

newsletter
on
intellectual
freedom



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IFC report to ALA Council

The following is the text of the Intellectual Freedom Committee's report to the ALA Council, delivered January 27, 1993, at the ALA Midwinter Meeting in Denver by Chair Candace D. Morgan.

I am pleased to bring to Council, on behalf of the Intellectual Freedom Committee, several action items as well as a few equally important information items.

No issue has been more on the minds of attendees at this meeting than this state's recent adoption of a constitutional amendment repealing human rights legislation and prohibiting the adoption in the future of legislation to protect the civil rights of gays and lesbians. Immediately following the election, bookstores in Denver, including the Tattered Cover Bookstore, received bomb threats. *Newsweek* magazine reported that some believed these threats were a coordinated effort of intimidation. The Intellectual Freedom Committee believes very strongly that the atmosphere of intolerance surrounding the adoption of this amendment, despite ongoing legal challenge to the amendment itself, is indicative of a national trend which includes targeting gays and gay materials in libraries and library collections. In fact, the Oregon group that sponsored the unsuccessful Measure 9, which would, among other things, have prohibited the use of public funds for the so-called promotion of homosexuality, have announced that it will attempt a Colorado-style measure at the earliest possible opportunity; we are informed that several other states may face similar initiatives. We have no doubt that these measures will be used as a jumping off point for continued and redoubled efforts to discriminate against gays, and to censor and suppress library materials by and about gays. In recognition of this threat, several ALA members and units have drafted resolutions opposing and/or urging the repeal of Constitutional Amendment 2 and pointing out the serious and imminent threat to libraries and library collections posed by the atmosphere of intolerance that engendered it. The Intellectual Freedom Committee's document specifically addresses discrimination against gays and gay materials in libraries, reaffirming ALA's commitment to non-discrimination and the provision of information from all points of view. I urge Council's adoption of the "Resolution on Gay Rights and Gay Materials."

At Council II, this body referred the "Resolution on Gender, Sexual Orientation and the *Library Bill of Rights*" to the Intellectual Freedom Committee for a recommendation. After careful and lengthy consideration, the Intellectual Freedom Committee elected to present a substitute resolution, "Resolution Reaffirming the *Library Bill of Rights* to

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Views of contributors to the **Newsletter on Intellectual Freedom** are not necessarily those of the editors, the Intellectual Freedom Committee, or the American Library Association.

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most censored stories of 1992

In the past decade, the Reagan/Bush administrations gave print and electronic media owners in America "permission" to create giant, monopolistic media empires. In return, the media looked the other way while the two administrations committed high crimes and then lied about them.

This was the top censored news story of 1992, as selected by a panel of media experts at Sonoma State University, in Rohnert Park, California, called Project Censored. Every year Project Censored, a student seminar under the direction of Professor Carl Jensen, peruses hundreds of nominations of news stories that should have been covered by the media and weren't. A list of the top twenty-five stories are then judged by media figures across the nation. The panel of thirteen judges this year included Noam Chomsky, Hugh Downs, and Susan Faludi.

According to Project Censored, the top ten censored stories of 1992 were:

1. *The Great Media Sell-Out*. It has been said that there is no greater sacred cow with the media than the media themselves. For over two decades, media scholar Ben Bagdikian has warned of the dangers posed by the consolidation of media ownership. "When corporations gain a level of centralized control over what the general public learns," Bagdikian warned in 1990, "the dominant corporations can, through their control of news and other public information, postpone public awareness for dangerously long periods."

In his landmark book, *The Media Monopoly*, Bagdikian warned that "corporate news media and business-minded governments have made common cause. The public, dependent on the media giants for its basic information, is not told of the dangers."

2. *Corporate Crime Dwarfs Street Crime*. While the press continues to alarm the public with stories of street crime and violence, corporate crime and violence grows at an accelerated pace. In an analysis of the ten worst corporate criminals for *World Monitor*, writer Russell Mokhiber revealed that public corruption, environmental degradation, financial fraud, procurement fraud, and occupational homicide are all on the increase.

3. *Major Election-Year Issues Ignored*. While the candidates and the media focused on alleged infidelities and family values, there were more important issues that were under-reported during the election campaign, including Bush and Iran-Contra, Bush's Team 100, Dan Quayle's Council on Competitiveness, and What Happened in Mena, Arkansas, while Bill Clinton was governor.

4. *World's Leading Merchant of Death*. With the end of the cold war, the hope was that U.S. arms production and sales would be reduced and replaced with non-military production, but this has not happened. Instead, the U.S. has now become the world's unchallenged weapons producer and supplier.

5. *Iraqgate and the Watergate Law*. While some of the disturbing facts behind the Iraqgate scandal have started to appear in the press, the mainstream media all but ignored the story, as well as the quiet demise of the Watergate special prosecutor law, for more than a year.

6. *"We are Winning the War on Drugs" Was a Lie*. Americans are in greater danger from drugs and drug trafficking today than ever before. Before the "war on drugs" began, deaths from drug abuse and drug-related murders declined from a peak of 8,500 a year in the early 1970s to 7,700 in 1982. Since 1982, the numbers have steadily risen. Drug abuse deaths rose by 50 percent and drug-related murders tripled — to more than 13,000 in 1990 — the steepest increase and the highest level in history.

7. *Federal Regulations Trashed for Profit*. While polls show the public firmly opposes deregulation when the purity of air, water, food, drugs, and other necessities are involved, President Bush proposed a total 210-day moratorium on new federal regulations during 1992.

8. *Government Secrecy Makes Mockery of Democracy*. In 1991, some 6,500 U.S. government employees classified 7,107,017 documents, an average of more than 19,000 documents per day.

9. *Advertising Pressure Corrupts a Free Press*. The Center for the Study of Commercialism invited two hundred media outlets to a press conference to reveal how advertisers suppress news. Only two newspapers attended. A report by the Center documented dozens of examples of advertiser censorship in the media.

10. *The Pentagon's Prospering Post-Cold War Black Budget*. The end of the cold war did not end the secretive cold war mentality of the Pentagon. Each single day close to \$100 million is spent to fuel the national security machinery of the Pentagon as part of an entirely secret "black" budget, appropriated and spent without public scrutiny.

Censored: The News That Didn't Make the News and Why, the 1993 Project Censored yearbook, will be available in March from Shelburne Press. □

Madonna Sex controversy continues

The controversy over pop star Madonna's book of erotic photographs, *Sex*, continued in public libraries across the country in November and December. In addition to the incidents previously reported (see *Newsletter*, January 1993, p. 1), in Manchester, Connecticut, a decision by library director Douglas McDonough to put the book on the shelves was held in abeyance by the library board November 2 after scores of residents complained. A month later, however, on December 7, the board reversed itself in a 4-2 vote before a highly emotional crowd. "The problem of censorship outweighs the problem of having the book in the library," said board chair Paul McCary.

A similar chain of events occurred in Topeka, Kansas, as the Topeka and Shawnee County Public Library purchased three copies to lend to adult patrons only. On December 4, however, the library's review committee met to consider formal complaints that in the end numbered over forty against the book, and removed it from the shelf. Finally, on December 22, the committee voted 8-1 to restore the book to its original restricted status.

Other places where *Sex* raised problems for librarians included South Bend, Indiana, and Downers Grove, Illinois. In San Diego, California, a 16-year-old girl who brought a copy of the book to Rancho Bernardo High School had the book confiscated by school officials and her parents notified. "They told me the book was disgusting. It's just their opinion," said Monica Torres. "Me and my friends think it's art."

One place where the book has not raised controversy is Madonna's home town of Rochester Hills, Michigan. "We don't see it as an essential purchase," said public library director Christine Hage, "and because of the cost we wouldn't just buy it without the interest. We meet public demand; if the public is curious, this is a good use of public money. I guess the public isn't interested." Reported in: *American Libraries*, December 1992; *Chicago Tribune*, December 10; *Hartford Journal*, December 8; *Manchester Journal Inquirer*, December 8, January 2; *South Bend Tribune*, December 15; *Topeka Capital-Journal*, December 11, 12, 19, 22; *Topeka Metro News*, December 23. □

library rejects neo-Nazi demands

Neo-Nazi demands that white supremacist newspapers and magazines be stocked in Palm Beach County libraries were rejected December 14 after an emotional public hearing. "This issue is over," said Joseph Glucksman, chair of the Palm Beach County Library Advisory Board.

By unanimous votes, the board upheld decisions by county librarians, who said a newspaper called the *New Order* and a magazine called *National Socialist International Bulletin* did not meet the county's criteria for inclusion in library collections.

In discussing the periodicals, Glucksman told the board, "the topic, subject or opinions expressed in the publications are not to be considered." But many in the audience objected to the content. The board, however, said its decision was made on the basis of the magazines' failure to meet county standards for relevance to community needs, relative importance compared with other materials, quality of writing and timeliness or long-standing interest.

The two men who demanded the literature said they would consult an attorney. Lawyer Jim Green of the ACLU said they had contacted his organization. "If there are objective criteria that have been equally applied, then we may not get involved," he said. "We are going to review the decision and if there appears to be any hint that content was a factor then we may well get involved." Reported in: *Miami Herald*, December 15. □

NEA rejects three gay film grants

In the waning days of her controversial term as acting chair of the National Endowment for the Arts, Anne-Imelda Radice vetoed grants for three gay film festivals, provoking sharp responses from surprised artists, congressional aides and civil liberties groups.

"It's disgraceful behavior at a point like this," said one Congressional staffer. "As a lame-duck chair, she's going wild. It's all punitive to Clinton. She's going to leave the gay community hanging out there, and he'll have to clean up the mess."

Radice issued a terse, one-sentence statement November 20 declaring that the vetoed grants failed to demonstrate "artistic excellence."

"I have no idea what the rationale is," said Julian Low, director of the National Alliance for Media Arts and Cultures, the Oakland, California, group that selected the festivals for funding as part of a joint project with NEA. "Whether it's spite, or her desire to throw a monkey wrench into the Clinton administration, or even whether she genuinely believes this is the way to save the NEA — I just don't know."

The three film festival grants, which totaled \$17,500, were

part of a program run by NEA and the alliance for several years. Fifty of fifty-three small media programs selected by peer panelists for funding under the program were approved. Grants for gay film festivals run by the Gay and Lesbian Media Coalition in Los Angeles, the New Festival in New York City, and the Pittsburgh International Gay and Lesbian Film Festival were denied by Radice.

During the summer, endowment officials had attempted to cajole the groups into rewriting their applications. "We were getting calls from the NEA to rewrite our proposals so that they would reflect something different or would fund something other than the festivals," said Tom Healy of the New Festival. "It was clear that they didn't want to fund something gay nor did they want a gay issue in the press during the summer election season. That's the way it seemed to us."

Healy pointed out the both the New Festival and the Los Angeles festival received NEA funding the previous year for similar gay and lesbian film festivals without any problem.

"It's interesting that of 53 organizations, the only three gay festivals were found lacking," said Richard Cummings, director of the Pittsburgh festival. Reported in: *Philadelphia Inquirer*, November 21. □

FTRF report to ALA council

The following is the text of the Freedom to Read Foundation's report to the ALA Council, delivered January 26, 1993, at the ALA Midwinter Meeting in Denver by J. Dennis Day, Vice-President of the Freedom to Read Foundation, in the absence of President Gordon Conable.

Thank you for this opportunity to report to you behalf of the Freedom to Read Foundation. Judging by events over the last eighteen months and, particularly, the last six, school and public libraries appear to be the focal point of a war against the right to know by the extreme right of center. The initiative, which is highly organized, well funded and systematic, directs its energies to materials such as *Daddy's Roommate* and *Heather Has Two Mommies*, and multi-cultural curricula. The latest casualty of this new war against libraries and librarians is Madonna's *Sex*, which is not only being attacked in its own right, but is being used as a catalyst to attack fundamental democratic values, including the right of all persons, regardless of age, to decide what they want to read.

We have strong evidence that, based on the law, librarians can continue to provide in their collections ideas and information across the spectrum of social and political thought. But it appears that the rule of law may not be enough. To some of the complainants, the end appears to justify the means, and lacking a legal way to remove materials from libraries, they resort to illegal mechanisms, including bomb threats and forms of personal reprisal.

As helpful, effective, and eloquent the statements and policies of the American Library Association have been, and as articulate as they have been in defending the freedom to read, they no longer by themselves are sufficient to keep collections open and access free. We must have the legal tools in place to do what has to be done. Never before has the burden and the challenge placed on the Freedom to Read Foundation been in sharper focus than it is right now.

While the Foundation is redoubling its efforts to create the needed legal tools, working closely with our counsel and cooperating attorneys, we need help. There is another aspect to our counterattack, namely, education. The Foundation board has voted to strongly support the Intellectual Freedom Committee's request for a program enhancement that will allow the committee to energize itself and mobilize our colleagues in every chapter of our association.

