
Reeve, Christopher, 4
Rehnquist, Justice William H., 99, 115, 117,
 123, 163, 165
Reid, Bonnie, 61
Reilly, Patrick, 157-58
Reisman, Judith, 5
Renoir, Pierre Auguste, 161
Reporters Committee for Freedom of the
 Press, 23, 73, 104
Resko, Bill, 108, 109
Resnick, Beverly, 7
Resolutions:
 see American Library Association,
 Resolution. . .
Revercomb, Justice George H., 125
Reynolds, Jock, 180
Rhyme Stew, 42-43
Richardson, Elliot, 211
Riggs, Marlon, 199
Right to Know, *The*, Vol 3, 41
Rigs, Marlon, 159
Riley, George, 205
Ripple, Justice Kenneth F., 55, 56
Risher, David Ward, 92, 93
Rizzi, Phil, 156
Robbins, Jerome, 4
Robertson, Pat, 4
Robinson, Carole, 159
Robinson, Lois, 83-84
Rockwell, Thomas, 189
Rodriguez, Joseph, 17
Rodriguez, Shonda, 86

Rogow, Bruce, 7, 8
Rohrabacher, Dana, 3
Rolling Stone, 75, 195
Ross, Mark, 7
Rothenberg, Elliot C., 165-66
Rounds, Glen, 153
Rubino, Frank A., 23
Rushdie, Salman, 37
Russert, Tim, 33
Rustman, Kirk, 91
Rust v. Sullivan, 38
Rux, Marcellus, 200
Ryan, Kathleen, 207
Rymer, Justice, Pamela, 204

S

Saatchi & Saatchi Advertising, 200
"St. Helms Saving U.S. from Us," 112-13
St. Paul Pioneer Press Dispatch, 54, 165
Sakelhide, Deborah, 29
Salinger, J. D., 15, 103, 129, 189
Salisbury, Harrison, 94
Salomon, Steve, 179
Salvatore, Nick, 91
Samuelson, Deb, 90
San Antonio Light, 147
Sand, Justice Leonard B., 53, 94, 101, 116
Sander, Janie, 156
San Diego Community College, 54
San Francisco AIDS Foundation, 114
San Francisco Chronicle, 77-78, 198
Sapan, Joshua, 200
Sari, Patricia, 62
Sarokin, Justice H. Lee, 116, 146, 169-71,
 187
Satanic Verses, *The*, 37
Saudi Arabia, 10, 13
Savage, Joanne, 45-46
Saxe, Justice David B., 23-24
Scales, Pat, 130, 223-25
Scalia, Justice Antonin, 54, 99, 163, 164, 165
Scary Poems for Rotten Kids, 62
Scary Stories to Tell in the Dark, 62
Schanberg, Sydney, 33, 94, 102, 116, 229
Schardt, Arlie W., 59
Scheibel, Jim, 87
Schiff, Ed, 51
Schlotfeldt, Walt, 131
Schmid, Lloyd, 42-43
Schmidt, Justice Calvin P., 24
Scmitt, Eric, 93, 96
Schmucks, 103
Schnacke, Justice Robert H., 167
Schneider, Ellen, 159
Schrader, Alvin M., 192-94
Schuetzenhoefer, Josef, 80
Schultz, Karla, 42
Schuman, Patricia Glass, 174
Schwarzkopf, General Norman, 96
Scientific American, 202
S.C. Johnson & Son, 200
Scott, Eugene C., 127
Scott, Kathy, 46
Scully, Ed, 154
Seamann, Tor, 49
Seattle Post-Intelligencer, 148
Sebek, Donald, 207
Second Heaven, 130
Seidel, Cinci, 91
Seigenthaler, John, 122
Sentry, *The*, 50
Separate Peace, A, 76
Sequoia Books, 53
Sequoia Books, Inc. v. Ingemunson, 53
Seventeen, 153, 154, 195
Sex Respect, 173
Sex Respect program, 44-45

Shadow Box, The, 196-97
Shapiro, Steven, 164
Shaw, Carol, 131
Shawcross, William, 74
Shawn, William, 165
Shea, Justice Thomas, 57
Sheets, James A., 198
Sheppard, Ray, 155
Sherman, Dade, 107
Sherman, Ed, 157
Shiffren, Steven H., 194
Shilgalis, Erica, 50
Shining, The, 12
Shoob, Justice Marvin H., 56
Short, Richard R., 132
Shrem, Jan, 202
Shubert Organization, 126
Siegel, Franklin, 229
Sierra Community College, 113
Sigler, E. A., 157
Silver, Ron, 4
Sim, Solomon, 12
Simmons, John, 104
Simon, Paul, 59, 146
Simon & Schuster, 63, 82, 120
Simons, Justice Richard D., 55, 121
Simonton, Ann, 160
Simon Wiesenthal Center, 51
Simpson, Alan K., 96
Simpson, William, 201
Sirkin, H. Louis, 6, 7
Sirois, Barbara, 109
Sisters, 112
Sitton, Pam, 179
Slocum, Clyde, 29
Sluser, Linda, 61
Smith, Elizabeth Martinez, 151, 152
Smith, Jerry, 88
Smith, Jim, 73
Smith, Larry, 50
Smith, William Kennedy, 126-27
Smith-Olson, Deborah, 12
Smithsonian Institution, National Museum of American Art, 161, 180
Snyder, Phillip, 75
Snyder, Zilpha Keatley, 155-56
Social Issues Resources Series, Inc., 122
Social Studies (Houghton Mifflin), 9
Solomon, Norman, 102
Solo Performance Theater, 206
Sondheim, Stephen, 4
Son of Sam and Delilah, 199
Sorenson, Jon, 132
Souter, Justice David H., 99, 163, 165
South Carolina:
 Darlington, 18
 Greenville, 130
South Dakota:
 Box Elder, 48
 Sioux Falls, 132-33
Southeastern Baptist Theological Seminary, 107
Souther, Tom, 156
Southern Arizona Clay Artists, 113
Southern Baptist Convention, 73, 175
Southern Fried Rat and Other Gruesome Tales, 129
Southern Methodist University, 111-12
Southwest Missouri State University, 119
Southwest Recovery Organization, 21
Southwest Standard, 58
Soviet Union:
 Moscow, 52
 Walding, Jan, 47
 Split Second, 54
Spodek, Justice Jules L., 120
Sporkin, Justice Stanley, 125
Sprunger, Joseph, 110
Spurlock, Scott, 79

Stacey, Charles, 110
Stackhouse, Jerry, 47
Stage Brat, 28
Stallings, Moody E., Jr., 88
Stanford University, 59-60, 203
Stanko, John, 196
Stars and Stripes, 93
Steele, LaVoneia C., 155
Steinbach, Sheldon E., 204
Steinbeck, John, 15, 42, 62, 103, 110, 130, 189
Steinem, Gloria, 63
Stevens, Justice John Paul, 54, 99, 115
Stevens, Ted, 161
Stidham, Gene, 15
Sting, 200
Stock, Gregory, 18, 154
Stop the Church, 199
Story of America, 9
Straight Outta Compton, 201
Straus, Emily, 111
Strubhart, Danny, 62
Student Media Company Inc., 112
Student Press Law Center, 38, 58, 118, 119, 157
Student Right to Know and Campus Security Act, 58
Students for Education Freedom, 130
Styron, William, 33, 94, 117
Sullivan, Kathleen, 44-45, 115, 173, 210
Sullivan, Louis, 174-75
Sullivan, Mike, 8
Sumbi, Joyce, 152
Summer of My German Soldier, 44, 90
Summers, Debbie, 153, 154
"Sunday Dinner," 200
Sunday Times (London), 95
Sunstein, Cass R., 6
Sununu, John, 104
Supreme Court, *see* U.S. Supreme Court;
 U.S. Supreme Court decisions
Surveillance in the Stacks: The FBI's Library Awareness Program, 150
Sutherland, Ann, 130
Suydam, Jan, 20
Swan, John, 149-50
Swasy, Alecia, 208
Sword & Shield, 112, 158-59

T

Taghir, Misbah, 19
Tamayo, Juan, 95
Taylor, Carolyn, 112, 158-59
Taylor, William L., Jr., 88
TCA cable company, 159-60
Teicher, Oren, 125
"Tell Me," 151
Tennessee:
 Athens, 127-28
 Memphis, 26
 Nashville, 87-88
Tennessee v. Marshall and Swanson, 38-39
Texas:
 Austin, 79, 125-26
 Commerce, 43
 Dallas, 21-22, 111-12, 197
 El Paso, 112
 Grapevine, 156-57
 Katy, 45
 Plano, 18, 45-46, 92
 Riviera, 62
 San Antonio, 92-93
 Tyler, 159-60
Texas A&M University, 160
Texas Board of Education, 1, 127
Texas Observer, 94
That's My Baby, 129

Theater Communications Group of New York, 4
Theater Program Fellowships, 206
Then Again, Maybe I Won't, 62
There's a Pig in Every Crowd, 103
Thomas, Bob, 201
Thomas, Justice Clarence, 84, 88, 164
Thomas, Jeanice, 161-62
Thompson, Ann, 111
Thompson, Justice E. Woody, 57
Thompson, Jack, 201
Thompson, Missy, 130
Thrasher, 153, 195
Thread the Needle, 14
Thune, Dave, 87
Thurmond, Strom, 125
Time, 93, 95, 97, 101
Times, The (London), 52
Times Mirror Company, 102
Tindall, Betty, 92
Titicut Follies, 210-11
Titone, Justice Vito J., 55
Tongues Untied, 159, 199-200
"Torture Circus," 160
Toscano, Salvatore, 19
Townsend, Joseph, 196
Tracy, Eleanor, 109
Traw, Rick, 132
Trial Lawyers for Public Justice, 83
Tribbe, Laurence H., 116
Trottsky, Karen, 12
True, Kim, 91
True, Steve, 91
Tucker, Eva, 17
Tulk, Jere, 86
Tuma, Sue, 154
Turchyn, Sylvia, 122
Turner, Joe, 42
Turner, Kathleen, 200
Turner, Pat, 16
Turner, Toni, 42
Twain, Mark, 15, 17, 90, 92, 189
Two by Two: The Untold Story, 153
2 Live Crew, 7-8, 46, 57, 92-93, 146, 201
"2 Live Crew Taking the Rap," 46

