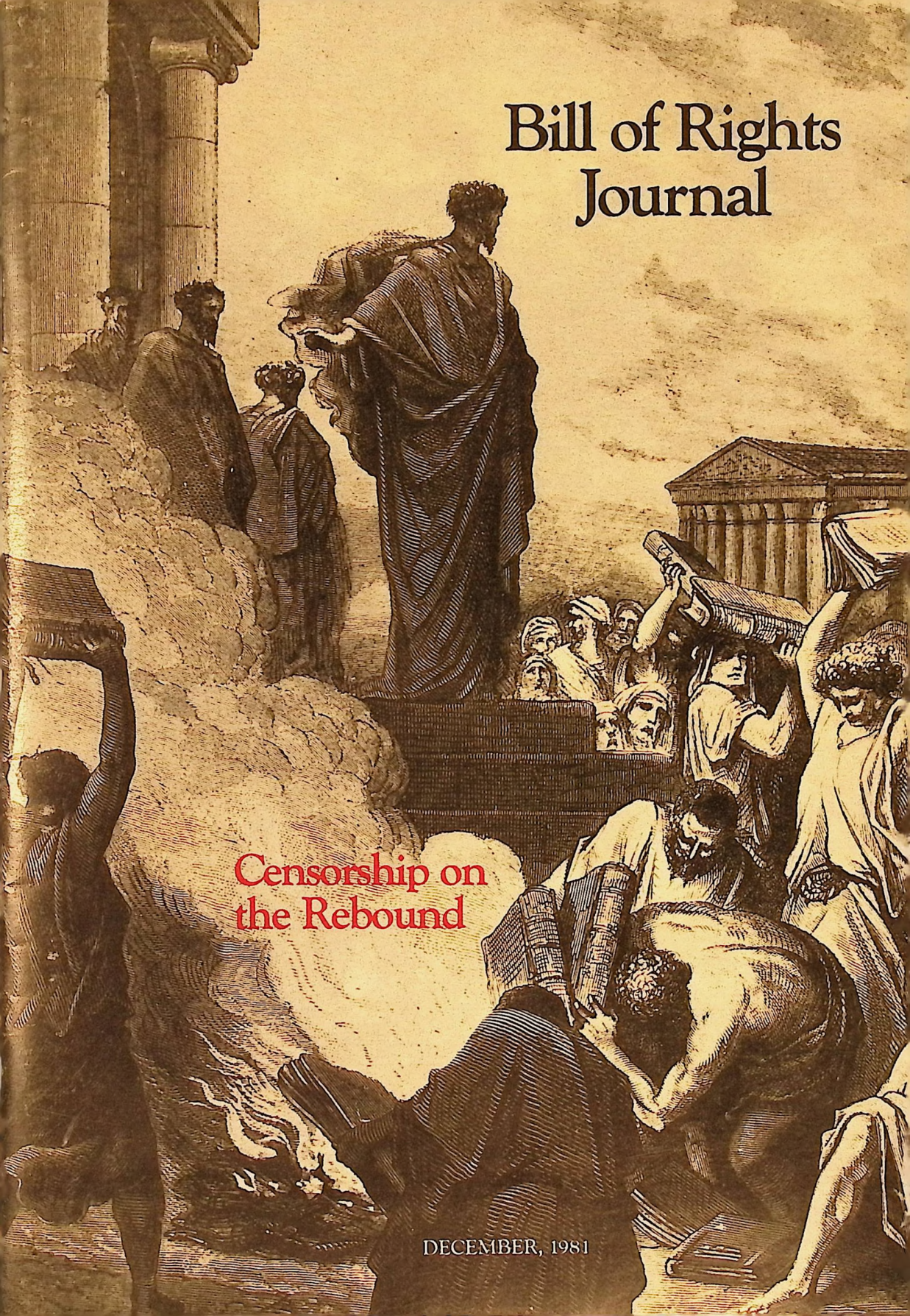


# Bill of Rights Journal

Censorship on  
the Rebound

DECEMBER, 1981





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## An incident in Ohio

Reading Pastor Stephen York's assessment of the quality of reading material in the public schools of the rural Northeastern Ohio school district known as Jackson-Milton, one can almost feel the fervor that must have driven him.

"The bibles are gone," the New England-bred clergyman told a school board that proved it was willing to listen, "but the filth and obscenity are there to read!"

That was early in 1980. A lot has happened to the seemingly tranquil area since several books, judged as "filth," were removed for one year from library shelves at the urging of York and his colleagues. The books are back now, the school board has a new "compromise" policy on book removals, York has moved on to other things, and school officials insist the trauma is history.

"I don't enjoy talking about this," High School Principal Jay Morgan offered. "But I think a lot of people have learned a lot of things."