Litigation

Simultaneously, the legal work of the Foundation goes on. We continue our high level of activity with important First Amendment cases, and have even added to our docket.

Alexander v. U.S.

As you will remember, the ALA Executive Board voted to join with the Foundation in an *amicus* brief in *Alexander*

v. The United States. In this case, obscenity convictions for seven items led the government to confiscate and burn millions of dollars worth of constitutionally protected materials, prior to appeal. As a result, a speech-oriented business was effectively destroyed by this sweeping use of forfeiture powers under the RICO laws. The case presented an important opportunity to try to persuade the U.S. Supreme Court that such an astonishingly punitive use of governmental power against materials which are *presumed to be protected by the First Amendment* is well beyond the scope of permissible government action. The U.S. Supreme Court is being asked to resolve the question of whether the penalty of forfeiture may be used to *destroy* speech-related businesses as a punishment for a few isolated obscenity convictions. The case was argued before the United States Supreme Court on January 12.

Soldier of Fortune Magazine v. Braun

In this case, the Foundation was an *amicus* in a petition to the U.S. Supreme Court for *certiorari*. The case involved *Soldier of Fortune's* liability for an ad placed in the magazine by a man who, allegedly on the basis of the ad, was hired to commit a murder. The *amicus* brief joined by the Foundation argued that the decision of the Eleventh Circuit upholding the award of damages in this case should be reversed because it created a new category of unprotected speech, in conflict with past Supreme Court precedent; threatened protected speech by imposing liability under a standard lacking in constitutional precision; and diminished the important role of commercial advertising in the marketplace of ideas. The Supreme Court denied *certiorari* on January 11.

Brown v. Woodland Joint Unified School District

The Foundation has joined with other organizations in an *amicus* brief on behalf of the defendant school system. The case, brought by the American Family Association, challenges the use of the *Impressions* reading series in the Woodland, California, schools. The case has not yet been set for argument.

Pompano Books and Video v. Satz

The Foundation voted to join an *amicus* brief in this case which involves an action brought by three adult bookstores in the Fort Lauderdale, Florida, area against local prosecutors, seeking to enjoin a pattern of harassment intended to suppress constitutionally protected speech. The federal district court expressed concern about the actions of the local prosecutors, but refused to enjoin the conduct, partly because the improper motive to suppress speech was not the "major motivating factor" underlying the harassment. The bookstores appealed. The Foundation agreed with its legal counsel that any prosecution or pattern of prosecutorial harassment even partly motivated by an intention or desire

to suppress protected speech, should be found unconstitutional and should be enjoined.

Federal Legislation

Pornography Victims Compensation Act

Free speech organizations, led by the Media Coalition and with the help and participation of the Freedom to Read Foundation and ALA, succeeded in preventing the adoption of the Pornography Victims Compensation Act. This attractively titled but wrongheaded legislation would have provided a civil cause of action to victims of violent crime against third party publishers and distributors of expressive materials, based on the claim that the materials somehow caused the attack. The bill was based on faulty and unproven assumptions and would have had a profound chilling effect on the publication and dissemination of material with sexual content. The Foundation fully expects, however, that a new version of the bill will be reintroduced in this Congress.

Computers, Freedom and Privacy Conference

The Foundation is continuing its involvement in and liaison

with computer professionals and others working in the area of civil rights and free speech in electronic communication and information storage and retrieval systems. Representatives of the Foundation will be attending the third Computers, Freedom and Privacy Conference to be held in March in San Francisco. The Conference attracts an extremely broad array of computer professionals, government agency personnel, librarians and free speech advocates. The first two conferences have proven to be ground-breaking and extremely valuable in placing librarians at the forefront of discussions about free access to information, and access to information on the electronic frontier.

Conclusion

The Foundation looks forward to continuing to build upon the extraordinary base of legal precedent protective of libraries' constitutional status as institutions devoted to the exercise and protection of First Amendment rights. This legal precedent has been forged with the help and cooperation of the American Library Association, and together with ALA, we pledge to strengthen and expand it. Thank you. □

record industry taking hard line on 'gangsta' rap

Acceding to pressure from police groups and others, the recording industry is quietly putting an end to violent, angry, "gangsta" rap songs that portray the killing of police officers. Rappers are still writing and recording such works, but more and more record executives have decided they should no longer be released on corporate-owned labels.

One Time Warner-affiliated company flatly banned cop-killing songs, while other labels owned by the company warned rappers to clean up their lyrics or go elsewhere. MCA and PolyGram officials also have taken a hard line, while executives at other labels have beefed up lyric review procedures.

"I thought artists in America were supposed to have freedom of expression," declared Oakland, California, rapper Paris, who in early December released his *Sleeping With the Enemy* album on his own label after Warner officials rejected a cut called "Bush Killa" that depicts the stalking of former President George Bush. "I guess standing up for free speech is bad business these days."

The efforts appear as a reaction to the controversy last summer over the song "Cop Killer" by rapper Ice-T (see *Newsletter*, September 1992, p. 145). Time Warner pulled the song July 29 at Ice-T's request after police groups picketed the company and both Bush and then-Vice President Dan Quayle came out against it.

Two weeks later, Warner Music Group executives met with Ice-T and other rappers to warn them to change their lyrics or find another label. Although Warner officials denied that there is a corporate policy banning "incendiary" lyrics,

rappers and record company insiders agreed that several Warner labels have pressured rap performers to tone down their works and have dropped others for refusing to do so.

Nowhere has the pressure been greater, insiders say, than at Time Warner-affiliated Interscope Records, where rapper Tupac Amaru Shakur and the label face a lawsuit by a Texas widow who claims Shakur's anti-police lyrics led to the shooting of her highway trooper husband. While the firm intends to fight the case in court, Interscope co-owner Frederick W. Field said the company could no longer afford to release such controversial material.

"Interscope encourages artistic freedom and we take our responsibility as a barometer of social consciousness seriously," said Field, a Hollywood film executive and leading donor to People for the American Way. "And while each album will continue to be considered individually, we will not release any album in the future that advocates cop killing. It's with a great deal of regret that we would step in and say this doesn't fly for us, but it's an issue for a company of our size and it's an issue for the majors as well."

The future of Ice-T's much anticipated *Home Invasion* album is also in question. Time Warner's Sire Records delayed the release of what the Los Angeles rapper once referred to as his "rougher" and "crazier" follow-up to *Body Count*, which contained "Cop Killer." Originally planned for a December release, the record was postponed so that the rapper could add new material. Sources said the material was being recorded to replace "incendiary" tracks that executives wanted deleted.

The release in early December of rapper Paris's in-

(continued on page 61)

A committee had reviewed the book and made the recommendation to the board after a parent complained that the popular horror novelist's book described explicit sexual acts and used violent, profane language.

"In no way, shape or form is this censorship, but a reasonable recommendation," said Superintendent Richard Watcher. "The book will still be available to students." Watcher acknowledged, however, that *It* is the only title on the closed shelf. Reported in: *Olean Times-Herald*, December 18.

Fayetteville, North Carolina

Jerry Thrasher, director of the Cumberland County library system, decided January 6 to remove a book that details the sexual exploits of an American living in Paris. *Opus Pistorum*, by Henry Miller, lacks "serious literary or artistic merit for this library's collection," Thrasher said. The action came in response to a December 8 complaint filed by Charles Fitzgerald, a civilian worker at Fort Bragg.

Assistant Library Director Marsha Grove had recommended moving the book to an academic library. "Because of several reviews that question the book's literary, social or political merit and even question the authorship, I believe the book more appropriately belongs in an academic library, where it is available for those doing historical literary research."

"The book is a literary curiosity that is more suited for an academic library collection that supports a strong literature curriculum," echoed Thrasher.

Thrasher refused to say whether he thought the book pornographic, but upon its posthumous republication in 1983 several critics freely labeled it as such, arguing that Miller had written it for money only.

"I'm not saying it is pornographic; I'm saying that it lacks literary or artistic merit for the library," Thrasher said. "I can't determine if a book is pornographic. That is a decision that would have to be made in a court of law."

Fitzgerald said that he had been prompted to search the library for pornographic materials because of publicity about efforts to remove two children's books on homosexuality and the foreign film *Amor Bandido*, which has sex scenes in it (see *Newsletter*, January 1993, p. 28). Reported in: *Fayetteville Observer-Times*, January 7.

Boyertown, Pennsylvania

Officials of the Boyertown School District pulled four copies of a children's book from the library shelves of four elementary schools in December, pending the evaluation of a review committee. An unidentified district parent prompted the incident, charging that *Caleb and Kate*, by William Steig, which has been in the schools for fifteen years, depicts "a dismal outlook on marriage and life."

The parent said that negative feelings of "hate, fury, and distrust" overshadowed the tenderness expressed between

the eponymous couple, and said the book's illustrations are similarly negative and violent.

District policy does not stipulate the removal of materials during a reevaluation process, but Principal Michael Hipple of Colebrookdale Elementary School said he needed all four copies for the committee to read. Reported in: *Times of Boyertown Area*, December 24.

Mechanicsburg, Pennsylvania

By a 7-1 vote November 20, the Mechanicsburg school board voted to remove the teenage magazine *YM*, which stands for Young and Modern, from the Mechanicsburg Intermediate School library and place it in the high school library instead. The board said the magazine is not "age appropriate" for 6th-8th graders. The high school librarian was also instructed to review the magazine when its subscription is up to determine if it should be renewed at all.

"There's a difference between what's censorship and what makes sense," said Superintendent Robert H. Curtis. "For me, I believe you have to separate the two. It was truly age-inappropriate." In its original form as *Young Miss*, the magazine was published by the Girl Scouts of America. But when sold to a new publisher and renamed, its target market became an older group.

Carol Colestock, a parent who challenged the magazine, said after the meeting that she is "satisfied with the decision now." She said she had not decided if she would challenge the magazine at the high school level. "I don't believe this magazine should be in any school library, but I'm dealing with it at the middle school because that's where my kids are." Reported in: *Carlisle Sentinel*, November 16, 20; *Harrisburg News*, November 20.

Carrollton, Texas

Gore Vidal's recent novel, *Live From Golgotha*, drew criticism from a patron of the Carrollton Public Library. In an unofficial complaint lodged in late October, the patron asked the library to ban the book. In a November 23 memo to acting City Manager Dan Johnson, the patron found the book "offensive and pornographic" and called again for its removal from the library.

Library officials said there would be no action unless the patron filed an official request for reconsideration. "To this point there has not been a basis for removing material," said library director Beth Little. "People that complain do not always want the material removed, but just want someone to listen to them. A public library selects for everyone. For every one person that objects to a book, there is likely one person that does not — so you need to balance those." Reported in: *Carrollton Chronicle*, December 3.

Prosser, Washington

Despite criticism from parents, librarians and teachers, Prosser School Superintendent Ray Tolcacher advised the

school board December 1 to remove a book from the Housel Middle School library that contains a passage describing the rescue of a naked girl. Parents vowed to appeal the decision, saying it would set a dangerous precedent.

The Goats, by Brock Cole, came under scrutiny when four parents complained about the nudity. The Program Improvement Committee heard the complaints in a closed meeting November 17 and recommended the book's removal from the middle school library to the high school. Parents and teachers at the board meeting criticized the decision, saying the description was relatively tame.

School board members agreed to review the policy that led to the decision after several speakers said they want such decisions made in public. "I respect a parent's right to limit what their child reads," said Housel Middle School librarian Vivien Jennings. "But I have serious concerns about limiting the use of the book by other people's children. I think a large percentage of the people felt left out."

"If the policy's not good, then we will change it," responded Tolcacher. "That doesn't mean that anything's a dead issue. I've heard you loud and clear." Reported in: *Yakima Herald-Republic*, December 2.

Seattle, Washington

Eve Merriam's spooky collection of poems, *Halloween ABC*, will remain in elementary school libraries in the Federal Way School District, but will be shelved with other works generally available only to older students and won't be used in future Halloween displays.

The compromise was worked out for a group of parents who objected to the book's Satanic references. At a special hearing November 25, the school board voted 3-2 to accept the compromise. The dissenters supported the request to remove it altogether.

Star Lake Elementary School librarian Brenda Peddicord, a member of the review committee that handled the complaint, said that placing *Halloween ABC* in the literary collection instead of the collection for younger children made it less likely that those in third grade and younger would encounter it. Reported in: *Federal Way News*, November 29.

schools

Bonsall, California

Bonsall school trustees voted November 11 to pull from a Bonsall Middle School eighth-grade reading list a book that a grandparent said "disgusted" her with its profanity and violence. *Killing Mr. Griffin*, by Lois Duncan, tells about a plot to kidnap a disliked teacher, who dies accidentally during the abduction. The book has been used as a catalyst for classroom discussion of the dangers of blindly following others, no matter how charismatic or popular they may appear.