U

Udow, Roz, 132
Uhl, Wayne G., 163, 164
Ulysses, 15
Ungerer, Tomi, 151
Unification Church, 174-75
United Family Network, 76
United Nations, 10
U.S. Army Center of Military History, 104
U.S. Congress:
 House of Representatives
 Committee on Government Operations, 105
 Merchant Marine and Fisheries Committee, 174
 Senate, Committee on the Judiciary on the First Amendment, 148, 172, 175-76
U.S. Defense Department, 33, 101-102, 104, 116, 147, 160
U.S. Department of Energy, 104, 105, 202
U.S. Department of Health and Human Services, 145
U.S. Justice Department, 23, 84, 105, 125, 146, 173
U.S. State Department:
 Advisory Committee of Outside Scholars, 104
U.S. Supreme Court, 23
U.S. Supreme Court decisions, 53-54, 82-83, 163-66
Barnes v. Glen, 163-64

Cohen v. Cowles Media Co., 165-66
Hazelwood v. Kuhlmer, 37-38
*International Society for Krishna
Consciousness v. Lee*, 121-22
Masson v. New Yorker Magazine, 164-65
Rust v. Sullivan, 99, 115-16, 117, 123-24,
145, 46, 148, 172, 175-76
*Simon & Schuster, Inc. v. New York State
Crime Victims Board*, 82
Universal Declaration of Human Rights, 182
Universal Right to Free Expression, The, 34,
63, 182
University of Alabama, 118
University of North Carolina, 175
University of South Florida, 20-21
University of Texas, 125-26
University of Texas at El Paso, 21, 112
Usher, John, 46
U.S.S.R., *see* Soviet Union
Utah:
Farmington, 92
Salt Lake City, 25, 46

V

Vacheron, David, 20
Van Dam, R. Paul, 25
Van Hemert, Susan, 7
"Venus of Urbino," 162
Vermont:
Burlington, 49-50
Montpelier, 77, 162
Wells River, 178
"Vertigo Spinning," 156
Viking Press, 55
Viktora, Robert A., 166
Village Voice, The, 33, 94, 116, 202
Vincent, Amber, 108
Vintage Books, 63
Virginia:
Alexandria, 113
Charlottesville, 18, 153-54, 195
Fairfax, 204
Hampton, 13
Lynchburg, 178
Reston, 113-14
Richmond, 88, 199
Vienna, 13
Virginia Alcoholic Beverage Control
Board, 113
Virginia Museum of Fine Arts, 199
Vitale, Alberto, 63
Volc, Judith, 178
Vuilleminot, Sylvia, 11
"Vzglyad" (View), 52

W

Wacha, Karen, 103
Wachtler, Justice Sol, 55, 83
Wade, Martin, 6
Wagstaffe, James, 19
Wake Interfaith Peace and Justice Group, 111
Walinski, Justice Nicholas, 47-48
Walker, Christopher, 96
Wallin, Justice Edward J., 24
Wall Street Journal, 101, 208

Walmsley, Michael, 49
Walsh, John, 109
Ward, Debbie, 14
Ward, Melinda, 199
Warner Brothers, 51
Wash Day on Noah's Ark, 153
Washington:
Bellingham, 78
Moses Lake, 50
Washington, D.C., 58-59, 84, 88, 118-19,
125, 160, 173, 174-75, 180, 199-200,
202, 205, 206-207
Washington, Treshel, 92
Washington, Yvonne, 22
Washington Post, 93, 95, 96, 101
Washington Times, 174-75
Wasserstein, Wendy, 4
Water is Wide, The, 130
Waters, Ruth, 151
Watson, George, 33
Watson, Suzanne, 114
Wattleton, Faye, 109, 159
Waxman, Henry A., 175
WCBS, 19-20
Weaver, Jamie Patrick, 93
Webb, Janice, 130
Webb, Larry, 130
Webster, Ray, 55-56
Webster v. New Lenox School District, 55-56
Weidman, Eric, 161-62
Wein, Jo Ann, 21
Weinberg, Steve, 155
Weinberg, Steven, 196
Weintraub, Shelly, 155, 196
Weiss, Marc, 199-200
Welborn, Audrey, 153-54, 195
Welch, Leonard, 120
Welch, Sue, 43
WENH, 159
Wenzel, R. A. "Porky," 177
Werth, Pauline, 209
"West as America: Reinterpreting Images of
the Frontier, 1820-1920," 161
Western Herald, 49
Western Michigan University, 49
Western Washington University, 78
West Virginia:
Charleston, 158
Wetherall, Robert, 42
WGBH, 199, 200
What is a Girl? What is a Boy?, 178
What's Bruin, 48
"Where Are You Going, Where Have You
Been," 61
White, Justice Byron R., 99, 163, 164, 165,
166
Whitten, Mitch, 111
Wibbelsman, Charles, 17
Wichita-Sedgwick County Arts and
Humanities Council, 161
Wicker, Tom, 69, 74, 94
Widerkind, Jim, 127
Wiegand, Wayne A., 40-41
Wiggins, Ann, 16
Wilber, Bonnie, 21
Wildmon, Rev. Donald, 5, 47, 50, 72, 78,
199-200
Wilentz, Justice Robert N., 57
Wilfong, Vic, 201

William Morrow Publishers, 121
Williams, Godfrey, 90
Williams, H. Douglas, 48, 49
Williams, Janet A., 108
Williams, Leslie, 162
Williams, Pat, 3
Williams, Pete, 33, 71, 93
Willis, Brad, 96
Wilson, Dana, 16
Wilson, Don, 104
Wilson, John, 52
Wilson, Mark, 79
Wilson, Robert, 4
Winston-Salem Journal, 19
Winter v. G. P. Putnam's Sons, 205
Wisconsin, 82-83
Arcadia, 154
Black River Falls, 75
East Troy, 173-74
Madison, 112, 158-59
Wiseguy, 82
Wiseman, Frederick, 210
"Witchcraft I," 113
"Witchcraft II," 113
Witches, The, 189
Witches' Children, 43
Witteveen, John, 131
WMUR-TV, 52
WNBC, 19-20
WNET, 199
WNIT, 159
"Woman in Pain," 80
Women Loving, 12
Women's Book Exchange, 12
Women's Caucus for Art, 21
Wongwon, Christopher, 7
Woycik, Janet, 11
Wright, Bruce, 62
Wright, Melanie, 51
Wright, Norman, 162
Wrinkle in Time, A, 62, 189
Wrotham, Ben, 16
Wroughten, Rich, 76
Wyatt, Robert, 122
Wyoming:
Gillette, 13, 62-63
WZTA-FM, 59

Y

Yaroshefsky, Ellen, 4
Yesue, Jan, 109
YM, 195
Young and Modern, 153-54
Young and Rubicam, 200
Young v. New York City Transit Authority, 53
Your Relationships, 29
Your Telephone and How It Works, 12

Z

Zengler, Lynn, 156
Ziebarth, Sharyne, 154
Ziegeweid, Bernard, 154
Zimorski, Tom, 18
Zindel, Paul, 44, 90

added that she could understand how "overzealous religious groups" might have a problem with an editorial that did not favor censorship. That is not evidence of obscenity but difference of opinion. Reported in: *Parkersburg Sentinel*, February 26.

La Crosse, Wisconsin

On February 28, Viterbo College president William Medland dismissed the 33-member staff of the student newspaper, after the *Lumen* published an advertisement for latex condoms and a subsequent satirical "Top 10" list on condom use.

The Society of Professional Journalists questioned the dismissal. "I don't believe even a newspaper on a Catholic college campus should reflect one set of values," said Terry Rindfleisch, midwest director of the national journalism group and a reporter with the *La Crosse Tribune*. "The purpose of the college press is to explore different values."

Medland defended the dismissals, saying violation of school rules on publication policy, not free speech, was the real issue. The paper had previously allowed anonymous articles, did not always match pictures with their corresponding articles, and offended human dignity, Medland said. "Everybody has a right to come back, if they want to follow the policy manual," he said. Reported in: *La Crosse Tribune*, March 3.

colleges and universities

Tucson, Arizona

In what has become a familiar routine at the University of Arizona, members of the student body again took to vandalizing student artwork. In February, three photographs by Laurie Blakeslee were removed from the Student Union's Sidewalk Cafe to protect them from defacement by a group of angry students.

"I was just told that a lot of the customers in there were really upset by the work, and people thought it was pornographic," Blakeslee said. "People were trying to take the pictures off the wall, trying to write on them, trying to do things to them." The photos are self-portraits of the artist dressed in underwear and playing the part of an emotionally unstable woman. "I don't have a bone to pick with the Student Union. Everybody there was apologetic; they just took the pictures down to prevent them from being damaged," Blakeslee said.

In recent years, a section of the student population at the university has proven intolerant of works displayed by art students. There have been a number of minor incidents, but the most serious example occurred several years ago when a sculpture was vandalized nightly by students. The defacement only stopped when art students commenced all-night vigils to protect the work — vigils that lasted almost nine months. Reported in: *Arizona Daily Star*, February 21.

Santa Barbara, California

Dormitory students at the University of California, Santa Barbara, protested the February 27 exclusion from a residence hall talent show of an act that had been deemed inappropriate by university officials. The act, a lip-synched rendition of a Michael Jackson tune, performed by three dorm residents, was not allowed in the talent show finals because two dormitory resident assistants charged it was racist and sexist.

Although the act was originally cleared at a student government meeting, Santa Rosa Hall Residential Director John Omolo decided to bar it after receiving a letter from the resident assistants. "There was a lot of student body concern about the act," Omolo said. "This is a university function and if it's going to be offensive, we cannot allow that to happen."