There still may be something to learn. How Jackson-Milton came to be the focus of the book-banning drive, how the small community met the challenge of the zealous onslaught, and how the matter eventually was resolved, puts into very real terms an issue that too often remains cloaked in generalities.

That there even could be talk of "compromise" in these matters itself is a sobering thought. But in America, in the 1980s, in one rural school district, it took an aggressive resistance on the part of many to push back the impulse that drives Pastor York and the like-minded.

The district is an unlikely setting for such a drama. Though located in the same county as the economically battered city of Youngstown, the communities that fall within Jackson-Milton's domain present themselves as quiet and sedate. One gets the impression that the steel mill closings which devastated the neighbor to the east had little impact.

There are the town greens, the locally-

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*Eric Effron is a reporter for the Tribune Chronicle in Warren, Ohio.*

owned and run stores, the volunteer fire departments. And there are the churches. A few of them are lead by people who are true to that fundamentalist spirit that seems increasingly to be spilling into the public arena.

York, a Youngstown pastor who describes himself as a "sympathizer and supporter" of the Moral Majority, recently explained how he became involved in the Jackson-Milton effort.

"I am not a member of that school district," said York. "But I heard from other ministers who said they wanted some moral support. They said the composition of the board was such that this effort could be successful."

York said he had earlier been associated with some of the other pastors in the local movement to protest the Monty Python movie *Life of Brian*. The group was reassembling to turn its wrath on a school district deemed vulnerable.

The local group leaders, some of whom were affiliated with the national group "Citizens for Decency Through Law," knew they had some sympathetic souls on the board, including the president, so the campaign was launched, York related. In February 1980, the board bowed to the pressure, the bow coming in the form of removal from school library shelves of several books all-too-familiar to the followers of censorship.

But as copies of *Catcher in the Rye*, *Manchild in the Promised Land*, *Up the Down Staircase*, *Slaughterhouse Five*, and a few other titles sat, safely tucked away in an office, some teachers, school administrators, members of the community and others did not quietly go on with business as usual.

Sides formed. Teachers took a stand against the board's move. Board meetings became loud and well-attended. The American Civil Liberties Union was brought in, and the Jackson-Milton School District had a full-fledged controversy on its hands.

The sides could not be neatly drawn along civil libertarian lines, however. As is often the case with local school boards, personality



clashes and longtime antagonisms fueled, and at times muddied, the debate. Some observers were swayed by the prospect of "expensive litigation." And according to a newspaper reporter who covered the issue for *The Youngstown Vindicator*, many local residents seemed to become actively involved in fighting the censorship only after school board members appeared to be punishing outspoken teachers who opposed it.

One lost his coaching job. Another, who was advisor to the school newspaper, which published articles by students critical of the book-banning, was terminated as the newspaper's advisor.

The fight—the personalities and murkiness notwithstanding—did take on some of the attributes of a principled debate. The rousing proclamation of the Jackson-Milton Educators Association merits repeating here.

"...We are sure that the motives of those who would censor books are well-intentioned," the teachers stated. "All of us wish it were possible to shelter our young people from the realities of modern life.

"We also know that our job as a teacher is not to isolate our students from life, but rather to prepare them for it. Students must be prepared to make complex choices about drugs, alcohol, race relations, and sexual behavior. They will make these choices whether they are knowledgeable or not. We prefer them to be knowledgeable.

"Free access to many points and styles of living is the most respected method of increasing a student's awareness and improving his cultural background. We realize that many of today's books contain passages or deal with themes which are offensive to some readers. It is an unfortunate fact that all sides of this question cannot be satisfied.

MICHAEL A. BLEICH

*He Loved  
Liberty*

"The greatest mistake we can make is that we may abandon the American ideal of freedom of choice in order to impose partisan values on our students. We submit that in a free society no abridgement of personal freedom is tolerable. . ."

"Therefore, it is our duty to strongly urge that the censorship of library books by individuals or the school board cease immediately and the books in question be returned to the library shelves."

The board put the books back on the shelves, alright, but the shelves were carefully guarded and controlled. The board came up with something called an "interim policy for classified material use." What it amounted to was a stopgap measure "in the face of an ACLU lawsuit and pending the establishment of a comprehensive book policy" to put the books back on a "classified shelf." Eleventh and 12th graders could get at that shelf, as long as they were 18 and older and as long as their parents hadn't filed an objection. The younger students could gain access to Holden Caulfield and gang only with parental consent to specific books, "filed in writing" with the librarian.

The board then set up a committee to come up with recommendations for a permanent book policy. What emerged, and what finally was approved by the board at its last meeting of 1980, was the "Jackson-Milton Board of Education Policy and Procedural Guidelines for Instructional and Media Material Selection and Review." The embattled books were returned to the shelves where they had been gathering dust. According to one ironic newspaper account, the books in question were not particularly popular among Jackson-Milton high school students.