While the book will no longer be required reading, it will

be available in the library and as optional reading in some classrooms. But Trustee Dwight Thompson said that did not go far enough. "I'm ashamed of anyone who would present this material, whether required or supplemental," he said.

Superintendent Terry Ryan, who cast the deciding vote on a committee of teachers and parents that recommended the book be pulled from the required reading list, said the district must be sensitive to the community.

"I thought [that] while there was a value to the lessons taught in the book, our material should be reflective of our community's values and morals," he said. Reported in: *North County Blade-Citizen*, November 12.

Fort Myers, Florida

Thirteen-year-old Giuliana Mayo said she was learning a lesson she didn't really like at Dunbar Middle School. She's learning, she said, "about how people with power don't let the little people speak."

Giuliana worked months on a science project, with her science teacher's guidance and approval, only to have the school principal decide the project was inappropriate and order it stopped. The project was a survey of Fort Myers' residents' attitudes toward homosexuality. She said she wanted to learn whether age, sex, race or religion played any part in how people formed opinions.

"I heard kids on the bus making fun of gays," she said. "I heard them talk about how much fun it would be to go gay-bashing. I found that really alarming, and I wanted to see if everybody in Lee County was like that."

Giuliana designed a questionnaire and began interviewing a random sample of 150 people. She was more than half finished when principal Charles Bell came across the questionnaire at the school copying machine. "He told me it was inappropriate for children my age to be discussing this topic with adults," she said. "He said I could not continue." Giuliana finished the survey anyway.

"I respect his [Bell's] opinion," she said, "but I don't respect him for keeping me from voicing mine. I'm doing all my schoolwork; it's not like I've been irresponsible or anything. I told him I didn't think he should be able to just stop me like that."

Bell said that if Giuliana turned in the project she would fail. "It was disapproved and she went ahead and did it anyway," he said. "She will get zeros if she turns it in." Bell's decision was approved by county schools superintendent James Adams.

When the issue first arose, Bell told reporters that he stopped the project because "the subject and the questions on the survey are inappropriate for a student in middle school." But in a letter to Giuliana's mother, Adams said the project was rejected because, first, the topic had nothing to do with school curriculum; second, the project did not provide for followup review by a trained social scientist; and, third, "the project does not insure confidentiality under the Federal Rights and Privacy Act" and "does not provide for the safe

treatment of human subjects.”

If the project is flawed, Giuliana's father argued, then the school failed, not his daughter. "They're blaming the victim," he said. "If there are problems with the project design, then they didn't provide the guidance she should have had. They should be accountable for that, not her."

"All in all, I feel I've profited" from the controversy, Giuliana said. "I've gotten closer to my parents, for one thing. And I've learned a lot about people, how they react in negative and positive ways. But I've lost respect for the school system. It's hard for me now to accept anything they say." Reported in: *St. Petersburg Times*, December 19.

Boise, Idaho

"An attitude of fear exists in the district." That was the conclusion of an article in the monthly publication of the Idaho Education Association about censorship pressures in the Meridian school district near Boise. The article chronicled a series of incidents that came to light in late 1992. They included:

- In November, three Meridian High School teachers were suspended for allowing lesbians to discuss gay parenting in the classroom.
- In the first issue of the 1992-93 Meridian High School newspaper, editorials criticized school board actions on censorship and school bond revenue spending. The editorial board and adviser were required to write a letter of apology to the school board.
- A high school teacher requested that a Vietnam veteran be allowed to speak to his class. The teacher was told the veteran had to represent the government's point of view.
- Several slides were removed from slide collections ordered for art classes. Among those removed were pictures of the Sistene Chapel and Michelangelo's statue of David.
- The district directed Social Studies teachers not to discuss controversial subjects in their classrooms.
- An elementary school teacher was required to send home parent permission slips in order to discuss the national election.
- An elementary music program was censored due to a song that referred to recycling, because a school board member might object.
- A middle school librarian removed a poster featuring actor Michael J. Fox. The poster encouraged students to read. Fox was holding a book by Stephen King. During a parent-teacher organization meeting, the group's president said, "I really hate that poster. I wish it was down."
- A middle school teacher removed an ACLU poster about the Bill of Rights from her classroom after a parent objected to it. Reported in: *IEA Reporter*, December 1992.

Chicago, Illinois

Activists were turned away from Whitney Young High School November 20 for distributing a pamphlet on sexuality

and distributing condoms among students. Assistant principals argued with members of the group and threatened to suspend students who brought the 18-page pamphlet into school.

The pamphlet uses common slang to describe sexual organs and practices, and gives directions on how to practice safe sex. It also offers advice on where to obtain birth control and abortion services. Reported in: *Idaho Statesman*, November 23.

Minneapolis, Minnesota

The Westonka School Board voted in December to remove *The Lords of Discipline*, by Pat Conroy, from an elective English course, but to keep it in the library. Some parents had complained about bad language and sex in the story about a military academy in the 1960s. Reported in: *USA Today*, December 17.

Newville, Pennsylvania

The Big Spring School board voted on November 16 to eliminate the novel *Coma*, by Robin Cook, from classroom assignments except as an alternate selection. The book will remain in the high school library. Opponents charge that *Coma* is inappropriate because it contains profanity. Some also alleged that it encourages mistreatment of women and "radical feminism." Earlier, a reconsideration committee agreed that the book should be removed (see *Newsletter*, January 1993, p. 13). The board rejected a more radical proposal by member Robert Roush to ban the book entirely from district classrooms and libraries. Reported in: *Carlisle Sentinel*, November 17.

Souderton, Pennsylvania

Some Souderton Area School District parents and at least one board member have questioned whether the award-winning novel *The Color Purple*, by Alice Walker, is suitable reading for tenth graders. Cyndi Spencer, whose son was assigned the book in Honors English, termed its language and sexual content "smut" and said the book doesn't belong in the classroom.

Director of Curriculum Martin Dugan said a mistake had been made in not notifying parents by letter about the content of the book and that, if they objected, a substitute could be assigned. *The Color Purple* is one of five books on a curriculum list that, according to district policy, require such notification.

"This is the first time *The Color Purple* has been used," Dugan explained. "The book won the Pulitzer Prize and has merit, but the language presents a problem and that's why we instituted the procedure of contacting the parents."

School board member Deborah C. Lentz said she was upset by the situation. "I don't think this book is age-appropriate for the tenth grade," she said. "There is no way this should be given to a child to read. I'm with Mrs. Spencer. I don't want this book used in our schools."

Superintendent Alexander Grande III said he asked the Spencers and others who objected to the book to file a formal complaint. However, Grande said that if the book was not appropriate, "it would not have gotten past the curriculum council." Reported in: *Souderton Independent*, January 6.

West Mifflin, Pennsylvania

Mary Beth Fogel said she couldn't believe the poem that had been given to her 9-year-old son at school. In "Little Abigail and the Beautiful Pony," from Shel Silverstein's *A Light in the Attic*, a little girl asks for a pony, telling her parents if she doesn't get it, she'll "die." When they refuse, she dies.

Fogel said she was so "appalled" by the poem that she pulled her son directly out of class. "I do not find this [poem] amusing," she told the school board December 2. "I do not condone this type of literature being passed out to my son."

Board member John Connolly agreed with Fogel. "This is rather morbid," he said. "It doesn't belong [in the classroom] without [supplying me] any further information. It should be removed from the curriculum."

But Principal Jim Schmunk said the book had been in the district since 1985, is on an approved reading list, and is extremely popular. "We have to keep reordering it because the copies we have wear out," he said. Reported in: *McKeesport News*, December 3.

Cleburne, Texas

Bridge to Tarabithia, by Katherine Peterson, will remain in the Cleburne Independent School district libraries, but will not be required reading at the junior high level following action by the school board December 14. The book had come under fire in the district for its use of profane language.

Wilma Reed, the grandmother who first protested the book, said she was disappointed that the book would remain in libraries. "My objection is I just don't think it's wholesome for children," she said. Reed, who enlisted the support of about twenty other parents and residents, said she would try to get the book removed entirely next year. Reported in: *Fort Worth Star-Telegram*, December 15.

Stevens Point, Wisconsin

On December 17, the Stevens Point Area School Board Reconsideration Committee voted 5-2 to remove the book *Anastasia Krupnik*, by Lois Lowry, from the district's elementary recommended reading list. The vote came after more than forty people testified during a public hearing. District reading coordinator Rose Ylimaki called the decision a book ban and said she would appeal to the school board.

The request to remove the book was initiated by Gail and Herb Smiley, whose daughter is a fourth-grader. The Smileys asked that the book not be used in classes for instructional purposes. Other parents also filed reconsidera-

tion requests with objections to the book's profanity and occasional references to underage drinking. Reported in: *Stevens Point Journal*, November 24; December 18.

student press

Boston, Massachusetts

A conflict between the administration of Boston College and a student-run literary magazine over planned publication of a short story about necrophilia stirred debate at the school about censorship. The controversy began when Boston College senior Jack Lisa submitted the three-page story to *Stylus*. The story was unanimously approved by the magazine's student editorial board, but the university stepped in to block publication.

Officials said the story was offensive and did not belong in a school-financed publication. *Stylus* staff members charged censorship and pointed to the magazine's constitution, which gives the editorial board final authority over what is published. "The real problem is, Boston College kind of changed the constitution on the magazine," Lisa said.

"We felt the story would legally and ethically be a representation of Boston College," said Robert Sherwood, dean of student development. "We were not comfortable with it being in a Boston College publication."

Stylus and the administration had clashed before. Last spring, a poem contained a vernacular phrase that the faculty adviser found offensive. Last fall, a piece was submitted in which the juxtaposition of a curse word and "Christ" was found offensive. Reported in: *Boston Globe*, December 20.

Coquille, Oregon

Coquille High School's principal and one of his teachers disagreed in December over his order that he would "review" all student-written news stories that appear in a page of the *Coquille Valley Sentinel*, the town newspaper. The teacher called the review proposal "censorship."

Principal Ken Cantrell ordered teacher Elaine DeBoard to submit the stories to him before publication. DeBoard said that she wouldn't, and would instead abandon the project. Students in DeBoard's creative writing class had reported, written and produced the pages in two issues under the heading "Your Coquille Schools." The newspaper did not edit the contents.

The dispute began when Cantrell sent DeBoard a memo, asking for the review. DeBoard responded that the page is not a school newspaper "subject to censorship. It is the same type of activity as a basketball game, a speech contest, or a poem submitted to a literary contest. You do not tell the coach what plays to put in nor do you read essays or poems written by students for any kind of contest," she said. As President of the Coquille Education Association, the faculty union, DeBoard said the principal's order violated the district's collective bargaining agreement which "acknowledges the fundamental need to protect teachers

from any censorship or restraint which might interfere with their obligation to pursue truth in the performance of their teaching functions.”

Although Cantrell acknowledged that the page did not appear in a school publication, he emphasized that it was produced as part of a creative writing class and was therefore part of the school’s curricular offerings. “In that context,” he said, “the district does not offend the First Amendment by exercising editorial control over the style and content of student speech in school-sponsored activities so long as our actions are reasonably related to legitimate educational concerns.” Cantrell added that the collective bargaining agreement protected only the academic freedom of teachers, not students. “Your academic freedom is in no way implicated in this prior review system,” he told DeBoard.

On December 21, DeBoard told Cantrell the issue was “moot” because under his conditions she was ending the project. Reported in: *Coquille Valley Sentinel*, December 23.

art and photography

Denver, Colorado

A Colorado State University student opted to remove his painting from the student center after the Children’s Television Workshop objected to his depiction of two well-known Muppets in a compromising position. The company protested artist Heath Johnson’s painting, “Sesame’s Treat,” which showed Muppets Bert and Ernie engaged in an intimate position while Big Bird looked through a window. The company threatened legal action against the university unless the painting was removed.

“The school didn’t tell me to take it down,” Johnson said. “They weren’t censoring it. They left it up to me. I don’t need to go against Children’s Television Workshop. I have nothing against them.”

University counsel Lee Combs said Children’s Television Workshop demanded that the university halt display of the painting and destroy all copies. “Part of our response will be that the university doesn’t own the painting and it is not subject to our control,” Combs said. “We will not be a participant in destroying someone else’s property.” Reported in: *Denver Post*, December 8.

Lakewood, Colorado

The public corridor where the art department is located also serves as Red Rocks Community College’s sole art gallery. As a result, art works often raise controversy, especially if they are nudes. “There’s been controversy and conflict in the past, but they were never taken down,” said art instructor Susan Arndt.