But student protesters claimed not only that the act was inoffensive, but that dormitory officials handled the ban poorly by notifying the performers on the day of the show. "I think it's an infringement on their rights," said one freshman, who picketed the talent show finals. "The judges apparently weren't offended. They voted them into second place." Reported in: *U.C., Santa Barbara Daily News*, February 28.

Dayton, Ohio

You can't buy the "swimsuit" issue of *Sports Illustrated* at the University of Dayton student bookstore. When the issue arrived on March 4, store manager Mary Lynn Naughton decided she would take a stand against what she called "soft pornography."

"It's my judgment this exploits and objectifies women," said Naughton, who became manager last November. She said that selling the issue would be inconsistent with the university's mission statement that "talks about the dignity and respect due all people." When the magazines arrived, Naughton carried them into her office, looked through one issue, and conferred with administration officials. She said her decision had the approval of the vice president of financial affairs.

Not everyone agreed with the decision. "It's no different from removing *Tom Sawyer* or *Black Like Me* or any other book that's been banned," said Sean Halloran, managing editor of the campus newspaper. Reported in: *Dayton Daily News*, March 7.

Mont Alto, Pennsylvania

Last spring, the bookstore at the Mont Alto campus of Pennsylvania State University removed *Playboy* and *Playgirl* magazines from open shelves based on a complaint by an unidentified professor. The magazines were placed behind a counter and are available only by request. In February, the university-operated bookstore announced that it was considering pulling the magazines entirely, but only if sales are poor.

On February 17, the Mont Alto Campus Faculty Association, on a 15-6 vote with 5 abstentions, passed a resolution opposing such efforts. "Any attempt to remove *Playboy* magazine from the bookstore is censorship," the resolution said. "We recommend that it not be removed for administrative reasons." The Mont Alto Student Government Association was nearly unanimous in also opposing the magazines' removal. The association said the magazines should be returned to open shelves.

The controversy was revived when *Playboy* published a pictorial in its October issue on "Girls of the Big Ten." The feature showed one Penn State model and a photograph of clothed female students around the Nittany Lion statue. A women's group at Penn State's main campus in University Park demonstrated and asked for the magazine's removal. In December, the University Park bookstore dropped *Playboy*, citing poor sales. Reported in: *Hagerstown Morning Herald*, March 5.

Danville, Virginia

Averett College administrators' cancellation of a sexually explicit film stirred a campus debate about academic freedom and censorship. *Henry and June*, a film based on the lives of American writer Henry Miller and his wife June, was canceled by the college's Administrative Council. The movie was deemed "inconsistent with the school's mission."

"We felt the movie was inappropriate for a college like Averett," said Frank Campbell, the school's president and a council member. Averett is affiliated with the Baptist General Association of Virginia. Its mission statement declares that Averett "takes seriously its Christian heritage." The mission also states the school's "commitment to intellectual inquiry," and that the college "values an atmosphere . . . in which open inquiry and academic and religious freedom are available to both faculty and students."

The movie, which contains nudity, strong language and homosexual encounters, created controversy when it came out in 1990, leading to the establishment of the new NC-17 rating. The Averett College Activities Board, a student-run panel, scheduled the movie for February 10 without the approval of school officials and was notified of the cancellation on January 31. The board had planned to hold a forum for discussion of the film, with a faculty panel, after the showing.

"I think the cancellation was absolutely wrong," commented one Averett student. "If Averett is ever to become the big, liberal arts university it someday hopes to become, it's going to have to accept more diverse elements of college life." Reported in: *Danville Register & Bee*, February 8; *Chronicle of Higher Education*, February 19.

art

San Francisco, California

The hasty removal of a nude painting from the Philip Burton Federal Building in San Francisco March 2 prompted cries of censorship from a Chico, California, artist and a statewide artists' group. But the General Services Administration (GSA) insisted that artist Dayton Claudio misled the agency about what he planned to exhibit.

Claudio said that he hung two large canvases in the main lobby of the building after obtaining a "use permit" from the manager. Both paintings were removed within an hour by federal workers, who left a message on the artist's answering machine saying that the nude was "inappropriate" for that location. Also taken down by federal workers was a painting titled "JFK," which the artist described as a eulogy to President Kennedy.

Mary Filippino of the GSA said that the decision to remove Claudio's paintings "has nothing to do with censorship." She said Claudio "lied on his permit" by saying that he wanted to display "environmental impressions" and that he also broke rules by taping the artworks to the building's marble walls.

Claudio countered that "environmental impressions" is "a catch-all phrase that applies to my work, my style." The female nude, titled "Madonna," is "just a straightforward nude in a simple, standing position," he said.

Alma Robinson, executive director of California Lawyers for the Arts, said: "It surprises us that they are offended by nudes. The human body by itself has never been considered obscene. [But] this is happening all over the state. I think we need to sit down with the GSA."

In November, government workers covered up "Madonna" with black plastic during an exhibit at the Federal Building in Sacramento. After Claudio and artist rights' groups protested, the painting was allowed to be publicly displayed there (see *Newsletter*, March 1992, p. 50). Reported in: *San Francisco Chronicle*, March 3.

Frederick, Maryland

The Frederick County legislative delegation voted January 31 to withhold a \$500,000 spending bill for a new building to house the Delaplaine Visual Arts Center, saying a nude painting of President Bush displayed as part of an exhibit at the center killed any chance the legislation had for passage this year. Del. James E. McClellan (D-Frederick) said the decision should not be construed as a condemnation of the arts center or as a form of censorship. He said he would submit the legislation in the future after the ruckus over the Bush portrayal dies down. On January 17, the day before the "Right Down to the Roots" exhibit opened, the legislators had voted unanimously to submit the bill to the legislature.

"This is a political decision. The votes aren't there in the Senate or the House. There was never a threat made and we never fooled with censorship," McClellan said. Hundreds

of calls received by lawmakers concerning the painting ran 80 percent against the center, he added.

The painting, called "A Peace Treaty and a New World Order," went on display as part of an exhibit on social problems. It showed a nude Bush standing next to a nude Dolly Parton. Next to the president were Sen. Jesse Helms and Gen. Norman Schwarzkopf, both dressed in Roman battle gear and with the general, clad only in a breastplate and bearing a shield with a portrait of Hitler on it, standing on Saddam Hussein's neck.

The painting, by Austrian-born artist Josef Schutzenhofer, stirred a storm of protest. The center's board of directors directed the staff to partition the painting from the rest of the exhibit and signs were posted to warn visitors that the work might offend. Nevertheless, hundreds of people went through the center, which is on the second floor of a small antiques mall, sometimes standing in a line that snaked around the block. The Bush painting sold quickly for \$4,000.

The artist was surprised at the legislators' reaction. "I'm never surprised when there is activity against nudity," he said. "Usually there are complaints against it. But, I didn't expect \$500,000 to be withheld on account of Bush's dick. The money doesn't have anything to do with the painting. They are punishing the art center, not me, the artist."

"We were strongly encouraged by the State Arts Council to show more diverse art, more controversial art and not just landscapes and ducks," said Delaplaine Center executive director Melinda Wimer. "This show seemed to answer that. The art community would have accused us of censorship had we not exhibited the painting." Wimer said two of the art experts who judged the painting also sit on a state arts council panel that influences funding for her center. According to Wimer, the judges warned that the center could face a funding cutoff if it pulled the Bush painting or closed the exhibit.

"We thought there would be some controversy about the painting but we never expected this," Wimer continued. "They [the legislators] pulled the bill, although none of them had seen [the painting]. It was very disappointing for us. This will inhibit the art center from finishing the new building all at one time. But we are more disappointed as citizens because of the positive economic influence the new opening would have on Frederick."

The Maryland State Arts Council, which gives money to the Delaplaine Center, denied that the center's funding would have been in jeopardy if the exhibit were canceled. "We do not dictate artistic expression," said Carol Fox King, a council representative in Baltimore. "We're not involved in censorship of any kind." Reported in: *Baltimore Sun*, January 20; *Chambersburg Public Opinion*, January 24; *Hagerstown Herald*, January 16, 23, February 1; *Towson State Towerlight*, February 13.

Lexington, North Carolina

Brandon Wells says his art work usually "grosses somebody out." But, he added, there's a thought-provoking message in nearly all his work. The message in one painting was denied expression, however, at a student art exhibit in the Lexington Arts Center. It's a painting about abortion that depicts a pregnant woman in a dark alley with a man holding a shotgun pointed up her dress. In the background is a campaign poster for Jesse Helms, North Carolina's conservative senator.

"It's censorship," declared Wells. "I don't know whose decision it was not to display it, but it's not right."

"The decision was made by Wells' art teacher, Tonya James, and other art students. "We just felt like it was not appropriate for a high school exhibit," James said. Wells already had four paintings in the show, she added, so the organizing committee didn't think holding one out would hurt.

Dissatisfied, Wells went to the Davidson County Art Guild, the show's sponsor, and asked it to overrule the decision. The guild sided with the teacher. "There were other students who didn't get some paintings hung either," said Melinda Smith, Art Guild director.

"My mom doesn't like it [the painting] either and my dad said he hated it," commented Wells. "But they never tried to stop me from doing it." Reported in: *Greensboro News & Record*, January 10.

foreign

Cairo, Egypt

In a further threat to freedom of expression worldwide, Egypt's Islamic Research Academy (IRA) banned and confiscated eight books displayed at the 24th International Cairo Book Fair held in January. The books, many of which were published several years ago, were seized under the auspices of Al-Azhar, Egypt's religious authority.

Seven of the confiscated books are published by Sinai Publishing House. They are: *The Origins of Islamic Law*, *Political Islam*, *Usury and Interest in Islam*, *The Islamic Khalifate*, *Signposts of Islam*, *Bombs and Copies of the Quran*, *The Trial Case of the Jihad Organization*, and *Behind the Veil*. The eighth book is *The Naked*, published by the Egyptian General Book Organization.