The lengthy document asserts that "Students' right to have free access to library materials should not be limited without due process." The policy then goes on to establish the "due process" by which books may, in fact, be removed.

The guideline "which has not yet been tested" sets up review committees and procedures through which anyone can call for a book's removal. What it amounts to, in the final analysis according to many, is an exercise that leaves the board of education still groping with that elusive notion of "community standards."

Prior to the establishment of this policy,

according to school officials, it was more difficult for people to appeal when administrators ignored pleas to remove materials. Now, committees are formed at various levels, recommendations are issued, timetables are set.

"Really, all it does is expand the due process," was how one school official described it. The return of the books to the shelves, he said, signaled for many a victory for freedom of choice and of expression.

Still, there was that year in Jackson-Milton when some pretty good books were stamped "classified," with lawsuits threatened, but

never filed. Further, the new policy is as unpredictable as the make-up of the school board. It hasn't been tested, largely because the individuals behind the book removal in 1980, including the board president, have left the area.

Pastor York, however, is still around, and he says that should another "situation present itself," he is confident the Moral Majority and associated groups would not be slow to act.

"They don't hesitate to take a stand for righteousness," York said. ■

WILLIAM L. STANDARD

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IN HONOR OF THE  
NATIONAL EMERGENCY  
CIVIL LIBERTIES COMMITTEE

Mollie and Abe Caesar

# Free speech under seige

There are the familiar titles like Kurt Vonnegut's *Breakfast of Champions* and the classics like Nathaniel Hawthorne's *The Scarlet Letter*. There are also the bizarre ones like *Mr. and Mrs. Pig's Evening Out* or *Webster's Collegiate Dictionary*.

They are among hundreds of books which have been challenged as improper material for school libraries or even removed from bookshelves and destroyed because someone decided that students shouldn't be reading them.

"In my opinion the Association of American Publishers is allowing too much offensive material to be presented to the schools. Keep the material clean and morally high in quality. Free sex, stories on homosexuals, situation ethics, and other such garbage should not be placed in schools. Throw the junk in the wastebasket. Bad literature and bad television are powerful aids in tearing down the American ideal."

So wrote one school administrator in response to a survey looking into censorship in American public schools. The survey, the first comprehensive look at censorship in this country, was sponsored by the Association of American Publishers, the American Library Association, and the Association for Supervision and Curriculum Development. Their report, entitled *Limiting What Children Shall Read*, was issued this summer. It makes frightening reading.

Among its findings are the following:

- More than 22 percent of the 1,981 respondents reported that there had been some challenge to classroom or library materials in their schools since September 1, 1978.

- The percentage of challenges reported was fairly consistent across all regions of the country. (Northeast, 21.4 percent; South, 20.3 percent; Midwest, 23.4 percent; West, 24.8 percent).

- Challenges were reported from communities of all sizes: large city (pop. over 500,000), 22.6 percent; smaller city (pop. 50,000-500,000), 30.2 percent; town (pop. 5,000-49,000), 23.6 percent; suburban, 28.3

percent; village or small town (up to 5,000), 18.5 percent; and rural, 22.3 percent.

- Most of the materials were challenged because of objectionable language referring mostly to "dirty words", sex, and sexuality. Other concerns ranged from racism and religious bias to "undermining of traditional family", criticism of U.S. history, and Darwinism and evolution.

- In nearly a third of the challenges, respondents reported that those who raised the complaints had not read or viewed the materials in question.

- In more than three quarters of the challenges the complaints were made by individuals rather than groups. School librarians reported that 30 percent of the challengers were staff members.

- Finally, in more than half of the cases, the final response was to impose some form of censorship (either removal from the shelves, limited availability, destruction of the books etc.) or restriction on the challenged material.

The report's author, Michelle Marder Kamhi, also saw fit to include some of the comments she received from the school officials, such as the one noted earlier. Their comments are frequently as alarming as the statistics. Said one librarian, "I have more trouble with the teachers and principals than the parents." One school superintendent reported no problems when a complaint was brought to him. "No problem," he wrote. "Took book out of library and destroyed it." Apparently, for him it wasn't any more difficult a decision than whether or not to toss out a three-day-old newspaper.

What do the statistics mean? For one thing, they demolish the stereotype of the average book burner as a right-wing religious fanatic from some small town out west. Unfortunately, it makes the truth that much more dismaying. For if censorship actions could be tied to a small band of wild-eyed religious freaks, the problem would be a lot easier to deal with.

But that isn't the case. Efforts to ban books are as common in the East as they are

in the West, and actually occur more frequently in big cities than in small towns. And while the survey does not pretend to be conclusive, it points out very clearly that most of the reported incidents are initiated by single individuals rather than groups. And if groups are involved, the statistics show, their politics can be as diverse as the Moral Majority and the NAACP.