Last year, however, college president Dorothy Horrell ordered the removal of two nude paintings from a show of student works. “There isn’t a day that passes that I don’t see a parent with a young child walking down the hall,” Hor-

rell said, “and as a mother myself, I want my daughter to have an appreciation of art — but on my own terms, not because it happens by accident.”

Arndt said it would have taken some accident for a young child to figure out that the paintings ordered removed were even nudes, much less offensive ones. “There’s nothing remotely pornographic, or even sexual,” she said. “It’s pure impressionism — color, line, form.” Even so, Horrell’s order stuck, and in late September, she rejected a suggestion that a committee be established to determine what art was suitable for framing. In protest, Arndt removed all her own work from the school, as well as some student work she owns that had been on display.

A campus survey found that 80 percent of the students disagreed with the removal. “There are many things that go on in the hallway that people disagree with,” Arndt said. “War issues, abortion issues, job fairs. Do we have to have blank hallways? That’s so sad.” Reported in: *Denver Westword*, November 4-10.

Newark, Delaware

A University of Delaware professor’s paintings depicting nude men in various sexual acts were called pornographic and protested by other professors in a University Gallery exhibition. Art Professor Larry Holmes posted next to his own paintings a letter signed by several professors objecting to Professor Hilton Brown’s homoerotic portraits titled: “Queer Sex: Cock Sucking No. 1,” “Queer Sex: Tit Play No. 1” and “Queer Sex: Masturbators No. 1.”

The letter stopped short of advocating censorship, however. It said that Brown has the right to display his work, even if he misused the exhibit to advance his political agenda. “This does not mean, however, that we must concur with his decision to use the exhibit in this fashion, and we do not,” the letter said.

Belena Chapp, director of the University Gallery, said she never questioned whether either Brown’s work or Holmes’ letter should be displayed. “I felt an obligation to show them both,” she said.

Brown denied promoting any particular agenda. “Art expression must evoke a response of some kind, if it doesn’t it has failed,” he said. “I feel I have been successful in evoking that response.” Reported in: *[University of Delaware] Review*, November 13.

Great Bend, Kansas

An art student whose sculpture of a nude male was dropped from an art show at Barton County Community College said her work was being censored. Raylene Wilkinson entered four pieces in an exhibit at the campus’s new Shafer Art Gallery. When she went to the gallery December 1 to see the pieces displayed, “He’s Mine,” a porcelain clay sculpture of a male nude torso was not there. Two female nude sculptures remained in the exhibit.

Gallery curator Norma Ward said the sculpture was accepted but removed because it was "overtly sexual." She said the piece was taken out of the show after community members and a three-member art panel decided it was too graphic.

"The difference between hers and the other figures is it is more overtly sexual, because the male genitals are the focal point," Ward said. "But on the females, the sexuality of the figures is not the main focus — it's more the overall beauty of the form."

Ward said the exhibit was to be viewed by elementary school children, who were to decorate Christmas trees at the gallery. "I have grandchildren and I know how kids that age react to those types of things and that would have been the only thing they would have remembered from the show," she said. "This is at a time when we're trying to build a family audience."

Wilkinson countered that her figure was no more graphic than the others. She said it was being singled out because it is male. She said she based it on a Greek sculpture, but that her sculpture had larger genitalia.

"I think if I would have had a female figure in there it would still be there," she said. "It's as if people feel that a woman's body is a piece of art and a man's body isn't. It's discriminating against men. If they would put all of the female sculptures and my male sculpture in another room where the kids couldn't see it, I would be happy," the artist added. Reported in: *Hutchinson News*, December 4; *Great Bend Tribune*, December 3; *Wichita Eagle*, December 5.

Hamilton, New York

A photography exhibition entitled "Nudes," by photographer Lee Friedlander, on display in Colgate University's Dana Arts Center, became the topic of a heated controversy last fall. The exhibition consisted of a series of black and white female nudes, many of which focused on individual body parts. The show was on loan from the Museum of Modern Art in New York.

Most of the objections to the pictures centered on their placement in an area that is both formal exhibit space and an access way to classrooms and offices.

"My concern is not so much that Colgate is displaying it or that the artist made it," said art history professor John Knecht. "My concern is the context of the art." Although Knecht said he personally found the exhibit offensive to women, he said he understood and defended the artist's right to exhibit.

"I feel, and other members of the department feel, that it's really important in our society and our culture to protect the right of artists to make experimental work that sometimes, when taken out of context, is offensive to a general audience," Knecht said. In a memorandum to gallery director Dewey Mosby, he requested that the show be relocated.

Numerous other complaints to Dean of the Faculty Bruce Selleck resulted in a decision to remove the exhibition. The Dean said the decision pitted "the right to a working environment not hostile, offensive, or intimidating" against freedom of speech and expression. "It creates a very difficult circumstance where two very different, and very important goods tend to butt up against one another," Selleck said.

Mosby protested the removal. "I am opposed to censorship," he declared. "There is nothing wrong with these works of art." He suggested that complaints by Knecht and others about placement simply masked a desire to censor the artist. He said the decision to display the photographs in the upper gallery was made "to enhance not only the individual work, but the entire concept for an exhibition." Mosby also denied that the pictures were sexually explicit. In a written response to Knecht, Mosby asked, "are you implying that pubic hair and breasts are equated with 'sexually explicit?'" Reported in: *Colgate Maroon*, November 13.

Cleveland, Ohio

For years, the People's Art Show accepted just about anything, a policy that resulted in controversies over such exhibits as a U.S. flag used as a doormat and a graphic depiction of a slain adolescent. But when an art student displayed a drawing of a missing teenage girl — topless and grinning — in the 1992 campus show, officials at Cleveland State University decided they'd had enough.

"In recent years, the show has been targeted by a small minority who deliberately enter works which are meant to shock and insult the community," said acting school President J. Taylor Sims. He ordered the Art Department to develop "appropriate controls" to rein in "a handful of irresponsible artists" before the next exhibition.

The most controversial entrant has been Steve Bostwick, responsible for this year's contretemps and the controversial 1990 picture of the murdered girl. In both cases, Bostwick withdrew the pieces after the victims' families complained. He said he didn't mean to cause them pain. "My art is a statement of how people destroy humanity," he said.

Bostwick's most recent entry, "Angel-O," portrayed Angel Ormston, an 18-year-old missing since last summer, nude from the hips up, with the word "missing" in bold letters alongside. The show opened November 13. Bostwick withdrew the picture four days later.

Gallery director Robert Thurmer said the Art Department might ban any works that cause emotional anguish. He said a grievance panel could mediate disputes. "We're going to tighten up our act," he said. Reported in: *Miami Herald*, December 24.

Pittsburgh, Pennsylvania

U.S. Secret Service agents stormed the studio of an artist whose work uses images of currency December 3, seizing about a hundred drawings and other items. "It's harassment. It's art censorship, pure and simple," said J.S.G. Boggs,

who has been arrested repeatedly since he began working with currency in 1984. Reported in: *Fort Lauderdale Sun-Sentinel*, December 4.

recording

Port St. Lucie, Florida

An AIDS prevention rock song call "Wrap That Rascal" was pulled from fifteen record stores in November after a woman wrote a letter charging that it encouraged promiscuous sex. The song was produced by a group called the Symptoms, and proceeds went to a local AIDS relief organization.

Karen Hayslip, who heard the song at the Jensen Beach Pineapple Festival, said she was offended by it, as well as by the flier promoting it. She wrote to the stores listed on the flier to tell them so. She said teenagers should hear about abstinence, not promiscuous behavior. Singer-songwriter Armand Della-Vole of the Symptoms said the song didn't encourage people to have sex so much as urge those who already are sexually active to use condoms. Reported in: *St. Petersburg Times*, November 25.

foreign

Paris, France

On December 4, French Interior Minister Paul Quiles outlawed the circulation, distribution, and sale of a pro-Nazi book, declaring it could endanger public order. *The SS Order: Ethics and Ideology*, by Edwige Thibault, contains an "apology for Naziism, racism and anti-Semitism," Quiles said. Reported in: *New Castle Courier-Times*, December 5.

Hamburg, Germany

German bands with overtly racist lyrics are becoming targets of government action in the wake of a crackdown on neo-Nazi political organizations. Elke Monssen-Engberding, chair of the Federal Review Board for Publications Harmful to Minors, said "ignorance on the part of the youth organizations" and "a lack of coordination" were to blame for the fact that only three musical works had been put on the official banned index.

The censored albums are *Mann Fuer Mann* (One By One), *Dreckig, Kahl Und Hundgemein* (Dirty, Bald and Vicious), both by Stoerkraft, and *Werum?* (Why?) by Sperrzone. Monssen-Engberding said the number of records waiting to be indexed was in the "several hundreds." Reported in: *St. Petersburg Times*, December 7.

Dublin, Ireland

Madonna's book *Sex* was banned in Ireland a month after it went on sale. Several hundred copies of the book of sex fantasies were sold in the Irish capital, but the Censorship Board on November 21 barred new supplies. Reported in: *New London Day*, November 22.

Jerusalem, Israel

The Israeli government indefinitely suspended the press credentials for two foreign correspondents and reprimanded four others December 1, charging them with violating censorship laws in reporting on a fatal army training accident. A government statement accused the two American and four British reporters of having created "a threat to the security of the state of Israel." The two suspended correspondents were Carol Rosenberg of the *Miami Herald* and Ian Black of the *Guardian*.

Uri Dromi of the government press office said Rosenberg and Black had "compromised future operations" of an "elite unit" that lost five members in November when a live missile was mistakenly launched at them during a training exercise. The army also is conducting an investigation into who leaked details of the accident to the Israeli and foreign press.

"I think it's sad that a country which prides itself on having a free press would take such a measure," Rosenberg said. "The army couldn't keep its own secret. I'm surely not going to cover it up for them. The story was a valid one. I am not sorry I published it."

The Foreign Press Association in Israel vowed to appeal the penalties in the Israeli courts. It said the punishment "only aggravates the hostile atmosphere being fostered in this country against the foreign press corps." Reported in: *Philadelphia Inquirer*, December 2; *Riverside Press-Enterprise*, December 2.

Ottawa, Ontario

An Ottawa "golden oldies" radio station banned a Beatles song after female listeners complained its lyrics promoted violence against women. "Run for Your Life," written by John Lennon and released in 1965 on the *Rubber Soul* album, says "I'd rather see you dead, little girl, than to see you with another man." Feminist groups campaigning to stop violence against women applauded the ban as indicative of growing public awareness. Reported in: *St. Petersburg Times*, December 10. □

from the bench



U.S. Supreme Court

The Supreme Court on December 14 agreed to decide whether states may give longer prison sentences and higher fines to assailants who apparently chose a victim based on race, religion or sexual orientation. The case of *Wisconsin v. Mitchell* presents a major First Amendment problem and gives the court a chance to clarify the law on "hate crimes," which state officials say are increasing. A court ruling could affect numerous laws across the country, as well as proposed federal legislation calling for stiffer prison terms for crimes motivated by bias. Officials from thirty states had asked the court to take the case and to uphold such laws.

The question is how much protection the Constitution affords to what many people believe is despicable expression. In June, the Supreme Court struck down a St. Paul, Minnesota, anti-bias ordinance because it effectively regulated points of view (see *Newsletter*, September 1993, p. 149). The St. Paul prohibition, which the city used against a white youth who burned a cross at the home of a black family, differs from the Wisconsin statute at issue in the new case. St. Paul had a free-standing ordinance that criminalized conduct showing bias. It prohibited the display of a symbol that "arouses anger, alarm, or resentment in others on the basis of race, color, creed, religion or gender."

The Wisconsin law allows stiffer prison sentences for crimes already on the books if the defendant "intentionally selects the person . . . (or) property because of the race, religion, color, disability, sexual orientation, national origin or ancestry of that person or the owner or occupant of that property."

The Wisconsin Supreme Court struck down the law as unconstitutional because it effectively punished thought. "The Constitution may not embrace or encourage bigoted and hateful thoughts," the state court said, "but it surely protects them."

The case began in October, 1989, when black teenagers in Kenosha were discussing the movie *Mississippi Burning* and a scene in which a white man beats a young black boy who is praying. One of the blacks in the group, Todd Mitchell, who became the defendant in the case, said, "Do you all feel hyped up enough to move on some white people?" He then pointed to a 14-year-old white youth walking by and said, "There goes a white boy; go get him."

State officials said the white teenager was beaten senseless and remained in a coma for four days, sustaining extensive injuries and possibly permanent brain damage. Mitchell was convicted of aggravated battery. The maximum sentence for that crime was two years in prison, but he was given four years, based on the enhanced punishments under the anti-bias statute.

In last term's ruling, the Court was bitterly divided in its rationale for striking down the cross-burning law. The majority opinion by Justice Antonin Scalia adopted a far-reaching approach that said government is not allowed to selectively silence speech on the basis of its content.