The action followed closely on the heels of a court ruling sentencing author Alaa Hamed and his publisher and printer to eight years imprisonment for Hamed's book *A Distance in a Man's Mind* (see *Newsletter*, March 1992, p. 70). Reported in: *ABA Newswire*, January 27. □

from the bench



U.S. Supreme Court

The Supreme Court March 2 refused to allow the federal government to ban "indecent" radio and television broadcasts, letting stand an appeals court ruling that such a blanket prohibition violates freedom of speech. The court, with Justices Byron R. White and Sandra Day O'Connor dissenting, rebuffed a Bush administration request to reinstate the round-the-clock ban on indecent broadcasts, an issue the administration said is "of concern to virtually every American household."

The administration said the prohibition, required under legislation sponsored in 1988 by Sen. Jesse Helms (R-NC), is necessary to shield children from exposure to such material and to protect the privacy of unsuspecting adult listeners. Broadcasters have contended an absolute ban on indecent material would deter innovative news and dramatic programming by stations worried about running afoul of the vaguely worded ban.

The issue now returns to the Federal Communications Commission to decide what hours to allow the broadcast of "indecent" material, programming that is not legally obscene but that contains "patently offensive" descriptions of "sexual or excretory activities or organs." As the case has gone through the courts, the FCC has allowed the broadcast of such material between 8 p.m. and 6 a.m.

The high court's refusal to hear the case, *Federal Communications Commission v. Action for Children's Television*, was surprising, since it involved an appeals court decision finding an act of Congress unconstitutional. Justice Clarence Thomas, who served on the appellate panel that voted unanimously to strike down the ban, did not participate in the vote. The votes of four justices are required for the court to hear a case.

Timothy B. Dyk, the lawyer for the broadcasters and others who challenged the ban, said the case was "about broadcasters being able to put on things like news programming and original drama and movies without having to worry that they might step over a line and the five commissioners in Washington would say, 'Goodness, we've looked at that and we think it's indecent.' There's a real problem there of self-censorship if you have to operate 24 hours a day under that kind of regime." Reported in: *Washington Post*, March 3.

libraries

Little Rock, Arkansas

A Berryville school librarian should have fought harder against censorship if she wanted help from the courts, the Arkansas Court of Appeals ruled December 26. Pamela Moore asked the state Labor Department for unemployment benefits, saying she was pressured to resign after a censorship dispute over Stephen King's novel *Cujo*.

In 1988, during Moore's second year as a librarian, a principal "concerned about obscene language" demanded that *Cujo* be immediately removed from library shelves, although according to district officials, "he had no authority to require the book be removed."

The school superintendent intervened and told the librarian to set up a review committee, which decided the book should stay. "Ms. Moore testified that a few days later she was unexpectedly called into the superintendent's office for a meeting with him and the high school principal, where she was told they respected her opinion but that, if she followed the committee's recommendation, 'they would accept [her] resignation.'" Moore told the court that because she thought her job was in jeopardy she did not place the book back in the library.

Moore was eventually offered a new contract by a divided school board, but it put restrictions on her job and, she charged, the censorship issue arose "at almost every conversation with the administration." So she resigned.

The Labor Department turned down Moore's request for unemployment benefits, holding that "Moore's failure to attempt to resolve an unsatisfactory work situation through available channels, i.e., going to the school board with her concerns prior to quitting, precluded a determination of good cause." The appeals court agreed. Reported in: *Harrison Daily Times*, January 13.

San Francisco, California

The U.S. Court of Appeals for the Ninth Circuit announced January 24 that it would not reconsider a ruling permitting a Holocaust revisionist to sue a rabbi and two Jewish groups for allegedly having his exhibit ousted from a 1984 library conference in Los Angeles. The decision not to have the case of *McCalden v. California Library Association* reheard by

Seven-member *en banc* panel brought three passionate dissents signed by five judges. The split was not clearly along philosophical lines, as liberal Judge Stephen Reinhardt joined with Judge Alex Kozinski and three other conservatives in dissenting. The original three-judge ruling was also divided, as Judge Betty B. Fletcher, a liberal, disagreed with two other liberals, Judge William Norris and Dorothy Nelson, who said the suit should proceed.

David McCalden claimed in his suit that he planned to speak at the 1984 California Library Association meeting in Los Angeles to promote his belief that Jews were not massacred by Nazis during World War II, but that his contracts were canceled under pressure from the American Jewish Committee and Rabbi Marvin Heir. He charged that the Committee and the Simon Wiesenthal Center for Holocaust Studies, headed by Rabbi Hier, had contacted representatives of the library association and told them that if they did not cancel his contracts to speak and mount an exhibit, "the conference would be disrupted, property would be damaged and the CLA would be 'wiped out.'"

Both groups denied making such threats, although they acknowledged using intense political pressure in a campaign to prevent McCalden's participation. At one point, they persuaded the Los Angeles City Council to unanimously pass a resolution urging the library association to remove McCalden from the conference and to end the city's participation in it. Additionally, Judge Norris noted that city officials told the library association's director that they would be unable to provide adequate security for the conference.

The association then canceled McCalden's contracts to rent exhibit space and to present a program entitled "Free Speech and the Holocaust." In 1986, McCalden sued the Jewish organizations, the library association, the city, and the Bonaventure Hotel, where the convention was held. U.S. District Court Judge Consuelo B. Marshall dismissed the suit. Her decision was reversed by the appeals court. While the litigation was pending, McCalden died of complications from AIDS. His wife has continued the case.

In his original November 20, 1990, decision reversing Judge Marshall, Judge Norris said McCalden could sue for interference with contractual relations and violations of California's Unruh Civil Rights Act. The new opinion somewhat narrowed the original one, but still permitted McCalden's suit. Judge Norris maintained that although some of the defendants' protests against McCalden were themselves constitutionally protected speech, they were not immune from liability as alleged threats.

In the sharpest and most passionate of the three dissents, Judge Alex Kozinski, known for his outspoken conservatism, said the three-judge ruling was inconsistent with a Supreme Court decision allowing the advocacy of force or violation of laws except where advocacy is directed toward inciting "imminent lawless action."

"I had thought it inconceivable that one could be held liable for planning and organizing a political demonstration," Judge

Kozinski wrote. "By allowing McCalden to proceed with his lawsuit, my colleagues turn back the clock to the dark days of the not-so-distant past when the judicial process was routinely used to crush opposing viewpoints — an era I, like most observers, believed had ended with *Brandenburg v. Ohio*."

All that was threatened against McCalden, he said, was a demonstration. Just as neo-Nazis were allowed to march through the streets of Skokie, Illinois, a decade ago, "uninhibited, emotionally charged expression" should be permitted from those who disagree with Holocaust revisionists, he added.

"Those who carry the mark of Auschwitz tattooed on their forearms, or who survived Treblinka, Dachau or Buchenwald; who were hunted down like animals in the streets of Warsaw; who saw loved ones perish during Kristallnacht or in frozen boxcars on their way to the death camps that are the shame and horror of modern times — they cannot be expected to react calmly, with deliberation, with gentility to one who would tarnish the memory of those butchered in the Holocaust by pretending the whole thing didn't happen," wrote Kozinski, who is Jewish and came to this country from Romania when he was twelve.

In a separate dissent, Judge Reinhardt wrote that demonstrations from the Boston Tea Party to the Vietnam War protests were often disruptive but served the purpose of bringing important issues into the public eye.

The dissenters approached the case in a sharply different fashion from the majority. Norris' opinion described the issue as a technical legal question of whether McCalden had made allegations sufficient to move his case beyond the first hurdle — a motion for dismissal filed by the defendants. He wrote that federal pleading rules are quite liberal and a motion to dismiss the case has to be evaluated in the light most favorable to the plaintiff.

But Reinhardt said that in cases where free speech rights are threatened, the plaintiff's pleadings must be subjected to greater scrutiny. "The majority's routine treatment of the plaintiff's complaint — as if the action involved nothing more than a dispute over a bill of lading — is at odds with the last thirty years of First Amendment jurisprudence," he wrote.

Attorney Jeffrey Mausner, representing Rabbi Hier, said he would consider an appeal to the U.S. Supreme Court. Reported in: *Los Angeles Times*, January 25; *Los Angeles Daily Journal*, January 27.

obscenity

Washington, D.C.

The U.S. Court of Appeals for the District of Columbia Circuit refused February 19 to grant standing to the American Library Association, the American Booksellers Association,

and other organizations that had challenged the Child Protection and Obscenity Enforcement Act of 1988. The ruling in *ALA v. Barr* was based on technical grounds and did not resolve the constitutional questions of the case. The opinion was written by Judge A. Raymond Randolph. Judge Patricia M. Wald filed a dissenting opinion.

The suit sought to overturn portions of the law that called for massive forfeiture of assets for anyone convicted of selling "obscene" works. In its decision, the court held that ALA and the other organizations did not have standing to challenge the constitutionality of the law. The court found that the plaintiffs' members already attempt to comply with the law, and on that basis deemed "unreasonable" those members' fears that they could be subjected to prosecution.

The suit also challenged record-keeping provisions of the law requiring producers of certain kinds of nude images to keep extensive records of the models appearing in those images. That issue, however, was ruled moot since those provisions were subsequently amended by Congress in 1990. They are the subject of a second case, *ALA v. Thornburgh II*, which was unaffected by the ruling.

Attorney David Ogden, who represents the plaintiffs, explained that in the past courts have used discretion in granting forfeiture in cases involving the book community. "Judge Randolph was skeptical that [the plaintiffs] really faced any jeopardy," said Ogden. "It's disappointing . . . that the ALA, ABA and others didn't get the protection they sought," he added, but noted that the decision was not that significant since it did not rule on the merits of the law. Reported in: *ABA Newswire*, March 16; *West's Federal Case News*, March 6.

films

San Francisco, California

Because of the passage of new legislation, on March 12, the U.S. Court of Appeals for the Ninth Circuit dismissed an appeal in the case of *Bullfrog Films v. Wick* and remanded the case to the district court. The case began in 1985 when the plaintiffs — independent filmmakers, film production and distribution companies — filed suit alleging that the United States Information Agency (USIA) violated their constitutional rights by refusing to certify their films as "educational, scientific, or cultural" under the Beirut Agreement.