While the danger of organizations like the Moral Majority can't be denied, the truth is that these groups are really symptomatic of a more dangerous malaise, which among other things manifests itself in a widespread disregard for basic First Amendment freedoms.

The statistics hold other disturbing news, especially the high frequency of self-censorship among school officials and librarians. In better times, one would look to educators for sane leadership and guidance when a crisis such as this one arises. But as the report points out, librarians and the like are frequently no more immune to the disease than anyone else. This is not to say there are no exceptions, (The newspapers have reported on some honorable cases), but according to many of the survey responses, entrusting

school officials with preserving First Amendment rights is not apt to make anyone feel too secure.

Finally, the report also points out that in the overwhelming majority of cases, book removals were carried out without any local media attention. Clearly, it is a lot easier to remove a book or film from a library shelf when nobody is watching, and in many of these cases, had someone other than the immediate participants been aware of what was going on, the actions may have been prevented.

Unfortunately, the press, especially local media with limited resources, cannot be expected to keep tabs on the internal actions of school officials. Instead, they must rely on the watchful eyes of involved parents and citizens who are concerned enough to speak out when their civil liberties are being violated.

But the press is certainly not blameless. Reporters and editors are frequently the worst self-censors, once again giving rise to the fox-guarding-the-henhouse syndrome.

Only increased vigilance will break the cycle. But while the fever may be broken, will that provide the cure? ■

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*Memoirs of*

## CORLISS LAMONT

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## A textbook case

*Long before the Moral Majority was born, Prof. Charles Sallis, of Millsaps College in Mississippi, battled state censors over a history textbook he co-authored. The book, Mississippi: Conflict and Change, a progressive textbook, was rejected by the state purchasing board as unfit for school children partly because it portrayed slavery in a bad light. This is the story of the battle to have the decision overturned.*

Textbooks are the single most important medium by which historians communicate with the public at large. Most people do not read scholarly monographs or articles in scholarly journals. Most people do read a history textbook, or at least a part of one, at some time in their lives.

The history that students learn in school helps to shape the historical perspective that they will carry with them as adults. What kind of historical perspective have generations of Mississippi children perceived from their Mississippi history textbooks? First of all, they have gotten a white bias.

The introduction of Pearl Guyton's *Our Mississippi*, the Mississippi history text I and other Mississippi students used in the seventh grade read in part:

Blessed with a beautiful terrain, rich in flora and fauna, abounding in natural resources, possessing an ideal climate, adequate rainfall, and unsurpassed fertility of soil, and peopled with men and women of the purest Anglo-Saxon stock to be found in the United States, Mississippi merits the love, the loyalty, and the deep devotion of her sons and daughters.

What about Mississippi's Indian, Chinese, Mediterranean, and black sons and daughters? Only one black, Hiram Revels, was mentioned; there were only two pictures of blacks, one of which was of field hands picking cotton.

Another text which was used for years in the fifth grade stated:

The life of the Negro lived as a slave was much better than that which he had lived in Africa. It was said that his condition would continue to improve more rapidly in slavery than as a free man.

---

*Charles Sallis earned the Ph.D. degree in history at the University of Kentucky. He was named Millsaps's "Distinguished Professor" in 1973.*

This book contained no pictures of blacks.

The text which enjoyed wide use in the ninth grade stated:

One thing was certain, Mississippians would take nothing lying down. In 1948, they were in the Dixiecrat forefront. In the 50's, as the integration campaign of the federal government threatened the white Democracy of Mississippi, vigorous measures were taken to preserve the established social and political order.

Three pictures of blacks were in this book; they were black sharecroppers, picking cotton.

Secondly, students leaving Mississippi schools have gotten an elitist historical perspective in which emphasis is placed on the upper classes in Mississippi society: planters, lawyers, bankers, governors, legislators, U.S. Congressmen—all white males. Little, if any, information was included about women, young people, various ethnic groups, and "The Comman Man," who, too, have lived, worked, and died in Mississippi. Students have taken with them the concept that history is little more than governors' administrations, political campaigns, and economic crises. They got very little insight into the everyday lives of ordinary people.

Finally, they have gotten the consensus view of Mississippi's history. Everything was pleasant; there was no conflict at all between races, social classes, and geographical sections. Unpleasant aspects of the state's history were ignored.

No wonder many students (particularly non-white ones) agreed with Henry Ford's dictum that "History is bunk" and with Voltaire's observation that "History is a pack of lies told by the living about the dead."