While accepting the Wisconsin case, the court took no action on a related hate crimes law from Ohio. It appeared that the justices will first resolve the Wisconsin case before turning to *Wyant v. Ohio*, then perhaps send that case back to a lower court based on what the justices ultimately do in *Wisconsin v. Mitchell*. Reported in: *Washington Post*, December 15.

The final chapter in the 2 Live Crew obscenity case drew to a close December 7 as the U.S. Supreme Court refused to hear arguments in the case. The decision meant that the ruling of the U.S. Court of Appeals for the Eleventh Circuit that the group's rap album, *As Nasty As They Wanna Be*, is not obscene will stand. The appellate court had reversed a finding by District Court Judge Jose Gonzalez that the album did not deserve First Amendment protection because it was "an appeal to dirty thoughts and the loins, not to the intellect and the mind."

The Supreme Court rejection also meant that Broward County will have to pay 2 Live Crew's legal expenses, estimated at about \$250,000. "This is the price you pay for fighting these things out," said the group's attorney, law professor Bruce Rogow. "Maybe this will inhibit others from trying to do the same thing. The larger lesson is that it's real hard to suppress art. The First Amendment offers serious restraint against governmental power." Reported in: *Fort Lauderdale Sun Sentinel*, December 8.

The Supreme Court also refused to hear the case of a newspaper reporter threatened with jail for an article he wrote about a custody case in Stuart, Florida. Florida law requires court officials to keep child custody orders secret, but in May,

1990, Tim Roche, then a reporter for the *Stuart News*, quoted 54 words of such an order regarding a little girl whose half-sister was beaten to death. After a complaint from a lawyer in the case, the prosecutor began a criminal inquiry, which led to a subpoena of Roche. He has refused to say where he got the information, and a series of rulings have held him in contempt of court.

Lawyers for news organizations say Florida is trying to punish Roche for doing something that has been thought to have constitutional protection: the publication of truthful information about the operation of government that the press obtains lawfully.

Lawyer Richard N. Winfield, who represented the Associated Press, was concerned that losing this case "will very likely weaken the protection of the press to publish information obtained under the promise of confidentiality." Reported in: *New York Times*, January 4, 12.

schools

McMinnville, Oregon

A federal appeals court has reinstated a lawsuit against an Oregon school district by two students who were suspended for wearing buttons protesting the hiring of "scabs" during a teachers' strike. In returning the suit to a lower court, however, the U.S. Court of Appeals for the Ninth Circuit set a standard for reviewing student speech cases that a dissenting judge said "erodes important First Amendment protections."

The case stems from a 1990 strike in McMinnville, during which the district hired replacement instructors. Two students whose fathers were among the strikers wore buttons to school to support the strike, including ones bearing the slogans "I'm not listening, scab" and "Do scabs bleed?"

The students were suspended for a day when they refused to remove the buttons at the request of the vice principal, who said they were disruptive. The next day the students wore different buttons and were again threatened with disciplinary action. The students filed suit.

The case was dismissed and the students appealed to the Ninth Circuit. In an October 28 ruling, the appellate panel ruled that the word "scab" could not be considered "vulgar, lewd, obscene, or plainly offensive" under the 1986 precedent case of *Bethel School District v. Fraser*. The panel then considered whether the buttons could be considered disruptive under the standard established in the landmark 1969 *Tinker* case.

"In a case such as this one, where arguably political speech is directed against the very individuals who seek to suppress that speech, school officials do not have limitless discretion," concluded the opinion by Chief Circuit Judge J. Clifford Wallace.

The panel said that school officials now may be able to present the district court more evidence that the buttons were

"insulting" or directed at the replacement teachers in a disruptive manner.

In ruling on the students' case, Judge Wallace also set a standard for evaluating student speech cases that creates a test drawing on three landmark U.S. Supreme Court decisions. The judge said the standard for suppressing vulgar, lewd, obscene, and plainly offensive speech should be governed by the *Fraser* decision; school-sponsored speech by the 1988 student press case of *Hazelwood v. Kuhlmeier*; and all other speech by *Tinker*. The opinion creates a precedent governing student expression law in the circuit, which covers Alaska, Arizona, California, Hawaii, Idaho, Montana, Nevada, Oregon, and Washington State.

Judge Alfred T. Goodwin agreed that the case should be returned to the district court, but argued that the "majority opinion erodes important First Amendment protections." Judge Goodwin said the majority was too quick to extend the *Fraser* standard to all vulgar, lewd, or obscene student speech regardless of whether it stemmed from a school-sponsored forum, as in the *Fraser* case itself.

The majority also "gives credence to a mischievous notion that there exists a subclass of words that are 'inherently disruptive,'" he said. "I doubt that it would be either workable or desirable for judges to construct a list of words that one cannot say in school." Reported in: *Education Week*, November 11.

church and state

Rensselaer, Indiana

For a generation or more, representatives of Gideon International were allowed to distribute Bibles to public school pupils in Rensselaer. On January 5, the U.S. Court of Appeals for the Seventh Circuit ordered the practice halted.

In a strongly worded opinion, a three judge panel said the policy subjected impressionable fifth graders to annual presentations from a religious group in violation of the First Amendment. The court said the assistance provided to the Gideons by the Rensselaer Central School Corporation was "a far more glaring offense to First Amendment principles" than the offering of nondenominational prayers at a graduation ceremony — a practice ruled unconstitutional last year by the U.S. Supreme Court. The appellate ruling overturned a District Court decision upholding the policy.

"The district judge opined that permitting the Gideons to distribute Bibles was no more offensive than allowing the Little League into classrooms to talk up the national pastime," wrote Judge Walter Cummings for the appellate panel. "Such a conclusion is tone deaf to the Constitution's mandate that the government must not establish a state religion, is utterly insensitive to the special concern about coercive influences on impressionable public school children."

The case began in 1989, when Allen H. Berger, a professor of anthropology and a father of two, asked the school to cease the policy. When officials refused, he filed suit. Lawyers for the school district and for the conservative Christian-oriented American Center for Law and Justice, which supported the schools, had argued that the case was about the free speech rights of the Gideons.

The appeals court rejected that argument, noting that "at no point in the record does any school official suggest that students were free to leave the room during the Gideons' talk or to skip the school assemblies at which Bibles were distributed." Reported in: *Chicago Tribune*, January 6.

child pornography

San Francisco, California

The U.S. Court of Appeals for the Ninth Circuit ruled in December that sections of the federal child pornography law are unconstitutional. The decision nullified portions of the Protection of Children Against Sexual Exploitation Act of 1977. Under the law, anyone who makes, distributes or receives depictions of minors engaged in sexually explicit conduct is subject to as many as fifteen years in prison plus fines.

In a 2-1 decision, the appeals court panel said the sections of the law that deal with distribution, transportation and receipt of sexually explicit materials were invalid because they didn't require that a defendant know that the models are underage. The court did not overturn the portions of the law against the production of child pornography.

In the case before the court, Rubin Gottesman, a mail order distributor of sexually explicit material, argued that the law violated First Amendment free speech protections. The panel agreed, saying for the law to be constitutional, it would have to require that the defendant had "knowledge that at least one of the performers is under age 18."

Prosecutors had argued that the law was constitutional because it requires that the defendant know the general nature of the material, rather than the specific ages of the models. Reported in: *Wall Street Journal*, December 17.

press freedom

Providence, Rhode Island

Overturing a district court order, the U.S. Court of Appeals for the First Circuit ruled in mid-December that the Army may withhold most of the records of an investigation into misconduct by two high ranking officers in the Rhode Island National Guard. The district court had ordered the Army to provide the *Providence Journal* with almost all documents relating to the investigation.

The *Journal* and reporter Gerald M. Carbone filed suit in 1991 seeking the documents after the Army denied a Freedom of Information Act request on privacy grounds. In

substantially upholding the Army's argument, the court said releasing the documents could have a "chilling effect" on the government's ability to conduct investigations because fear of public exposure might prevent confidential sources from cooperating. Reported in: *Providence Journal*, December 14.

periodicals

Tampa, Florida

Anti-pornography crusader David Caton and his group, the American Family Association's Florida chapter, won a federal lawsuit filed against them by *Penthouse* magazine in 1989. U.S. District Court Judge Anne C. Conway dismissed the lawsuit at a hearing November 30, a week before the case was scheduled for trial.

Penthouse had accused Caton and the AFA of civil racketeering, extortion and tortious interference with a business relationship after its efforts to stop convenience stores from selling the magazine. Judge Conway ruled that the tactics employed by the group were not illegal.

Caton called the decision "a landmark victory," and said "*Penthouse* and all other businesses in the obscenity industry need to know that AFA is here to stay and will not be intimidated by such groundless lawsuits." A similar suit against Caton and the association by *Playboy* was settled out of court. Reported in: *St. Petersburg Times*, December 2. □

pension funds target K-Mart, Waldenbooks

Managers of the pension funds of the nation's two largest Protestant denominations have decided to use their clout as shareholders to move against the sale of sexually explicit magazines. The two boards, acting independently, announced they would file shareholder resolutions with K-Mart, which owns Waldenbooks, in an effort to get "adult" books and magazines out of the bookstores.

The two boards are the Annuity Board of the Southern Baptist Convention and the United Methodist Board of Pensions. At issue is the sale at Waldenbooks stores of a number of soft core magazines, including *Playboy*, *Penthouse*, *Playgirl*, and *Genesis*.

In addition to the shareholder resolution to be filed with K-Mart, the Methodists have taken aim at three other companies — Time Warner, ITT Sheraton and Marriott Corporation. In the cases of ITT Sheraton and Marriott, concerns have been raised about sexually graphic movies available on televisions in hotels owned by the companies. Questions about the programming on Time Warner's cable television movie channel, Cinemax, were also raised. Reported in: *St. Petersburg Times*, December 12. □

is it legal?



broadcasting

Washington, D.C.

After weeks of rancorous internal debate, the Federal Communications Commission (FCC) decided December 17 to impose a \$600,000 fine on the company that employs Howard Stern, the New York "shock" radio host. In October, the commission fined Los Angeles station KLSX-FM \$105,000 for its broadcast of "indecent" segments of Stern's syndicated show (see *Newsletter*, January 1993, p. 24). The fine, if approved, would be the largest ever issued by the commission against a broadcaster. But the commission backed away from a much tougher proposal to block the company, Infinity Broadcasting of New York, from the \$100 million purchase of three big radio stations.

Stern repeatedly has come to the attention of the FCC for routinely making on-air remarks considered by many to go beyond the bounds of good taste, especially in matters pertaining to race, ethnicity and sexuality. His morning show is ranked first in New York, Philadelphia, and Los Angeles and is heard in seven other large cities.

The decision prompted a rare dissent from FCC chair Alfred C. Sikes, who was outvoted 4-1 after urging the commission to delay approval of the radio station purchases until a hearing could be held on whether Infinity was fit to hold lucrative radio licenses. The fine was quickly criticized as an intimidation of broadcasters' free expression by some and by others as a mere slap on the wrist.

Infinity has the right to appeal to the commission, where it chances of success are thought to be minimal, and after that to the federal courts. An apparently inevitable legal battle will sharpen the long-running debate over the concept of indecent programming. The FCC defines indecency as programming on radio or broadcast television that is "patently

offensive," as measured by community standards. Various federal courts have ruled that indecent programming is not illegal, but can be restricted to hours when children are unlikely to be listening.

Under Sikes, the FCC has in the last year significantly stepped up the number of penalties it has imposed for violations of indecency standards. In addition to the two large Stern fines, the agency in early 1992 proposed fining stations in San Diego and San Francisco \$25,000 each for programs of their own. But the fines, large as they are, are dwarfed by both the salaries commanded by successful performers like Stern, who is paid more than \$2 million a year by Infinity, and the advertising rates such broadcasts command.

The commissioners originally hoped to bar Infinity from purchasing stations in Boston, Chicago, and Atlanta from Cook Inlet Radio Partners of Alaska. But the commissioners — all except Sikes — were dissuaded by representatives of Cook Inlet, which is owned in part by Aleut, Indian, and Eskimo shareholders, that the action would only hurt an innocent company that would never get a price for its stations as high as that offered by Infinity.

Sen. Alfonse D'Amato (R-NY), a conservative, came to Stern's defense, accusing the commission of caving in to "narrow-minded" special interests. Stern had publicly endorsed D'Amato in his close-fought reelection campaign last year and the lawmaker was a guest on Stern's show on several occasions. Reported in: *New York Times*, December 18; *Los Angeles Times*, December 18; *Oakland Tribune*, December 18.

cable TV

Washington, D.C.

A new federal law passed last year, designed to protect consumers from soaring cable television prices, could result in censorship of public access television. In addition to regulating cable prices, the new law holds cable companies liable for anything deemed obscene shown on its system's access channels. The Federal Communications Commission is to adopt rules by April 3 dictating what measures the companies may take to protect themselves from liability.