The district court ruled in 1986, and the Ninth Circuit affirmed in 1988, that the USIA regulations used to implement the agreement were unconstitutional, violating the First and Fifth Amendments, and ordered the USIA to draw up new regulations. These were promulgated in late 1987, but were also ruled unconstitutional. The USIA appealed.

On October 28, 1991, however, President Bush signed into law the Foreign Relations Authorization Act, which provides that the federal agency or agencies charged with implementing the Beirut Agreement may *not* consider material to fail

to qualify as educational because "(1) it advocates a particular position or viewpoint . . . ; (2) it might lend itself to misinterpretation, or to misrepresentation of the United States or other countries, or their people or institutions; (3) it is not representative, authentic, or accurate or does not represent the current state of factual knowledge of a subject or aspect of a subject unless the material contains widespread and gross misstatements of fact; (4) it does not augment international understanding and goodwill, unless its primary purpose or effect is not to instruct or inform through the development of a subject or an aspect of a subject and its content is not such as to maintain, increase or diffuse knowledge; (5) in the opinion of the agency the material is propaganda."

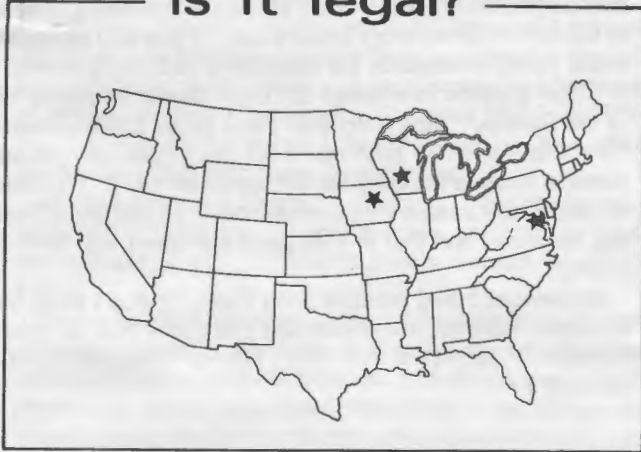
Concluding that the new regulations rendered the case moot, the appeals court remanded to the district court, which was instructed to vacate its previous judgments and enter an appropriate order requiring the UISA to reconsider any of the films denied certification and to grant provisional certification to the films pending reconsideration. Reported in: *Daily Appellate Report*, March 13. □

new student press rights in Kansas

Kansas Governor Joan Finney signed into law February 21 a bill that capped four years of effort by high school journalists to prevent censorship by school officials. Under the new law, school officials will not be able to censor stories just because they deal with political or controversial subjects. The fight began after the U.S. Supreme Court's 1988 decision in *Hazelwood v. Kuhlmeier*, which granted school officials broader powers to censor school-sponsored publications. The Kansas law won bipartisan support in the legislature. Finney said that she signed it because Kansans don't want student journalists to shy away from controversy, but to deal with it responsibly. Reported in: *Topeka Capital Journal*, February 22. □

**SUPPORT
THE
FREEDOM
TO
READ**

is it legal?



National Endowment for the Arts

Washington, D.C.

A January decision by the National Endowment for the Arts' advisory council to veto a grant to the Franklin Furnace performance space was "arbitrary and based on impermissible criteria and political considerations," according to a letter mailed in February to the NEA and the National Council on the Arts from the Furnace's board of directors.

The letter came in response to the decision by the NEA advisory council to overturn a \$25,000 grant that had been recommended by a peer review panel. The council made its decision after viewing a sexually explicit videotape submitted by the Furnace as part of its visual arts application. The tape showed an act at the Furnace by performance artist Scarlet O in which she talks frankly about gender roles and later strips and invites audience members to rub lotion on her body. Scarlet O did not receive any federal grant money, but the Furnace has received NEA grants for the past sixteen years.

In their letter, the Furnace board members stated that "we believe support for Franklin Furnace's prospective season of performance and installation art should be reconsidered," and offered to submit "additional documentation" of the venue's past and current presentations.

At a meeting with a visual arts panel, NEA Chair John Frohnmayer, who resigned February 21 (see page 75), defended the council's decision to kill the grant, saying that artistic merit was considered, not political pressure from NEA detractors. Frohnmayer also pointed out to the panel that he did not have the power to override the council's veto, nor was there an appeals process for grants that were overturned by the council. Reported in: *Washington Post*, February 17.

universities

Ames, Iowa

Professors and students expressed mixed reaction to new Iowa State University Computation Center policies that restrict access to what have been termed "offensive" computer bulletin boards. The reactions came after the Center restricted student access January 6 to computer pictures and information on subjects dealing with sex, bondage and drugs.

Gurpur Prabhu, associate professor of computer science, said visitors to computer labs might be offended if controversial material appeared on a computer screen in an open lab. "That should not be allowed," Prabhu said. Some students cried censorship, however. Chris Just, a sophomore in computer science, said the computer bulletin board system was created for the free flow of information, ideas, and images, and the university was restricting that free flow. He said he frequently used local bulletin boards available outside the university and had never been denied access to information through those systems. Reported in: *Iowa State Daily*, January 23.

Madison, Wisconsin

University of Wisconsin regents voted 7-5 March 5 to endorse a revised "hate speech" rule for the university system. The new rule, intended to replace a similar prohibition found unconstitutional in federal court last year, bars epithets that tend to provoke an immediate violent response on the part of the group insulted.

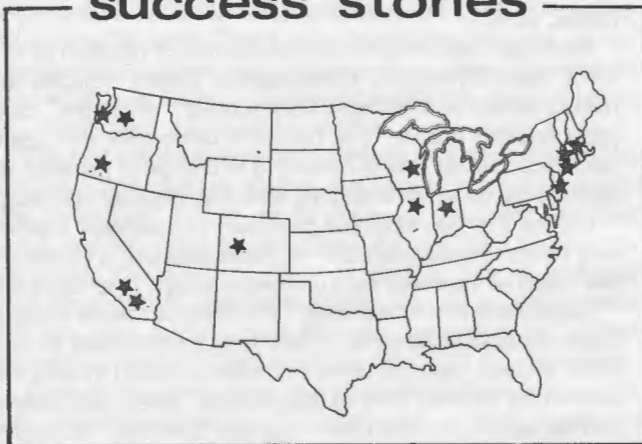
In a decision last October, U.S. District Court Judge Robert Warren found the original rule was too broad. That rule prohibited all discriminatory and demeaning comments or epithets. The judge ruled that it covered language used even in situations unlikely to produce a breach of peace.

Law professor Ted Finman, who drafted the new rule, said it doesn't prohibit the use of epithets. "All that's restricted is the use of them in one-to-one confrontational situations," he said. "That takes a little bit of freedom away but gives a small measure of comfort to those experiencing such epithets."

On March 2, the new rule was endorsed by the Madison campus Faculty Senate by a show of hands. A substitute measure contending that any effort to revise the rule "will have an unconstitutional, chilling effect on free expression" was narrowly defeated in a 89-70 vote.

Madison campus Chancellor Donna E. Shalala said the new rule may be the most important tool regents can give chancellors to maintain harmony on campus. But Parkside campus Chancellor Sheila Kaplan said the new rule was unnecessary. "From the perspective of those of us who had to administer it, it is impossible," Kaplan said. "We're getting into the situation where the proposed remedy is worse than the problem." Reported in: *Milwaukee Sentinel*, March 6; *Racine Journal Times*, March 4; *Wisconsin State Journal*, February 23, March 3.

success stories



libraries

Douglas County, Colorado

By a 4-3 vote, the Douglas County Board of Education upheld a review committee recommendation to allow a controversial poetry book — *Halloween ABC* — to remain on the shelves of its school libraries. Parent Beverly Bylsma had challenged the book after her first-grader brought it home from Acres Green Elementary School.

The request came before the district's Challenged Resource Committee, an ad hoc body of four parents, three teachers, and a high school student, on January 15. The committee determined that the book met all selection requirements. The committee recommended that the book be retained, but be reshelved under poetry and not with picture books and that librarians suggest its use mainly for those in third grade and above. Bylsma challenged that decision, however.

"My question is," she said, "can you separate the literary value of a book from its subject matter. Which leaves a more lasting impression on a child — a book's poetic devices or its effect on his intellect and emotions?" Reported in: *Daily News-Press*, February 8.

Deer Ridge, Indiana

A parent's attempt to ban a library book from Deer Ridge Elementary School failed January 5 after Southwest Allen County School Board members voted to keep the book available to students. Deer Ridge parent Richard Pulse filed the request in September with school officials saying he considered the contents of the book, *The Cabbages Are Chasing the Rabbits*, offensive.

"What it is that bothers us about this is the concept of the hateful hunters," Pulse said. "There is a constant reference to this on just about every fourth page." Pulse said the words could breed intolerance for hunters in children's minds.

"The question is whether the book should be pulled off of the shelves," Superintendent Dave Hales told the board. "But this is a library book and is not considered instructional material because the child has the option to read it. We know we absolutely cannot please everyone or go without offending someone, and that is a decision the board will have to make."

Responded board member John Popp: "I don't hunt, but I respect hunters, and I just don't see how this is objectionable." Reported in: *Fort Wayne Journal-Gazette*, January 6.

Salem, Oregon

The Salem-Keizer School Board voted unanimously January 14 to keep an alleged how-to book for Satanism on the library shelves of four elementary schools. "I don't see the Satanic relationship there," said Board Chair Craig Smith.