In the Spring of 1970, the Mississippi History Project was formed. It consisted of a

team of professors and students from Millsaps College (predominantly white) and Tougaloo College (predominantly black). Directors of the Project were Dr. James Loewen of Tougaloo and myself. The members of the Project were black and white, male and female, Northerners and Southerners. We had four aims:

- To include the contributions of black people and other non-elite groups (Indians, other ethnic minorities, women, the working class).
- To fully treat the recent past.
- To try to have an exciting text by using action photographs, excerpts from original sources, relevant statistics, maps and graphs that would make history come alive, even though many Mississippi ninth graders were not reading on grade level.
- To involve students with important challenging questions about important issues.

We carefully followed criteria of the State Textbook Purchasing Board in writing our text. We sent chapters of the manuscript out to various experts to get their comments and

criticisms. By the Spring of 1972, we had produced a manuscript entitled *Mississippi: Conflict and Change*.

About our efforts, Alvin Toffler wrote:

This history of Mississippi makes the connection between the living past and a livable tomorrow. Its use would make Mississippi a path-breaker in the teaching of local history.

Lawrence Goodwin of the Institute for Southern Studies at Duke University called it "...an extraordinary achievement... the best history of an American state I have ever seen."

Despite these and other words of praise for our manuscript, we could not find a publisher. Textbook publishers liked it, but they shied away, perhaps fearful that publishing a book such as ours would hurt the sales of other books of theirs in the state. Trade publishers, who would not face this worry, told us they did not do textbooks.

Finally, Pantheon Books agreed to publish it. It would be the first textbook in its history. So *Mississippi: Conflict and Change* was submitted to the Textbook Purchasing Board in September 1974.

The Board's history goes back to 1940 when Mississippi passed a law providing free textbooks, purchased with tax monies, to all students in the State's public schools. It also provided for a Textbook Purchasing Board to screen the texts for adoption. Subcommittees of seven persons were to examine texts in each subject area. Books they approved would then be screened by the Board. Books they found unfit could not be considered. In the category of Mississippi history, as many as five books could be selected. School district then could choose their textbooks from any on the approved list. Books not on the approved list could not be purchased for school use with State funds.

In 1974 the selection subcommittee for Mississippi history texts consisted of five white and two black persons. Only two books were offered for their consideration: John Betterworth's *Your Mississippi*, written from the traditional point of view, and *Mississippi: Conflict and Change*. Both books could have been approved.

In November 1974, *Mississippi: Conflict and Change* was rejected. We were not told the reasons for rejection because the records of the Board are confidential. We were not told the vote, and we were not allowed to see the written forms of the persons who eval-

To the Memory of  
**LEO HUBERMAN**  
Long-time  
Civil Liberties Militant  
From his colleagues  
at  
**MONTHLY REVIEW**

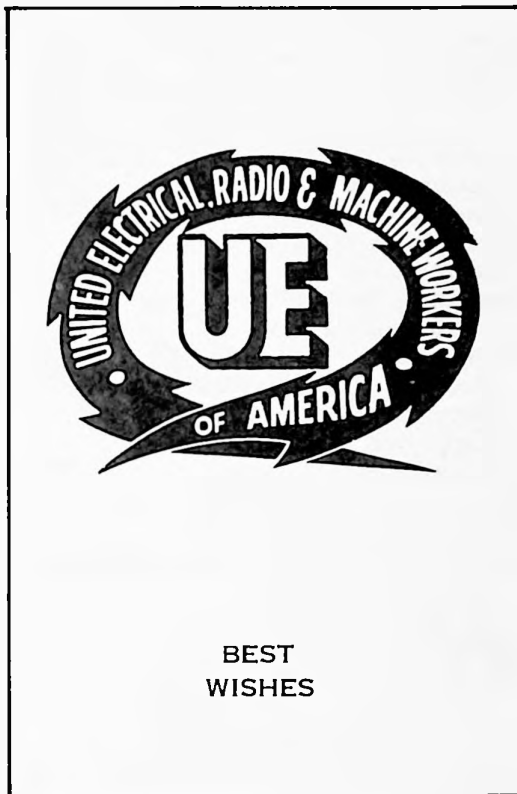
uated the book. We were also not allowed to appeal the decision since there was no provision for appeal.

However, we knew our book had been rejected primarily on racial grounds. Through various unofficial but reliable channels, we found that the vote was 2-5 (the black members voting for the book and the whites voting against it), and that the whites objected to our treatments of slavery, Reconstruction, and the Civil Rights Movement.

In November 1975, we filed suit in the U.S. Federal Court for the Northern District of Mississippi against the State Textbook Purchasing Board. The NAACP Legal Defense and Educational Fund and the Lawyers' Committee for Civil Rights Under the Law handled our case. We were joined in our suit by the Natchez-Jackson Catholic Diocese of Mississippi, the Jefferson County School Board, and various teachers, parents, and students—a total of twenty-nine plaintiffs. Our complaint was based upon the violation of First Amendment rights and the due process clause of the Fourteenth Amendment.