The commission could place responsibility on the program producers, by allowing cable companies to compel access program producers to sign agreements stating their programming does not contain obscene material. That is the path that Paul Congo of Austin [Texas] Community Television believes the FCC will take.

Still, the commission could adopt rules that effectively force cable companies to prescreen access programs. "That part of the cable act, shifting liability to the cable companies, is not in the best interest of the public because it could have a very negative effect on public access," said Congo. "It is not in the spirit of having the responsibility lie with the person who has produced the program, which is something that has withstood the test of time in the industry."

Time Warner, Inc., is challenging the constitutionality of the cable act on several grounds, including the liability question.

In a related development, the cable television industry came under added pressure to enact industrywide guidelines on the depiction of violence during a Congressional subcommittee meeting December 15. After the three major broadcast networks issued joint standards on violence, Rep. Charles Schumer (D-NY) said he hoped to explore "the potential for such an effort in other venues," including cable. Reported in: *Austin American-Statesman*, December 2; *Los Angeles Times*, December 16.

schools

Kewanna, Indiana

With the help of the Indiana Civil Liberties Union, James and Andrea Hines of Kewanna have filed suit against the Caston School Corporation over their son's earring. The suit, filed December 1, claims that the school's dress code, prohibiting fifth grader Jimmy Hines from wearing a single stud earring, violates the boy's Constitutional rights and asks the state court to declare the dress code invalid.

At issue is a paragraph in Caston's Student/Parent Handbook which states: "Students are not to wear jewelry or other attachments not consistent with community standards or that could pose a health or safety hazard to either the student himself or to other students in his presence."

The suit charges that the code as applied to Jimmy is unconstitutional because:

- It denies him "his fundamental right to life, liberty and the pursuit of happiness including the right to the possession and control of his own person;"
- "Jimmy is denied the right to freely express his individuality;" and
- "Jimmy is being denied an educational opportunity equal to that of similarly situated female students." Reported in: *Rochester Sentinel*, December 3.

Lincoln, Nebraska

T-shirts with a picture of convicted mass murder Charles Manson, worn by some members of the Lincoln Southeast High School swim team, were banned from the pool December 10 by coach Bill Flory. The shirts, designed, ordered and sold by a team member, were worn to a meet two days earlier by some of the team. They were not sanctioned by the school, Flory said.

The student said he ordered the shirts to inspire his teammates. "I don't agree with what he [Manson] did but I like the leadership," the student said. "He gave those people [his followers] a reason to exist. But he got carried away."

Flory said he had talked with some parents and agreed that something should be done. "I think a lot of parents will nab the shirt on the way through the laundry," he said. "Kids

will wear shirts and clothing to school that some might find objectionable. Within reason, we can't stop them. But when the shirts become identified with a group or a club, we do not recommend it. We're not going to jump out and say, 'You can't wear it to school' but we want to stamp it out as quick as we can. I hope I can tell them that the shirts are out and they can't wear them. If everybody keeps wearing them we'll do something more drastic."

Vice Principal Larry Eaton said that key to the issue was that the words "the swim team" appeared on the shirt. He said a member of the team had complained to him about the shirts. But Eaton said he would not ask a student to remove the shirt during school hours.

"It's not in good taste, but it's not distracting, it's not interfering with the educational process, and it's not obscene," he said. Reported in: *Lincoln Journal*, December 10.

Grand Saline, Texas

Grand Saline Elementary School teacher Jackie Haskew, who for nine months was the center of controversy over reading materials used in the school, filed a lawsuit November 12 against eight parents. The suit was the second filed by a school official against a parent involved in the controversy. On September 17, elementary school principal Wayne Gore filed suit against a parent who was charged with assault against the principal.

Haskew's suit claims that the parents were "conspirators, were the agents of each other and were acting pursuant to an agreement to commit an unlawful act or to accomplish a lawful objective by unlawful means."

The problems began when Haskew assigned the story "The Imp in the Basket," but immediately withdrew it in favor of another selection from the Junior Great Books series. On February 19, parent Jane Gilmer asked to meet with Haskew and said her child had been "disturbed by the story and requested that her son not participate in any discussions" of it. Haskew replied that the assignment had been changed.

Then, on March 23, another parent addressed the school board, "criticizing the literature that was being read" at the school and referring to a story from the Junior Great Books called "Allah Will Provide." The parent "implied that Haskew was teaching the Muslim religion to her students."

In coming weeks, Haskew's suit charges, the teacher was questioned by people about the literature in her class and received anonymous phone calls accusing her of "teaching devil worship in the classroom and calling her an atheist."

According to the suit, the parents "ignored published, established procedures for a challenge to any book used by the school and started a petition asking for the delay of the purchase of Great Books." The suit also described a meeting organized by the parent group to discuss the books at which Haskew was physically and emotionally harassed and attacked, and labeled "the Anti-Christ." Reported in: *Grand Saline Sun*, November 19.

university

Newark, Delaware

Prompted by recent court decisions, on December 7 the Faculty Senate of the University of Delaware voted 30-15 to revoke the speech code it passed two years ago. The code had condemned harassment, defined as "deliberately acting with offensive expression towards any members or guests of the university community." The code also stated that "speech or other expression constitutes harassment by personal vilification if it: is intended to insult or stigmatize an individual or group of individuals on the basis of their race, creed, color, etc.; is addressed directly to the individual or group whom it insults or stigmatizes; and makes use of 'fighting' words or nonverbal symbols."

"The problem we faced was that a number of our policies were unenforceable based on the Supreme Court decision," said dean of students Timothy F. Brooks. "I do not like having regulations that are unenforceable."

To replace the speech codes, the Senate will consider a set of principles dealing with tolerance, respect and getting along together. Although they won't be enforceable, they will be something for students to aspire to. "The attitude is you can't limit what people say, but you can set standards about what the institution stands for, what it aspires to," said President David P. Roselle.

Any student who experiences what would have previously been labeled a hate crime, Dean Books said, should still report it. "Just because we don't have a speech code anymore does not mean we can't remedy the situation," he said. "There are still a number of policies we can enforce." Reported in: [University of Delaware] Review, December 11.

prisoner rights

Racine, Wisconsin

A Wisconsin state prisoner will spend a year in a form of solitary confinement for writing a column in a Madison weekly that predicted the death of an allegedly abusive prison guard. Adrian Lomax, serving a life sentence for murder in the Racine Correctional Institution at Sturtevant, was sentenced during a closed hearing December 23.

Lomax is a regular columnist for the *Madison Edge*, a biweekly newspaper. His November 18 column told about a female prison guard at Waupun Correctional Institution who allegedly abused her position by punishing prisoners for seemingly minor infractions. Citing a scholarly study about prison guards, Lomax predicted the guard would one day be killed by a prisoner if she did not change her ways.

The day the column appeared Lomax was placed in temporary solitary confinement. His attorney sought a restraining order to prevent further action against Lomax, but the motion was denied. Department of Corrections Administrator Terri Landwehr called the column "editorial stalking" and said it endangered lives. "His so-called prediction that she

will be stabbed in the back for carrying out her duties is an invitation to mayhem," she said. "This deliberate effort to encourage inmate unrest cannot be tolerated and inmate Lomax faces discipline for his behavior as provided by law."

Dave Zweifel, editor of the *Capital Times* and president of the Wisconsin Freedom of Information Council, called the punishment a "terrible reaction" to the column. "It makes you wonder if one would face greater penalties for words than one does for deeds," he said. Reported in: *Capital Times*, November 24, 26, December 25.

church and state

Millburn, New Jersey

Police in Millburn hauled away a nativity scene erected on Christmas Eve by a citizens group protesting a township ban on public religious or secular Christmas displays. Charles Day of Citizens for Civil Rights said that members of the group erected the creche about 6:30 p.m. Millburn Mayor Frank Long said police removed the scene two hours later when they found it unattended, in violation of an agreement town officials reached with the group. Under the agreement, the group could erect a creche on public property only if they remained beside it.

The controversy began in September when the township committee voted against plans to build a nativity scene and secular displays on the town green. Residents suggested the combined display in response to opposition to the display of a creche that had stood on the green for twenty-two years. Reported in: *Newark Star-Ledger*, December 20, 26. □

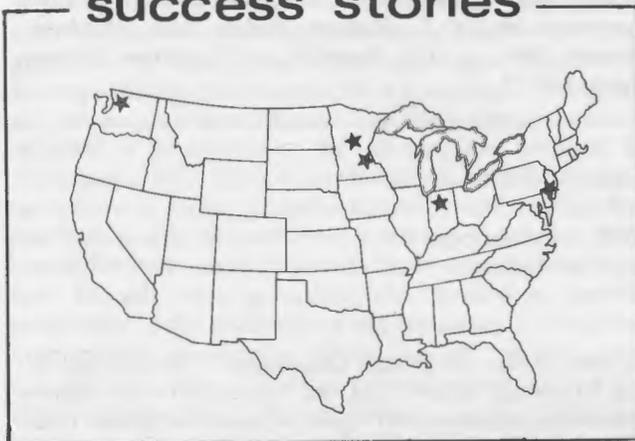
Wildmon group opens ad campaign

The Rev. Donald Wildmon's American Family Association began in late November a national advertising campaign aimed at gaining support for a "clean up" of the entire entertainment industry. Under the blaring headline "We Are Outraged!," full-page advertisements in dozens of major newspapers across the country urged people to add their names — and to donate their dollars — to a "grass roots petition to the entertainment industry."

The ad lambasted the music industry, Hollywood movie producers and television networks, accusing them of contributing to teenage pregnancies, single motherhood and violent crime. The ad urged readers to return a coupon to the American Family Association, with a tax-deductible donation, if possible. The group promised in turn to contact the boards of directors of every major television network, film production company, and record label, updating them on the number of responses received.

"Spare us the censorship lecture — you in the entertainment industry," the ad stated. "And this is not an appeal for prudery. All we want is to get the movie, TV and record industries to act responsibly." Reported in: *Syracuse Herald-Journal*, December 9. □

success stories



libraries

Kent, Washington

A school district review committee November 10 soundly rejected a request by two Cedar Valley Elementary School parents to ban a library book they claim condones child molestation and promiscuity.

"The message is that it's OK to be sexually active and not to worry because you'll be able to control your passion," said Ronn Wilson, whose then-sixth grade daughter checked *Send No Blessings*, by Phyllis Reynolds Naylor, out of the school library last year. "It says it's OK to molest and promotes illegal contact between an adult and a minor."

The district's Instructional Materials Committee disagreed, voting 12-4 to recommend that the book remain in the library. "This book is about a girl who takes pride in herself," committee member Jane Cleveland said. "If this book reaches one student and teaches them to affirm themselves, it should be in every library."

Assistant Superintendent Marcia Slater said the book was intended for "mature readers" and had been chosen in response to requests by sixth grade teachers for material that would discourage sexual promiscuity. "The moral of the story is one against having sex at a young age," she said. The book carries a note on its checkout card asking students to see the librarian before checking out the book.

Wilson objected to the book because its 15-year-old heroine, while rejecting sex out of fear of pregnancy, does permit a 22-year-old boyfriend to stroke her breasts. "That she's consenting is irrelevant," Wilson said. "According to the state law, this book is condoning child molestation."

"Censorship is a virus," commented school librarian Linda Glaeser. "The only positive thing I can say about it is it improves sales for authors and this one deserves to be bought." Reported in: *Valley Daily News*, November 11.

schools

South Bend, Indiana

After a brief outburst prompted by a letter to the editor, a parental objection to an explicit novel used in a Whitko High School class was abandoned without conflict. "We just thought people should know what they're teaching out there," said Don Horn.

School Principal Joe Teegarden said there was no formal request to review *Flowers for Algernon*, by Daniel Keyes, after Horn and his wife wrote a letter to the *Warsaw Times-Union* complaining about its assignment in their son's tenth-grade English class.

"In this book," the letter said, "are illicit sex, voyeurism, descriptions of wet dreams, erections and a vivid detailed description of a woman's breast. We are Christians and would never bring a book like this into our home. Parents, speak up; call your young person's school and take a stand against filth." Reported in: *South Bend Tribune*, November 15.

Brooklyn Center, Minnesota

The *Bible* will stay in Brooklyn Center schools as a resource. By unanimous vote, the District 286 Board of Education decided in November to keep the Bible in the district's two school libraries. The decision came in response to a petition by atheist Gene Kasmar, which called on the board to remove the book because of its "lewd, indecent and violent contents" (see *Newsletter*, January 1993, p. 8).