Earlier, ten people had spoken in favor of restricting access to or removing *Secret Spells and Curious Charms*, a collection of spells and charms written by Monika Beisner. Dena Swift told the board that she was introduced to the occult at a fourth-grade slumber party. By the time she was in eighth grade, she had checked out several books on the subject from school libraries. Swift said she did not want her young son exposed to Satanism as she had been.

"It's not a matter of censorship. It's a matter of protecting our children," she concluded. The board decision confirmed the recommendation of a review committee, which decided by a narrow margin to retain the book. Reported in: *Salem Statesman-Journal*, January 14, 15.

Kirkland, Washington

A nine-member volunteer committee of parents and school officials decided unanimously January 29 not to ban a trilogy of scary stories from school libraries in the Lake Washington School District. The three books by Alvin Schwartz — *Scary Stories to Tell in the Dark*, *More Scary Stories*, and *More Tales to Chill Your Bones* — had been cited by a group of Kirkland parents as unacceptably violent for children. The committee also recommended that teachers and librarians use discretion and offer students alternative selections when reading aloud from the books.

Committee Chair Dan Phelan agreed that some of the stories were gruesome. "I have a 6-year-old son and I wouldn't want to read them to him, but when we go camping we do put flashlights to our mouths so our cheeks glow and tell scary stories," he said. "These books are very different from watching *The Texas Chainsaw Massacre*."

Dorothy Beard said the challenge to the books had spur-

red her young sons to read them. "My 9-year-old son read those books and then said, 'I have a really scary book,'" Beard said. Then he told her about a 14-year-old African-American boy who was severely beaten and shot in the head for talking to a white woman — a story he read in a biography of former Supreme Court Justice Thurgood Marshall. "That is scary because that is real," Beard said. "He thinks these books are silly. He knows the difference."

District librarians hailed the decision. "We're pleased," said Joanne Furguson. Gruesome or not, she said, the books are extremely popular. "They're always checked out at every school."

Parent Sandy Vanderburg, who led the John Muir Elementary School parents who challenged the books, said she would not appeal and school officials said that she did not have the right to do so anyway. Last November, a committee also voted to retain the books, but the school board granted a new hearing after Vanderburg complained that the first one was unfair because testimony was limited. Reported in: *Bellevue Journal-American*, January 30; *Kirkland Courier*, January 29, February 5; *Seattle Post-Intelligencer*, January 23, 30; *Seattle Times*, January 23, 30.

Olympia, Washington

A children's book that involves a child's discovery that his father is gay will continue to be available to young readers at Timberland Regional Libraries. The library board made the decision after a patron requested that *Daddy's Roommate* be transferred to an adult section of the library or be removed. Cathy Niblack charged that the book promotes homosexuality and is offensive. "I was hoping the book would at least not be in a place where our children that are not supervised would have access to it," she said.

Most of the forty library patrons who spoke at a two-hour meeting February 26 favored keeping the book. Acting Library Director Michael Crose said the board's decision was based on the library's policies on diversity and parental responsibility. "Our belief is parents have a responsibility to monitor children's reading material," he said. Reported in: *Olympian*, February 28.

**SUPPORT
THE
LIBRARY
BILL
OF
RIGHTS**

schools

Apple Valley, California

The Apple Valley Unified School District Board of Trustees voted unanimously December 18 to let teachers continue to use the Newberry Award-winning novel, *Bridge to Tarabithia*, thwarting efforts by parents Danny and Lorraine Jimenez to have the book banned. The couple complained that it had vulgar language.

"I believe it should be on a shelf in a store, where the parent can decide to purchase the book or not," Danny Jimenez said. The book is required reading in some fifth-grade classes, but parents can request that their children not participate.

"I understand your values and I share your values," said trustee Bill McDaniel. "But I'm not going to support pulling the book, because I think parents have an option." The board followed the recommendation of its English/Language Arts Review Committee, which cited the book's literary value and the interest in it among parents and students. Reported in: *Victorville Daily Press*, December 20.

Moorpark, California

The Moorpark School Board voted 3-1, with one abstention, February 11 not to ban a book denounced as "racist." NAACP representative and Moorpark resident Ted Green had asked the board to remove *The Cay*, by Theodore Taylor, from a list of required reading because it allegedly maligns African-Americans.

The board ruled that *The Cay* "is appropriate for use in the district's classrooms." The board also found "that, when used in conjunction with appropriate lesson plans, *The Cay* is a beneficial tool with which the district can continue its effort to teach the folly of bigotry and the need for an appreciation of the worth of individuals from diverse ethnic and cultural backgrounds."

Green asked the school board to ban the book after a parent complained about it to the principal of Sequoia Junior High School in October. The board did not take action and requested a written complaint. "The book is slanderous," said Green. "It's defaming. It's belligerent."

The Cay is about a white boy raised by a bigoted mother near the end of World War II. As expected, he mimics her beliefs. But after being shipwrecked with an old black man who teaches him how to survive and dies saving his life, the boy realizes skin color has no bearing on a person's worth.

Green said he did not dispute the historical accuracy of the book's portrayal of race relations, nor did he dispute that its intent was to foster racial harmony. But, he charged, by using racist terms in describing how the boy first perceives the black man, the book reinforced racism. The story's ending, he charged, is too subtle to undo the harshness of the first half. Reported in: *Los Angeles Times*, January 16; February 12; *Los Angeles Daily News*, February 12; *Simi Valley Enterprise*, January 22, February 9, 12.

Cheshire, Connecticut

Two award-winning children's novels attacked by some parents for their "profane, blasphemous and obscene" contents were unanimously restored to elementary school classrooms by the Board of Education February 6. While *The Great Gilly Hopkins*, by Katherine Paterson, was retained as a fifth-grade reader, *The Alfred Summer*, by Jan Slepian, was moved from the fifth to the sixth-grade level. Both books had been removed from classrooms temporarily and reviewed for two months by a panel, which presented its findings to Superintendent John Barnes (see *Newsletter*, March 1992, p. 42).

The board's decision to approve the committee report and Barnes' recommendation to retain both books in the reading program culminated a two-hour public debate. "Should a parent or well-organized group of parents dictate what should or should not be in the curriculum?" asked board member Robert Bown. "I submit the answer is clearly no. Parents have no right to impose moral judgments and values on the children of others."

Parents who had presented a thousand-signature petition to the school board expressed disappointment at the decision. "I am very concerned for the children of Cheshire, because what we teach at home will not be reinforced in the schools," said parent Sharon Kuehlewind, who first protested the books last October.

Kuehlewind and her supporters claimed that the books "dragged God and the church in the mud," and they railed against the use of words such as "damn," "Christ," "tits," and "crap." "We're urging discretion over what is most suitable for a young, impressionable mind," Kuehlewind said. "We have to deal with this language enough in society. We don't need it in the classroom."

"It's not censorship at all that I want," Kuehlewind added. "I'm not asking that the books be taken off school shelves. I'm just asking that it's not required reading."

The ensuing controversy polarized the community. Defenders of the books said they presented valuable lessons in life and that their language was no worse than that used every day by students on the playground. "I think that there's nothing dangerous in freedom of thought and thought in books," said parent Ronnie Greenspan. "Kids given the right information and values taught at home are capable of making the right decision." Reported in: *Cheshire Herald*, January 16, February 27; *Meriden Record-Journal*, January 14, 23, February 3, 7, 21; *New Haven Register*, January 20, February 7; *Waterbury Republican-American*, January 9, February 7, 8.

New Milford, Connecticut

After nearly two hours of comments from opponents and supporters of *The Chocolate War*, by Robert Cormier, on February 6 the New Milford Board of Education voted 9-1 to keep the book on a fourteen-title featured reading list for

eighth graders. The board's Committee on Learning had previously recommended the book's retention, but suggested that the board might want to reconsider the grade level at which it is taught.

"I think it's a powerful and challenging and sometimes disturbing book, but I also think it's a reasonable choice," said Superintendent of Schools Dr. Stephen C. Tracy. "I have no problem with it either as a parent or an educator."

"I am just so sad right now," responded Nancy Mowrey, who, with her husband, Ray, fought to have the book removed from the list, claiming that it contains language, sexual references, violence, subjectivity and negativism that are harmful to students. "It's really a depressing state our society is in," she concluded.

The 1974 book is a tale of the leader of a secret society in a Catholic high school who manipulates and intimidates students into pulling pranks, and another student who attempts to defy authority. It is centered around the school's annual fund-raising chocolate sale.

"The language [in *The Chocolate War*] is crude and blasphemous," Mowrey had earlier told the board committee. "At the middle school, the staff is constantly trying to discourage the use of inappropriate language, yet we choose to include that very language in classroom instruction and discussion. The more frequently a person is exposed to anything, in this case the language, an immunity is built up. It no longer startles or shocks; it becomes acceptable." The Mowreys also disliked a masturbation scene and other sexual references and charged that "the negativism that this author creates is overwhelming."

In their complaint, the Mowreys wrote that "the theme of this book is foggy at best. It depicts a parochial school environment governed by humiliating staff and ruled by a powerful gang. The stage is set for a theme of approving the questioning of authority or following one's own direction but it simply goes nowhere." In addition, they noted that "the sexual escapades and . . . thoughts of the boys are not at all vital to the story. Why do we find it necessary to fill our children's heads full of this?"

Although about half of the 75 people attending the board meeting supported the Mowreys' request, about an equal number opposed it, including several students and teachers. Eleven-year-old John McGrath told the board, "My dad read the book, and I decided I'd read it. I think it's a very reflective book. The language? Some of it's obscene, but if you could look on the [school] bus, this would be a Little Bo Peep story."

Eileen Moreno-Leon, a high school Spanish teacher and mother of a seventh grader, said that while reading *The Chocolate War* she "was thinking, 'thank God they're going to address some of the things that make my son's life almost intolerable at Schaghticoke Middle School.' I don't think this book goes too far — in fact, I don't think it goes far enough," she continued, adding that the book "is coming too late in eighth grade." My son was the victim of those

kinds of acts in sixth grade." Reported in: *Danbury News-Times*, January 15, 17, 26, February 5; *Litchfield County Times*, January 17, 24, February 7; *New Milford Times*, January 23, February 6.