We charged that the Board in the past had chosen only those texts "which presented historical events in a manner sympathetic to principles of racial segregation and discrimination, black inferiority, and white supremacy." We alleged that the system by which the state approved texts "is and has been an instrument of state propaganda to exclude controversial viewpoints" and that it "operates as a state instrument of unconstitutional state censorship and fails to provide due process of law." We asked that *Mississippi: Conflict and Change* be added to the list of approved books.

The trial began on August 27, 1979, and lasted for two weeks. We presented 25 expert witnesses, teachers, and students who testified on our behalf. The only witnesses produced by the Textbook Purchasing Board were the members of the subcommittee that rejected our book. One was an English teacher from a private segregationist academy whose training was not in the social sciences, yet was evaluating history texts for public use. This person found our book "too negative." On cross-examination, it was found that this person had not read a book on Mississippi history in 20 years except for the two being evaluated.



BEST  
WISHES

Another objected to all mention of violence in our book: slave beatings, lynchings, the killing of Medgar Evers in 1963 and the killings at Jackson State University in 1970. One member of the rating subcommittee cited our "over-emphasis" on race and felt that the subject matter was "too advanced" for high school students. Yet another stated, "I didn't think it was a textbook per se. It was more into sociology and history" and it lacked ten questions at the end of each chapter. Finally, the last one objected to practically every picture which included a black person and felt that our book would cause harsh feelings in the classroom.

On April 3, 1980, Judge Orma Smith, seventy-six years old and a native Mississippian, handed down his ruling. The Court ruled that:

*Mississippi: Conflict and Change* compiled with all the criteria established by the State Textbook Purchasing Board... its rejection was not for any justifiable reason, but was racially motivated, based on a discriminatory intent... the illegal rejection of the text impermissibly deprived the authors of their constitutionally protected rights of freedom of speech, press and due process.



The Court also found compelling the argument that in the 1940s the support of racism was the fundamental intent of the legislators when drawing up the law governing textbook selection. "Earlier legislative history of the passage of the free textbook law reveals an adamant intent on the part of the legislature to insure that textbook selection reflected the predominant racial attitudes of the day." The Court also found that books chosen in the past by the Purchasing Board "tended to perpetuate some of the segregationist ideas of the past."

For relief, Judge Smith ordered that *Mississippi: Conflict and Change* be placed on the approved list and that the State Textbook Purchasing Board be enjoined from rejecting any *history* textbook for racial reasons and for reasons not based on their objective criteria.

The State of Mississippi did not appeal.

It was a landmark decision, the first time a Federal Court had ordered a state to allow the use of a textbook. It was, as well, a vic-

tory for academic freedom and First Amendment causes. The decision is critical to the publishing industry because this enables authors and publishers to have more latitude in writing and publishing objective histories, even if the material therein is not consistent with the philosophy of the state. Many state histories lack objectivity and candor. Our experience revealed the weakness of an evaluation procedure which allows the evaluators to reject a source because of their hidden agendas which govern their choices, and to have these evaluators protected by a bureaucracy and a legislature which implicitly and explicitly support them.

The fight in Mississippi is not over. Each school district chooses its own textbooks. *Mississippi: Conflict and Change* is presently being used in 20 districts out of approximately one 150. Many of those in authority feel, as one person remarked to me shortly after the book was published, "Charles, I know what you wrote was true, but I just can't believe it." ■

## Keep Up the Fight

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## TV: immoral vs. amoral

*Books are not the only targets of censors. Television and movies have long been a focal point of such efforts. In The Marvin Kitman Show, his regular television column for Newsday, the author (or Executive Producer, as he likes to bill himself) has devoted considerable space to examining the boycott threats of the Moral Majority and like groups and the reactions of advertisers and network executives. This is one such column, which appeared earlier this year.*

A boycott against sponsors of TV's most violent and sexy shows, a tactic proposed by the Rev. Mr. Clean in the Cleaning of America campaign, would have been dumb. It would have been like using Contac or Raid to fight bubonic plague.

First of all, boycotts never work. Viewers are too apathetic. An amazing number of viewers don't even know which program is on which network. The notion that TV viewers can name the products of Warner-Lambert (Listerine, Roloids, Trident), Beecham (Aqua-Fresh, Brylcream, Jovan), Smith Kline, Procter & Gamble, or General Foods is laughable.

I have seen kids cry over a mother's personal boycott of some junk food product. They can break the will and resistance of some great American women who have master's degrees. Can you picture trying to explain the boycott to young consumers? The whole thing is a fantasy out of Consumer Reports. Forget it.

Now that sponsors simply buy spots on programs, the way advertisers buy pages in magazines, their sense of responsibility for the programs has been reduced. It was a lot different when Jell-o presented Jack Benny or GE presented "The Ronald Reagan Theatre." Sponsors care only in a general philosophical way that they are indicted by groups like the Moral Majority 400. When you count on the morality of sponsors, you're really in trouble. With allies like them, you don't need enemies.