After the decision, which upheld a review committee recommendation, Kasmar charged the board with "caving in" to the demands of the majority and to religious bias. Calling the decision "a sad commentary on the intrusion of religion into our public school system," Kasmar wrote school officials that the board had "disregarded my 46 pages of evidence in the face of religious bias, pressure, and belief, rather than acting on the basis of compelling evidence itself."

"On the same night," he added, "you also looked into the faces of hundreds of the very people who are actively engaged in a concerted and religious sponsored effort to remove books, films, videos and training syllabuses from schools across our country."

"If you don't want the Bible censored, don't try to censor other books," a pamphlet distributed by Kasmar said. "People who set the rules and criteria for removing books probably ought to look to their own house," he added in an interview.

Walter Filson, a Brooklyn Center police officer who helped mobilize opposition to Kasmar's effort, said the Bible passed standard tests for school library materials. "It wasn't because it was the Bible that the school board voted the way it did," he said. "It was because it did not meet the criteria set forth by the Supreme Court" to ban a library book. The Supreme Court, however, has issued no detailed "criteria" for judging the acceptability of school library materials.

Kasmar said he was unsure whether his challenge would discourage religious groups from censoring books. "I really wish I could come out and say it strengthened what should be a constant battle against censorship," he said.

One test will come when the group Minnesota Atheists donates to the district several books offering opposing views to the Bible. Kasmar is a member of the group, but did not receive its support on the Bible removal request. Reported in: *Crystal Robbinsdale Sun-Post*, November 18.

Burnsville, Minnesota

An attempt to remove a book from a contemporary literature course at Eagan High School on grounds that it contains vulgar and sexually explicit language, and descriptions of violent acts, was defeated in December. A December 1 workshop and a board meeting two weeks later upheld a committee recommendation to retain the right to use *The Learning Tree*, by Gordon Parks, as a classroom resource.

The request to remove *The Learning Tree* and two other books used in the course was made by school board member Neil Charpentier and his wife in January, 1992. The request was first considered by school officials and then sent to the district's Reconsideration Review Committee, which decided in June that two of the books, *The Learning Tree* and *Different Seasons*, by Stephen King, should not be removed from the course. The committee agreed to take *The Great Santini*, by Pat Conroy, out of the classroom. The Charpentiers then appealed to the school board.

"I felt *The Learning Tree* was negative, violent and nihilistic in its focus," Mary Charpentier told the board. "My son, who reads only what is requested of him, is reading crude and objectionable books in the name of education."

Curriculum Director Terry Tofte countered that the review committee found that the "literary quality of the book as a whole outweighed concern over certain passages. The matter before us tonight is not a matter of selection, it is a matter of censorship."

"Censors search for only what they want to discard," added school board chair Don Westerhausen. "Selectors look for what is best. Censors judge a book by a few passages they don't like. Selectors review the material as a whole. I trust and encourage our professional staff to select the material that they use." Reported in: *Dakota County Tribune*, December 10.

Bass River Township, New Jersey

John Gardner's 1971 novel *Grendel* survived a challenge by parents of a Pinelands Regional School District student and will remain in the curriculum, Superintendent Clement A. Crea announced November 25. The book has been on the reading list of a college preparatory literature class for at least ten years. It was described in a committee report as an "imaginative treatment of the classic epic poem *Beowulf*" and "a fine addition to our curriculum."

The report came in response to a formal complaint filed by John and Sheryl Price that was endorsed by Bass River Township Mayor T. Richard Bethea (see *Newsletter*, January 1993, p. 11). Reported in: *Tuckerton Beacon*, November 25. □

(IFC . . . from page 35)

Include Gender and Sexual Orientation." We took this action for several reasons: first, our Association's commitment to non-discrimination with regard to gender and sexual orientation has always been part of the meaning of all articles of the *Library Bill of Rights*, not just Article V; second, terminology in the *Library Bill of Rights*, particularly in Article V, is deliberately broad to prohibit discrimination targeted at any class of individuals on the basis of arbitrary distinctions; third, we have frequently been asked to add language to Article V and we have refused to do so, in the belief that the addition of specific classifications implies that other classes not explicitly included are therefore excluded; and fourth, this organization has never, in our memory, amended the *Library Bill of Rights* without broad distribution for comment from all divisions and other interested bodies. We feel this procedure is essential, because the *Library Bill of Rights* is a core principle of our profession and is without effect unless thoroughly embraced by practitioners, administrators, and governing bodies. That commitment will not exist if these groups and individuals are not afforded an opportunity to participate in the consideration of and comment on proposed changes.

Repeal of the "gag rule"

President Clinton has signed an Executive Order repealing the so-called "gag rule," which prohibited the dissemination of information about abortion at federally-funded family planning clinics. The American Library Association and the Freedom to Read Foundation filed a joint *amicus* brief before the United States Supreme Court in *Rust v. Sullivan*, arguing the unconstitutionality of the "gag rule." President Clinton's action recognizes that health care professionals must have the freedom to discuss medical information with their patients, without government interference. The Committee has prepared a resolution commending the President for his action. I urge your adoption of the Resolution Commending President Clinton.

Guidelines for Development of Policies Regarding User Behavior and Library Usage

As you are well aware, the Intellectual Freedom Committee has been working on guidelines for libraries to use in

formulating user behavior policies. The process began at the 1991 Annual Conference and has proceeded through two open hearings and two broadly circulated drafts of proposed guidelines. I, myself, chaired the task force charged with the responsibility of developing these guidelines. Throughout the process, we have stressed that the guidelines are not intended to be specific to the situation that occurred in Morristown, N.J., nor is it possible for the guidelines to take the form of a list of particular behaviors and conduct that may permissibly be prohibited in a library, because these may differ from locality to locality based upon state and local law. Instead, these guidelines are intended as general parameters useful to librarians and governing bodies, both in developing the specific policies they will need for their own libraries, and in checking existing policies against the considerations outlined in the guidelines. The Committee has completed the process of revision, incorporating a few editorial changes, some of which were suggested to us in comments received from other ALA units and chapters, including New Jersey. The document I share with you today, represents the culmination of a concerted and cooperative effort of library professionals from across the country.

Hearing on Access to Difficult Books

This has been a challenging year to be chair of the Intellectual Freedom Committee. A nation-wide furor has developed over books published by Alyson Wonderland, a publisher specializing in children's books that present realistic and positive images of gay families and lesbian and gay people, in general. Starting with the rejection of a special curriculum in the New York City Public Schools, which included titles such as *Daddy's Roommate* and *Heather Has Two Mommies*, the controversy has spread to libraries across the country. Many have faced demands to remove *Daddy's Roommate*, as well as other Alyson titles. Sasha Alyson, owner of Alyson Wonderland Publications, was so impressed with libraries' staunch and firm defense of intellectual freedom that he offered free copies of *Daddy's Roommate* or *Heather Has Two Mommies* to libraries that either were unable to acquire the books or had acquired them and suffered what is becoming, chillingly, a common fate in public libraries — the disappearance of these controversial books, which are reported lost, or in some cases, brazenly reported as checked out with the intent to never return the materials.

And, of course, we know that our colleagues across the country are facing extraordinary scrutiny of collection development decisions regarding Madonna's *Sex*. The Intellectual Freedom Committee was proud to co-sponsor, with the Coordinating Committee on Access to Information, an open hearing entitled "The Rubber Hits the Road: An Open Forum on Access to Difficult Books" on Saturday evening. Several librarians who have faced highly-publicized controversies regarding Madonna's *Sex* reported their successful strategies for dealing with public concern, while at the same time retaining their professional integrity and,

hopefully, preserving good will. A brief discussion period followed.

I have no expectation that these hard questions will abate. We are living through a period of time where each new highly publicized title brings a greater storm of controversy than the last. It began with Salman Rushdie's *The Satanic Verses*, and continued through Brett Easton Ellis' *American Psycho* and Derek Humphrey's *Final Exit*. For many libraries, Madonna's *Sex* was the point at which intellectual freedom, collection development, community relations and professional integrity collided. The forum was well attended and, we thought, successful.

Program Enhancement Request

The Intellectual Freedom Committee will be submitting a Program Enhancement Request with its 1994 budget, to address a critical need for an ongoing, comprehensive, national intellectual freedom training program for librarians and governing bodies. The climate of mass, organized opposition to our most basic intellectual freedom policies and practices in publicly supported libraries demands that the American Library Association dedicate its resources on a much greater scale to support for, and training of, librarians in the field. We are proud to announce that our Modular Education Program, developed through a three-year program enhancement, and designed for use as a self-conducted program by librarians and administrators for library staff, boards and friends, is complete and ready for publication and distribution. We envision the Modular Education Program to be one essential element of this comprehensive, national training effort. The effort will also involve the conduct of a new and expanded leadership development institute, in response to the specific recommendation of the Executive Board's Program Review Subcommittee in their review of the Office for Intellectual Freedom, to conduct such institutes at three to five year intervals. The last such institute was conducted in the spring of 1988.

The membership of this organization has repeatedly identified support for intellectual freedom as among its highest priorities. We will be asking that this commitment be reflected more realistically in the manner in which we allocate our financial resources.

Interpretations of the Library Bill of Rights *Economic Barriers to Information Access*

At the 1991 Annual Conference, the Intellectual Freedom Committee completed the process of examining existing Interpretations of the *Library Bill of Rights* to ensure that they reflect ALA's spirit of free access to library materials, without regard to language or economic status. During that process, the Committee determined that a separate Interpretation of the *Library Bill of Rights*, entitled "Economic Barriers to Information Access," was needed. A proposed Interpretation of the *Library Bill of Rights* has been circulated to Council and the Executive Board, Divisions, Committees,

Round Tables, Chairs of all of the State Library Association Intellectual Freedom Committees and many other interested librarians for comments. At this meeting, we received comment from three members of the Library of Congress staff: Judith Farley, Daniel Mulhollan and Winston Tabb; we also considered two recent Attorneys General opinions, one from the state of Connecticut and one from the state of Washington, regarding the charging of fees for library services in publicly supported libraries. The draft has been extensively revised to reflect the Committee's growing concern over the creeping acceptance, by governing bodies and funding sources, of the idea that libraries should be required to recover some costs through user charges, which have the potential to create barriers to access based on economic status. The draft also addresses the problem of funding sources that seek to place restrictions on access based on content as a condition of funding or donation. This document attempts to address economic status and information access by placing publicly supported libraries firmly within the realm of essential public services, and to address how libraries, which must compete for funding, can examine their policies to ensure that the essential mission of providing free access to information is protected. The Committee will circulate its latest revision of this document, for further comment. We hope to bring the final version to Council at the 1993 Annual Conference in New Orleans.

Regulations, Policies and Procedures Affecting Access to Library Resources and Services

The committee appointed a subcommittee to make recommendations for the revision of the Interpretation of the *Library Bill of Rights* entitled "Regulations, Policies and Procedures Affecting Access to Library Resources and Services," because the present version, which OIF has removed from circulation, contains language from a lower court opinion that has been superseded. We hope to have a revised and updated version for presentation to the Council in New Orleans.

Proposed Revision of the National Interlibrary Loan Code

In response to a request from the RASD Management and Operation of Public Services Section Interlibrary Loan Committee, the Intellectual Freedom Committee examined the proposed revisions of the National Interlibrary Loan Code. The Committee approved a brief Memorandum to be transmitted to MOPSS Interlibrary Loan Committee explaining our comments and suggestions, which were few, but directed toward ensuring that the standards reflect responsible collection development and equality of access for all library users.

Banned Books Week 1993

The Intellectual Freedom Committee, with its co-sponsors, has begun work on the 1993 Banned Books Week celebra-

tion. The resource kit materials will be redesigned and expanded to include reprints of lists of books challenged or banned, and to repeat the popular bookmarks from last year. We will be refocusing the event on banned books, the issue of censorship, itself, rather than a separate theme as in years past.

Conclusion

It has been an extraordinarily busy and challenging half year as Intellectual Freedom Committee Chair, and I am looking forward to continued fast-paced and exciting work on your behalf in defense of intellectual freedom and the freedom to read. As we anticipated a new era governed by an administration that promised change, many of us were hopeful that the atmosphere of intolerance would abate. We must be realistic, however, and recognize that many of the organizations that have spear-headed drives to remove or restrict library materials will continue to build their financial war chests and pursue strategies in support of their announced agenda to redirect public education to include religious indoctrination and to excise from public discourse and debate information which they find offensive or contrary to their positions.