O'Fallon, Illinois

The Adventures of Tom Sawyer will remain in the curriculum of O'Fallon schools, but parents will be able to request that their children not be required to read the book. The Illinois District 90 school board voted unanimously February 12 to keep the Mark Twain classic in the sixth-grade curriculum, concurring with an earlier recommendation by a committee of parents and teachers.

Parent Dwaine Thomas had sought the book's removal, charging that its use of the word "nigger" is degrading and offensive to black students. Thomas, who addressed the board for 45 minutes to express his opposition, said that it was not always clear to sixth graders why the book uses the word "nigger." "Teaching this book sends signals that those who are in power condone these words," he said. "What this book taught to me was how to be evil and racist — and still be loved."

The special board meeting was held after Thomas appealed a previous board endorsement of a committee recommendation that the book be kept as part of the curriculum, but that all the sixth grade teachers make a "coordinated effort to treat racial issues in a consistent way." Reported in: *Bellefonte News-Democrat*, January 21, 22, 23, 25, February 14; *Chicago Tribune*, February 14.

Waukesha, Wisconsin

Barbara Kintop, a parent whose complaint about videos shown to second-graders was unanimously rejected January 13 by a school district panel, said she got a fair hearing and wouldn't appeal. Because the videos, *From Back to Front* and *The Trickster*, are supplemental materials, her son did not need to view them.

Kintop had described the reading strategy videos as "unsuitable for any age level." She said a storyteller seemed evil, and that when another character's head spun around, it reminded her of a demon-possessed character.

"None of us really felt we were seeing what she saw," responded Ellen Seeling, chair of the Consideration Committee. Reported in: *Waukesha County Freeman*, January 15.

student press

Livingston, New Jersey

A protest by a Livingston High School student concerning censorship of the school yearbook resulted in a settlement in which the school administration agreed to take

measures to limit censorship. After several years of arbitrary yearbook censorship, Roger Black enlisted the aid of the ACLU.

In a letter to the ACLU, an attorney for the Livingston Board of Education wrote: "Livingston High School will now delete only explicit references to the use of alcohol, illegal drugs or sexual activity in its yearbook. Equivocal references or references which can only be deciphered by a few students will not be censored."

Black enlisted the ACLU after references to a privately run ski trip were removed from the yearbook. The ACLU said the New Jersey Constitution had been interpreted to hold that "educators may not censor speech in a school publication unless they show there are no less oppressive means than outright censorship which will satisfy the school's concerns." Reported in: *Newark Star-Ledger*, February 21; *West Essex Tribune*, February 20.

obscenity

Springfield, Massachusetts

Sexy Goodies, *Heat of Passion*, and 353 other books depicting bondage, sadomasochism and sodomy are fit for Hampden County adults, a jury decided January 23. In a trial that could have opened the door to prosecution of sellers of adult books statewide, a nine-woman, three-man jury rejected the district attorney's claim that the books were obscene.

"It speaks to me that they upheld the right of free speech," said attorney Regina L. Quinlan, a former nun who represented the owner of the store that sold the books.

According to District Attorney William M. Bennett, the works seized from Video Expo in 1990 represented the worst and most extreme literature. With the jury decision acting as a yardstick of community standards, Bennett said he would not try future obscenity cases unless they involve child pornography or bestiality.

"I think this really would effectively end what we want to do," he said. "We're satisfied. I had an obligation to present those matters to a jury." Reported in: *Springfield Union-News*, January 24.

foreign

Santiago, Chile

It was a long time coming, but Bernardo Bertolucci's 1973 movie, *Last Tango in Paris*, with Marlon Brando, can now be screened in Chile. In January, the government's Movie Censorship Council ruled that adults over 21 may view the film, which had been banned "on moral grounds" since it was submitted for consideration eighteen years ago under the military regime of Gen. Augusto Pinochet. Reported in: *Philadelphia Inquirer*, January 12. □

(Morristown . . . from page 73)

regulations met that test. The American Library Association told the court it "fully supports the legal principles advanced by the Freedom to Read Foundation *amicus* brief."

In overturning Judge Sarokin's decision, the appellate court followed the reasoning urged on it by the Foundation brief and recognized that library patrons do enjoy a First Amendment right of access to public libraries for receipt of information, and that libraries may adopt content-neutral regulations designed to maximize library use by all patrons. The appellate court held that public libraries are limited public forums designated for the receipt of ideas and information.

Writing with the concurrence of Judges Robert E. Cowen and Collins J. Seitz, Judge Morton I. Greenberg held, in a 68-page opinion, that a library is a limited public forum and is obligated to permit the public to exercise rights "that are consistent with the nature of the library."

"A library is a place dedicated to quiet, to knowledge and to beauty," the appeals court said. "Its very purpose is to aid in acquisition of knowledge through reading, writing and quiet contemplation."

The portion of the patron policy, which was drafted in July, 1989, that Judge Sarokin found unconstitutional — and the appeals panel upheld — permitted the expulsion of patrons who were not reading, studying or using library materials or whose staring or poor hygiene annoyed other patrons. Judge Sarokin said those provisions were unconstitutionally vague.

In reversing Sarokin on the issue of body odor, Judge Greenberg said: "The library's goal is served by its requirement that its patrons have non-offensive bodily hygiene, as this rule prohibits one patron from unreasonably interfering with other patrons' use and enjoyment of the library." The panel added that the library was not a lounge or shelter. "Requiring that its patrons make use of the library in order to remain there is a reasonable means to achieve that end." Reported in: *New York Times*, March 25.

excerpts from the ruling

The following are excerpts pertaining to the right to receive information from the appeals court's decision in *Kreimer v. Bureau of Police for the Town of Morristown*:

This case compels us to resolve questions concerning the breadth of a public library's authority to promulgate and enforce regulations governing the use of its facilities. . . .

The district court's opinion unduly restricts the Library's authority to circumscribe admission to and expulsion from its facility and gives short shrift to its significant interest in achieving the optimum and safest use of its facilities. Indeed, we find that the rules are reasonable "manner" restrictions on the patrons' constitutional right to receive information. We also disagree with the district court's analysis and application of the doctrines of vagueness and overbreadth and further find fault with the court's determination that the

Library intended to restrict Kreimer's access to it in violation of the Fourteenth Amendment. In sum, we are satisfied that the rules in issue pass muster under well-established constitutional principles governing facial attacks. Accordingly, we will reverse. . . .

The first issue to be addressed in any challenge to the constitutional validity of a rule under the First Amendment is whether a First Amendment right exists, for "if it [does] not, we need go no further." Kreimer bases his First Amendment claim on the "right to receive information and ideas," and identifies the "vital role played by public libraries" in promoting the fullest exercise of that right. The Library denies that a First Amendment analysis is even applicable and contends instead that the right to receive information "has been found to exist only in cases involving content-based censorship." Our review of the relevant Supreme Court cases, as set forth below, leads us to conclude that a right to receive information founded under the First Amendment is implicated in this case.

The First Amendment declares in broad terms that "Congress shall make no law . . . abridging the freedom of speech . . ." As history has confirmed, the "speech" component to this constitutional right is far-reaching and includes various methods of communication. However, it was not until *Martin v. City of Struthers* (1943) that the Supreme Court decided whether it includes the freedom to receive speech as well as the freedom to speak. . . .

. . . [In *Martin*] the Court observed that the framers "knew that novel and unconventional ideas might disturb the complacent, but they chose to encourage a freedom which they believed essential if vigorous enlightenment was ever to triumph over slothful ignorance. This freedom embraces the right to distribute literature . . . and necessarily protects the right to receive it." . . .

. . . Because the freedom to distribute and receive information was "so clearly vital to the preservation of a free society" the Court announced that it "must be fully preserved." . . .

Later, in *Lamont v. Postmaster General* (1965), the Supreme Court considered the constitutionality of a federal law requiring that certain mail be detained until the addressee is notified and requests delivery. . . .

. . . Justice Brennan's oft-quoted remark in *Lamont* now constitutes the hallmark of the right to receive information: "[t]he dissemination of ideas can accomplish nothing if otherwise willing addressees are not free to receive and consider them . . . [for] [i]t would be a barren marketplace of ideas that had only sellers and no buyers."

In *Griswold v. Connecticut* (1965) the Court, in a plurality opinion, again placed its imprimatur on the constitutional right to receive information. . . .

In *Stanley v. Georgia* (1969), a majority of the Supreme Court agreed that the First Amendment encompasses the right to receive information and ideas. . . .

... The Court explained that the "right to receive information and ideas, regardless of their social worth . . . is fundamental to our free society." . . .

Next, in *Red Lion Broadcasting Co. v. Federal Communications Commission* (1969) the Court extended the right to receive information beyond the censorship context. . . . A clear majority of the Court found that "[it] is the right of the viewers and listeners, not the right of the broadcasters, which is paramount." The Court further declared that "[i]t is the right of the public to receive suitable access to social, political, esthetic, moral, and other ideas and experiences which is crucial here." . . .

" . . . [T]his issue generated vigorous debate in *Board of Education v. Pico* (1982), which includes seven separate opinions. . . .

The plurality [in *Pico*] observed that the First Amendment protects not only the right to self-expression, but also guarantees "public access to discussion, debate, and the dissemination of information and ideas." Moreover, it indicated that the right to receive information:

is an inherent corollary of the rights of free speech and press that are explicitly guaranteed by the Constitution, in two senses. First, the right to receive ideas follows ineluctably from the sender's First Amendment right to send them. . . . More importantly, the right to receive ideas is a necessary predicate to the recipient's meaningful exercise of his own rights of speech, press and political freedom.

In the plurality's view, this constitutional guarantee carried no less force in the public school library context because "such access prepares students for active and effective participation in the pluralistic, often contentious society in which they will soon be adult members." Indeed, the "special characteristics of the school library make that environment especially appropriate for the recognition of the First Amendment rights of students." . . .