If the Rev. Mr. Clean was the leader of the good guys in a battle against the bad guys (the

networks), I would tell him this: "Hey, stupid, wake up. If you really want to scare TV, have impact, change its social outlook, sense of morality, which should be what it is all about, go for where the stations are vulnerable. Go for their licenses.

TV's power to do bad comes from a station's right to broadcast. It's a license to print money, a license to keep a golden goose. It's a no-lose business, a government monopoly. Protesting groups should go for the license. Everything else is flummery, nonsense, a masturbatory intellectual exercise.

Indict the stations on charges of molesting our children, of contributing to adult delinquency, of boring us to death. Be innovative in the context of the law. Expand the parameters of litigation against them.

The networks are ruled by fear and, believe me, it's not the fear of God. It's the fear of the golden calf being cooked as veal.

The Moral Majority people, however, are not the good guys in the struggle, as I've mentioned before. They are the bad guys. It's a case of the bad guys against the worst guys (the TV industry).

I hate censorship. As long as you burn Kurt Vonnegut's book, many TV viewers feel, it's all right. TV doesn't need any more censors. They do such an incredible job themselves. Why do you think all the programs look and sound alike? It's not coincidental.

The slimiest guy in all of the fuss raised about the Moral Majority's Cleaning of America campaign has to be the chairman of the board of Procter & Gamble, who rode out to battle last week and immediately surrendered. He said that, yes, there was too much sex and violence, and he was just as disturbed as everybody else.

Procter & Gamble is responsible for programming today. It could have used its "in-

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*Aside from producing his television column, Marvin Kitman has taken the time to author six books. His last, A Coward's Almanac, was published by Doubleday in 1975. A multi-faceted individual, Marvin was also a Republican candidate for President in 1964. He lost.*

fluence" behind the scenes at any time to change the nature of TV. If it wanted "quality TV," with its megabuck investment, TV today would be a quality art form. Don't let P&G kid you with this public relations malarkey about its helplessness.

The Moral Majorityniks are bad guys because they won't be satisfied with the usual concessions from the TV industry, like the "family hours" the PTA got after their campaigns of 1977, 1975, et al. These Moral Majorityniks are sinister people. They will do blacklisting.

They will make lists of people who don't agree with them. They will make lists of people who shouldn't work in TV because they are not in favor of putting pants on animals. Anyone who has heard the Rev. Mr. Clean and his cleaning men and women know they are not for diversity. Their milk of human kindness is skimmed and powdered. They will make the McCarthy-Red Channels period of broadcasting seem like the good old days.

I hate threats of boycotts and groups of do-gooders carrying big sticks of economic reprisals (which aren't even loaded). It was the boycotters, for example, who made Len-

ny Bruce unemployable, and eventually led to his death. And that's why for wild and crazy and outrageous comedy which pushes the limits today we have "Three's Company." Don't let them pull the Woolite over your eyes. They underwrote the dirt that the Moral Majority is trying to clean up now.

In all the talk about boycotts for sex and violence, nobody mentioned punishment for bad programming—the junk, garbage, trash that is a staple of TV today. Does an advertiser ever pull its commercials out of a program because it is of poor quality? Lots of luck. When P&G stands up against "Love Boat," I'll give it respect.

What should the networks and other concerned civil libertarians aligned against the Moral Majority do?

The first thing is to stop giving them so much publicity. Ignore them, as they largely ignored other groups against violence in the past, such as Nick Johnson's National Council for Better Broadcasting. The public will never support any group against television. The positive power of apathy is freedom's strongest weapon in the electronic age.

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HENRY H. FORSTER



## Writers on censors

*How are authors reacting to the news that their books are being removed from library shelves? We asked Geoffrey Rips and Ellen Binder of the PEN American Center's Freedom to Write Committee to find out.*

In his June 3, 1981, address as president of PEN American Center, Bernard Malamud told PEN members, "One of our most serious obligations as writers, in a democracy whose history and meaning too many of our people can't describe or comprehend, is to defend and preserve our constitutional right to freedom of expression." At the time he spoke, 148 book titles in public schools and libraries were being challenged by parents and special-interest groups in thirty-eight states. Malamud's own Pulitzer-Prize-winning novel, *The Fixer*, was among these, having been removed by the school board of the Island Trees district in New York.

The incidence of books being removed from public library shelves and classroom reading lists has increased nearly 500 percent since January 1 of this year, according to the American Library Association. Joining *The Fixer* in the ranks of books under attack are many of the great works of Western literature, including *Huckleberry Finn*, *The Merchant of Venice*, *Death of a Salesman* and *The Grapes of Wrath*. *Brave New World* has been targeted for removal in many communities for its purported fatalism, negative outlook, and encouragement of drug use, illicit sex, and conformity. A parents' group in Massachusetts is attempting to ban the use of Richard Wright's *Native Son*, calling it a "garbage book," rife with sex and violence.