The Intellectual Freedom Committee intends to vigorously pursue its efforts, particularly in the area of public education, and to become even more pro-active on behalf of libraries and their important mission in our free society. □

Resolution on Gay Rights and Materials

Whereas, The *Library Bill of Rights* affirms that information be provided on all points of view to everyone regardless of origin, age, background or views, and

Whereas, ALA policy statement 54.17 affirms that the *Library Bill of Rights* specifically includes gay rights and access to gay materials, and

Whereas, Discrimination against gays and gay materials in all libraries violates ALA policies such as 59.2, Combating Prejudice, Stereotyping and Discrimination, and 54.3, Equal Employment Opportunities, and

Whereas, The Intellectual Freedom Committee and the Office for Intellectual Freedom have documented that, despite existing law, gays and gay materials have been subjected to consistent, relentless and targeted discrimination, and

Whereas, Recent political actions, such as those in the states of Colorado and Oregon and the city of Tampa, FL, have attempted to deny that such discrimination exists, now therefore, be it

Resolved, That actions that discriminate against gays and gay materials constitute a clear violation of ALA policy; and be it further

Resolved, That the American Library Association reaffirm that gays and gay materials should be protected from discrimination under the law; and be it further

Resolved, That the American Library Association reaffirm its commitment to the provision of ideas and information from all points of view, representing the full spectrum of human thought and expression, including materials by and about gays; and be it further

Resolved, That this resolution be transmitted to the governors and attorneys general of the 50 states, and other individuals or groups deemed appropriate. □

Adopted by the ALA Council, January 27, 1993.

Resolution Reaffirming the Library Bill of Rights to Include Gender and Sexual Orientation

Whereas, The *Library Bill of Rights* embodies the basic policies to guide the provision of library services throughout America, and

Whereas, Recent and continuing events have demonstrated that it is essential for the Association to reaffirm its commitment under Article I of the *Library Bill of Rights*, which states, "Materials should not be excluded because of the origin, background, or views of those contributing to their creation," and

Whereas, Library materials representing diverse points of view on gender and sexual orientation are constantly under attack, it is essential for the American Library Association to reaffirm its position under Article II, of the *Library Bill of Rights*, that "Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval," and

Whereas, Articles III and IV of the *Library Bill of Rights* mandate that libraries challenge censorship and cooperate with those "resisting abridgement of free expression and free access to ideas," and

Whereas, The *Library Bill of Rights* has withstood the test of time and challenges of all types, through Article V, which states, "A person's right to use a library should not be denied or abridged because of origin, age, background, or views," and

Whereas, Libraries have been consistently challenged with regard to provision of exhibit and meeting spaces in direct violation of Article VI of the *Library Bill of Rights*, now, therefore, be it

Resolved, That the American Library Association reaffirm that Articles I and V of the *Library Bill of Rights*, have from their inception provided, and continue to provide, protection with regard to the gender and sexual orientation of users, and be it further

Resolved, That the American Library Association reaffirm that Articles II, III, IV, and VI of The *Library Bill of Rights*, have from their inception ensured, and continue to ensure, that all libraries are "forums for information and ideas,"

which by definition include ideas and materials on gender, sex, and sexual orientation, and be it further

Resolved, That this resolution be transmitted to all appropriate parties. □

Adopted by the ALA Council, January 27, 1993.

Resolution of Commendation for President Clinton

Whereas, American libraries exist and function within the context of a body of laws derived from the United States Constitution (ALA policy 53.1.11) and the First Amendment, and

Whereas, Libraries provide materials and information presenting all points of view on current and historical issues (ALA policy 53.1), and

Whereas, Libraries uphold the free flow of and access to information, and

Whereas, Health officials, due to the "gag rule" have been prohibited from providing citizens with complete information and options concerning abortion, and

Whereas, The American Library Association and the Freedom to Read Foundation entered into an *amicus* brief in *Rust v. Sullivan* in opposition to the "gag rule" and in defense of the First Amendment guarantee of the freedom of speech, and

Whereas, This "gag rule" could set precedent for government officials limiting access to information in federally-funded institutions, now, therefore, be it

Resolved, That the American Library Association and the Freedom to Read Foundation commend President Clinton for his executive order repealing the ban on abortion counseling at federally-funded clinics, and be it further

Resolved, That this resolution be transmitted to President Clinton at the White House. □

Adopted by the ALA Council, January 27, 1993.

Guidelines for the Development of Policies and Procedures Regarding User Behavior and Library Usage

Introduction

Libraries are faced with problems of user behavior that must be addressed to insure the effective delivery of service and full access to facilities. Library governing bodies must approach the regulation of user behavior within the framework of the ALA Code of Professional Ethics, the *Library Bill of Rights* and the law, including local and state statutes, constitutional standards under the First and Fourteenth Amendments, due process and equal treatment under the law.

Publicly supported library service is based upon the First

Amendment right of free expression. Publicly supported libraries are recognized as limited public forums for access to information. At least one federal court of appeals has recognized a First Amendment right to receive information in a public library. Library policies and procedures that could impinge upon such rights are subject to a higher standard of review than may be required in the policies of other public services and facilities.

There is a significant government interest in maintaining a library environment that is conducive to all users' exercise of their constitutionally protected right to receive information. This significant interest authorizes publicly supported libraries to maintain a safe and healthy environment in which library users and staff can be free from harassment, intimidation, and threats to their safety and well-being. Libraries should provide appropriate safeguards against such behavior and enforce policies and procedures addressing that behavior when it occurs.

In order to protect all library users' right of access to library facilities, to ensure the safety of users and staff, and to protect library resources and facilities from damage, the library's governing authority may impose reasonable restrictions on the time, place, or manner of library access.

Guidelines

The American Library Association's Intellectual Freedom Committee recommends that publicly supported libraries use the following guidelines, based upon constitutional principles, to develop policies and procedures governing the use of library facilities:

1. Libraries are advised to rely upon existing legislation and law enforcement mechanisms as the primary means of controlling behavior that involves public safety, criminal behavior, or other issues covered by existing local, state, or federal statutes. In many instances, this legal framework may be sufficient to provide the library with the necessary tools to maintain order.

2. If the library's governing body chooses to write its own policies and procedures regarding user behavior or access to library facilities, services, and resources, the policies should cite statutes or ordinances upon which the authority to make those policies is based.

3. Library policies and procedures governing the use of library facilities should be carefully examined to insure that they are not in violation of the *Library Bill of Rights*.

4. Reasonable and narrowly drawn policies and procedures designed to prohibit interference with use of the facilities and services by others, or to prohibit activities inconsistent with achievement of substantial library objectives, are acceptable.

5. Such policies and the attendant implementing procedures should be reviewed regularly by the library's legal counsel for compliance with federal and state constitutional requirements, federal and state civil rights legislation, all other applicable federal and state legislation, and applicable case law.

6. Every effort should be made to respond to potentially difficult circumstances of user behavior in a timely, direct, and open manner. Common sense, reason and sensitivity should be used to resolve issues in a constructive and positive manner without escalation.

7. Libraries should develop an ongoing staff training program based upon their user behavior policy. This program should include training to develop empathy and understanding of the social and economic problems of some library users.

8. Policies and regulations that impose restrictions on library access:

a. should apply only to those activities that materially interfere with the public's right of access to library facilities, the safety of users and staff, and the protection of library resources and facilities;

b. Should narrowly tailor prohibitions or restrictions so that they are not more restrictive than needed to serve their objectives;

c. should attempt to balance competing interests and avoid favoring the majority at the expense of individual rights, or allowing individual users' rights to supersede those of the majority of library users;

d. should be based upon actual behavior and not upon arbitrary distinctions between individuals or classes of individuals. Policies should not target specific users or groups of users based upon an assumption or expectation that such users might engage in behaviors that could disrupt library service.

e. should not restrict access to the library by persons who merely inspire the anger or annoyance of others. Policies based upon appearance or behavior that is merely annoying or which merely generates negative subjective reactions from others, do not meet the necessary standard unless the behavior would interfere with access by an objectively reasonable person to library facilities and services. Such policies should employ a reasonable, objective standard based on the behavior itself;

f. must provide a clear description of the behavior that is prohibited so that a reasonably intelligent person will have fair warning and must be continuously and clearly communicated in an effective manner to all library users;

g. to the extent possible, should not leave those affected without adequate alternative means of access to information in the library;

h. must be enforced evenhandedly, and not in a manner intended to benefit or disfavor any person or group in an arbitrary or capricious manner.

The user behaviors addressed in these guidelines are the result of a wide variety of individual and societal conditions. Libraries should take advantage of the expertise of local social service agencies, advocacy groups, mental health professionals, law enforcement officials, and other community resources to develop community strategies for addressing the needs of a diverse population. □

(gangsta rap . . . from page 40)

dependently distributed album *Sleeping With the Enemy*, which includes "Bush Killa," attracted renewed attention to "gangsta" rap. In an unusual move, the ACLU issued a statement in conjunction with release of the album calling any moves to suppress or prosecute Paris for threatening the life of the President "politically wrongheaded and constitutionally indefensible."

"I am not an assassin and 'Bush Killa' is not an assassination attempt," insisted Paris, whose real name is Oscar Jackson and who graduated from the University of California, Berkeley, in 1990 with a degree in economics. "I am an artist and 'Bush Killa' is a song. This is nothing but art."

"'Bush Killa,'" the ACLU said, is "the latest in a series of angry, highly political songs by African-American artists who dramatize scenes of racial injustice. It does not violate laws prohibiting incitement or solicitation of unlawful acts, nor does it contravene the federal law criminalizing threats against the President. As an artist and political radical, Paris has a First Amendment right to express his rage towards the President and even to advocate armed revolution."

Chris Blackwell of Island Records said he wanted to release *Sleeping With the Enemy* on a small rap label distributed by PolyGram. He said he scheduled release two weeks before the election and designed a marketing strategy "to make plain the underlying injustices spurring Paris's angriest raps."

But after PolyGram's legal department in London reviewed the lyrics, Blackwell said, the company "expressed grave doubts about the legality of many of the songs on the album, adding, 'The strict legalities apart, we have to be sensitive to the current political climate in the United States, particularly in the light of the Ice-T experience.'" PolyGram declined to allow Blackwell to release the album.

Paris called his record "a statement of political outrage" and "a revenge fantasy." In a news release, he declared: "I knew it would take something pretty extreme to draw the attention of the powers that be. Whose record is scarier, mine or George Bush's?" Paris said he voted for Bill Clinton November 3. "I just hope he never gives me a reason to write 'Clinton Killa,'" he commented.

Attorney Bruce Rogow, who successfully represented Miami rap group 2 Live Crew in its 1990 obscenity trial, said the end of corporate support for controversial rap artists is attributable to the high cost of court battles in defense of free expression and to bad publicity.

"I don't think anybody truly believes these lyric lawsuits are viable, but they can cost a company hundreds of thousands of dollars to fight," Rogow said. "Boycotts and court battles can generate enormous negative publicity with the upper middle class white American *Time* magazine crowd. And that's something the corporate world fears and shuns." Reported in: *Los Angeles Times*, December

10; *Washington Post*, December 2; *San Jose Mercury-News*, December 5. □

women mobilize against porn/censorship

A new coalition of women has announced a campaign against what they call "hard-core, illegal and child pornography." The new campaign, called "Enough is Enough," began with advertisements in major newspapers, including the *New York Times*, the *Wall Street Journal*, *USA Today*, the *Atlanta Constitution* and the *Chicago Tribune*, linking pornography with the sexual abuse of women.

Dee Jepsen, who served as President Reagan's liaison to women's groups, said the new coalition included conservative and liberal women. She co-chairs the group with Eileen Lindner, associate general secretary of the National Council of Churches and a Carter administration official.

"We have drawn the proverbial line in the sand, and the women of America dare any hard core, illegal or child pornographer to cross it," said Jepsen, who added that the women, though at odds on many other issues, were united "toward the single goal of fighting the sexual abuse and degradation of women and children caused by hard core, illegal and child pornography." The campaign is a project of the Ohio-based National Coalition Against Pornography.

Meanwhile, another women's group announced a campaign of its own at cross-purposes to "Enough is Enough." Among those forming the Working Group on Women, Censorship and Pornography, which opposes censorship of sexually explicit expression, are authors, academics and feminists, including writers Judy Blume, Susan Isaacs, and Erica Jong, feminist Betty Freidan, and ACLU President Nadine Strossen. Leanne Katz, executive director of the National Coalition Against Censorship, announced the formation of the Working Group.

"This is an issue about which feminists have deep disagreements," she said. "A growing number of women are angry at claims that support for feminism means support for censorship of sexually explicit expression. A great number of feminists — especially scholars, writers, artists, critics and intellectuals — believe that censorship will not stop violence nor help women; that it has been used today to harm women's interests; and that government should not be involved in decisions about sexual words, images and ideas."

Katz said the group was "especially alarmed" at the alliance between "pro-decency activists" and feminist anti-pornography crusaders. "While women seek political, sexual and reproductive self-determination, the 'moral' Right has opposed every measure to make possible the equal participation of women in American life." Reported in: *Michigan Christian Advocate*, December 7; *Detroit News and Free Press*, November 22. □

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