The dissenters in *Pico* made no contention that the First Amendment did not encompass the right to receive information and ideas, but merely argued that the students could not freely exercise this right in the public school setting in light of the countervailing duties of the School Board. . . .

Our review of the Supreme Court's decisions confirms that the First Amendment does not merely prohibit the government from enacting laws that censor information, but additionally encompasses the positive right of public access to information and ideas. *Pico* signifies that, consistent with other First Amendment principles, the right to receive information is not unfettered and may give way to significant countervailing interests. At the threshold, however, this right, first recognized in *Martin* and refined in later First Amendment jurisprudence, includes the right to some level of access to a public library, the quintessential locus of the receipt of information.

The recognition of a constitutional right protecting public access to information and ideas is simply the threshold of

our analysis. Our next step is to "identify the nature of the forum. . . ."

It is clear to us that a public library, albeit the "quintessential" locus for the exercise of the right to receive information and ideas, is sufficiently dissimilar to a public park, sidewalk or street that it cannot reasonably be deemed to constitute a traditional public forum. Obviously, a library patron cannot be permitted to engage in most traditional First Amendment activities in the library, such as giving speeches or engaging in any other conduct that would disrupt the quiet and peaceful library environment. We thus reject the district court's conclusion that the Library constitutes a "quintessential traditional public forum whose accessibility affects the bedrock of our democratic system." . . .

In our view, an application of the Supreme Court's declarations concerning this issue, as well as an examination of the factual similarities and dissimilarities among the cases discussed above and the present one, confirm that the Library constitutes a limited public forum

A library is "a place dedicated to quiet, to knowledge, and to beauty." Its very purpose is to aid in the acquisition of knowledge through reading, writing and quiet contemplation. Thus, the exercise of other oral and interactive First Amendment activities is antithetical to the nature of the Library. These arguably conflicting characteristics, at least in a First Amendment sense, support our conclusion that the Library constitutes a *limited* public forum, a sub-category of designated public fora. . . . Hence, as a limited public forum, the Library is obligated only to permit the public to exercise rights that are consistent with the nature of the Library and consistent with the government's intent in designating the Library as a public forum. Other activities need not be tolerated. . . . □

(targets . . . from page 74)

<i>O. Y. E.</i> [Palo Alto H.S.]	p. 85
<i>Playboy</i>	p. 87
<i>Playgirl</i>	p. 87
<i>Rolling Stone</i>	p. 80
<i>Sports Illustrated</i>	p. 87
<i>Warwhoop</i> [Meridian H.S.]	p. 85

films and videos

<i>From Back to Front</i>	p. 97
<i>Henry and June</i>	p. 88
<i>Last Tango in Paris</i> [Chile]	p. 97
<i>The Trickster</i>	p. 97

artists

Dayton Claudio	p. 88
Josef Schutzenhofer	p. 88
Brandon Wells	p. 89

intellectual freedom bibliography

Compiled by Anne E. Levinson, Assistant Director, Office for Intellectual Freedom

- Anderson, A. J. "The Politically Incorrect Librarian." *Library Journal*, Vol. 117, No. 2, February 1, 1992, p. 59.
- Baker, William D. "Pornography: The Evolution of a Concept." *Ohio Libraries*, Vol. 4, No. 5, September/October, 1991, p. 21.
- _____. "The Principles Inherent in a Free Society: Scrutinizing the Library Bill of Rights." *Ohio Libraries*, Vol. 4, No. 6, November/December 1991, p. 21.
- Barron, Daniel and Timothy J. Bergen Jr., "Information Power: The Restructured School Library for the Nineties." *Phi Delta Kappan*, Vol. 73, No. 7, March 1992, p. 521.
- Beck, James. "The Damaging Silence on Art Restoration." *The Chronicle of Higher Education*, Vol. 38, No. 26, March 4, 1992, p. B3.
- Bollag, Burton. "East Europe Offering 'Astounding' Access to Official Papers." *The Chronicle of Higher Education*, Vol. 28, No. 23, February 12, 1992, p. A1.
- Carr, C. "Here Comes the New Boss, Worse Than the Old Boss." *The Village Voice*, Vol. 37, No. 9, March 3, 1991, p. 28.
- Carver, Richard and Dan Swanson. "Africa's Press of Freedom." *The Nation*, Vol. 254, No. 6, February 17, 1992, p. 193.
- Conable, Gordon. "Access and Indigency: Lessons from Morristown." *Public Libraries*, January/February, 1992, p. 29.
- _____. "Foundations in an Earthquake: Economics, Intellectual Freedom and Indigence." *Ohio Libraries*, Vol. 4, No. 6, November/December, 1991, p. 10.
- Coughein, Ellen K. "Scholars Confront Fundamental Question: Which Vision of America Should Prevail?" *The Chronicle of Higher Education*, Vol. 38, No. 21, January 29, 1992, p. A8.
- "The Culture of Seminaries: Five Views." [re: political correctness, etc.]. *The Christian Century*, Vol. 109, No. 5, February 5-12, 1992, p. 129.
- Debating PC: The Controversy Over Political Correctness on College Campuses*. Paul Berman, Ed., Laurel Press, 1992.
- Dodge, Susan. "Campus Codes That Ban Hate Speech are Rarely Used to Penalize Students." *The Chronicle of Higher Education*, Vol. 38, No. 23, February 12, 1992, p. A35.
- Extra!* Vol. 5, No. 2, March 1992.
- Garment, Leonard. "Financing Private Art With Public Money: A Troubled Truce Ends." *The Chronicle of Higher Education*, Vol. 38, No. 27, March 11, 1992, p. B1.
- Grigg, William Norman. "America's Culture War." *The New American*, Vol. 8, No. 5, March 9, 1992, p. 19.
- Hecht, Bria. "Dr. Uncool-J." *The New Republic*, Vol. 206, No. 9, March 2, 1992, p. 11.
- Hentoff, Nat. "The Bitter Politics of the First Amendment." *The Village Voice*, Vol. 37, No. 6, February 11, 1992, p. 20.
- _____. "Mari Matsuda: Star of the Speech Police." *The Village Voice*, Vol. 37, No. 7, February 18, 1992, p. 24.
- _____. "This is the Hour of Danger for the First Amendment." *The Village Voice*, Vol. 37, No. 4, January 28, 1992, p. 20.
- _____. "Trading in the First Amendment for 'Hate Speech' Laws." *The Village Voice*, Vol. 27, No. 5, February 4, 1992, p. 22.
- Hill, Greg and David T. Bates. "Intellectual Freedom and Emerging Democracies: Spreading the Word." *Texas Library Journal*, Vol. 67, No. 3, Fall, 1991, p. 96.
- The Humanist*, [Democracy and Multiculturalism], March/April, 1992.
- Index on Censorship*, Vol. 21, No. 1, January, 1992.
- _____, Vol. 21, No. 2, February, 1992.
- Jay, Gregory S. "The First Round of the Culture Wars." *The Chronicle of Higher Education*, Vol. 38, No. 25, February 26, 1992, p. B1.
- Kinsley, Michael. "Arts and Crafts." *The New Republic*, Vol. 206, No. 11, March 16, 1992, p. 6.
- Kovach, Bill. "Stop the Tinkering and Resume the Mission." *Editor and Publisher*, Vol. 125, No. 5, February 1, 1992, p. 40.
- Krug, Judith F. "Challenges to Intellectual Freedom: Implications for the Twenty-First Century." *North Carolina Libraries*, Vol. 49, No. 4, Winter, 1991.
- Lefkowitz, Mary. "Not Out of Africa." *The New Republic*, Vol. 206, No. 6, February 10, 1992, p. 29.
- Lewis, Christopher. "The Americans With Disabilities Act and its Effect on Public Libraries." *Public Libraries*, Vol. 31, No. 1, January/February, 1992, p. 23.
- Lichtenstein, Bill. "The Secret Battle for the NEA." *The Village Voice*, Vol. 27, No. 10, March 10, 1992, p. 35.
- Miller, Florence. "Death and Remembrance: Open Letter to Salman Rushdie." *The Nation*, Vol. 254, No. 9, March 9, 1992, p. 304.
- Model, F. Peter. "Eye on Publishing." *Wilson Library Bulletin*, Vol. 66, No. 4, December, 1991, p. 58.
- Ortiz de Montellano, Bernard. "Avoiding Egyptocentric Pseudoscience: Colleges Must Help Set Standards for Schools." *The Chronicle of Higher Education*, Vol. 38, No. 27, March 25, 1992, p. B1.
- Poplun, Samuel L., *The Reasoning Voter: Communication and Persuasion in Presidential Campaigns*. University of Chicago Press, 1992.
- Robins, Natalie. *Alien Ink: The FBI's War on Freedom of Expression*. William Morrow & Company, 1992.
- Schuman, David. "Our Fixation on Rights is Dysfunctional and Deranged." *The Chronicle of Higher Education*, Vol. 28, No. 30, April 1, 1992, p. B1.
- Singer, Alan. "Multiculturalism and Democracy." *Social Education*, Vol. 56, No. 2, February, 1992, p. 83.
- Strickland, Charlene. "Offensive Lit. 101." *Wilson Library Bulletin*, Vol. 66, No. 4, December 1991, p. 63.
- Tackett, Raymond. "Copyright Law Needs to Include 'Fair Use' for Course Materials." *The Chronicle of Higher Education*, Vol. 38, No. 23, February 12, 1992, p. B3.
- Thornton, Glenda Ann. "Physical Access to Periodical Literature: The Dilemma Revised and a Brief Look at the Future." *Serials Review*, Vol. 17, No. 4, January 21, 1992, p. 33.
- White, Herbert S. "The Freedom to Write a Research Paper Without Being Mugged." *Library Journal*, Vol. 117, No. 3, February 15, 1992, p. 138.
- Wilkins, Roger. "One Man's Bill of Rights." *The Nation*, Vol. 254, No. 6, February 17, 1992, p. 196. □

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