As a fiction writer, Bernard Malamud felt that the school officials who sought the removal of his novel were "unmoved by literature" and could not comprehend "its relationship to the health and moral vigor of democracy." The censorship of books in local communities betrays not only an inability to understand serious literature but, more important, a lack of understanding of the rights guaranteed by the First Amendment. While the efforts to ban or censor certain books in some communities may be

undertaken as an objection to specific uses of language or characterization or the portrayal of lifestyles, what is really being challenged is not the individual work in question but the notion of a pluralistic, democratic society.

In a PEN-sponsored symposium at the American Writers Congress in New York City on October 10 of this year, parents' rights advocate Kris McGough characterized the battle over books as "a battle over values and who decides what values are passed on to children." The other members of the panel, all but one of whom were prominent writers, agreed. (The panel was created to bring writers face to face with leaders of local efforts to control reading and curriculum.) Writer and educator Herbert Kohl stated: "We have public schools to promote democracy . . . to make a religion of democracy." To this, Michael P. Farris, general counsel and director of the Moral Majority of Washington, countered, "I don't have room for two religions. I don't believe the object of the schools is to make a religion of democracy but to teach traditional cultural values."

Among many of the fundamentalist book-banning groups there seems to be lack of faith in the democratic process and a lack of understanding about how it operates. Herbert Kohl explained, "Access to ideas does not mean advocacy of ideas. Access allows people to make decisions for themselves: that is the difference between authoritarianism and democracy." Frances FitzGerald placed this battle in its historical context, calling it "the conflict of Puritan tradition and democracy." It is the democracy of Tom Paine, in which all voices are heard, besieged by the republic of Alexander Hamilton, based upon free enterprise and Christian values.

The issues are complex. Taxpayers cry out for their right to control their piece of the ac-

tion. Parents argue that they, and not the state, have the right to determine what their children should be taught. Fundamentalists say that equal access is not given to the idea of creationism. The issues are complex as society is complex. And for this society there can be only one solution: access to all ideas in all their complexity. Banning is the too-simple, too-dangerous solution. Kurt Vonnegut, whose *Slaughterhouse Five* has been removed from several schools and libraries, addressed this during the course of the panel: "I remember it was in the simple, God-fearing communities that they used to lynch people. Americans should be up to their ears in ideas of all kinds. Do you want an ignorant government? Give me knowledge or give me death. If this be treason, then make the most of it."

There are communities in this country that are fighting the efforts of book-banning special interest groups. In Abingdon, Virginia, a public librarian has been rallying community support to keep books from being removed from library shelves. In Baileyville, Maine, students have filed a class action suit against the local superintendent and school committee over the removal of *365 Days*, a book on

Vietnam, from school district libraries. Writers have appeared in court in Baileyville to testify on behalf of the book and the freedom to read. In North Carolina, a high school social studies teacher successfully fought against the withdrawal of *Brave New World* from her class reading list.

It is the duty of writers and readers to remain vigilant. The real danger threatening this country is the restriction of information and ideas, which restricts the ability of citizens to make their own decisions. This can be seen in Reagan administration efforts to control information about the operation of government. It can be seen in the conglomeratization of publishing and distribution industries. And it can be seen in the attempt to limit what can be taught and read in schools and public libraries.

"If the doors of perception were cleansed every thing would appear to man as it is, infinite.

For man has closed himself up, till he sees all things thro' narrow chinks of his cavern."

—William Blake, *The Marriage of Heaven and Hell*

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## A letter to Drake

*Few authors can claim to be a more frequent target of book banners around the country than Kurt Vonnegut. One of his novels, Slaughterhouse Five, was actually tossed into a furnace by a school janitor in Drake, North Dakota, under orders of the town's school committee. Angered by the move, Vonnegut fired off a letter of protest to the chairman of Drake's school board. The text is printed below.*

Dear Mr. McCarthy:

I am writing to you in your capacity as chairman of the Drake School Board. I am among those American writers whose books have been destroyed in the now famous furnace of your school.

Certain members of your community have suggested that my work is evil. This is extraordinarily insulting to me. The news from Drake indicates to me that books and writers are very unreal to you people. I am writing this letter to let you know how real I am.

I want you to know, too, that my publisher and I have done absolutely nothing to exploit the disgusting news from Drake. We are not clapping each other on the back, crowing about all the books we will sell because of the news. We have declined to go on television, have written no fiery letters to editorial pages, have granted no lengthy interviews. We are angered and sickened and saddened. And no copies of this letter have been sent to anybody else. You now hold the only copy in your hands. It is a strictly private letter from me to the people of Drake, who have done so much to damage my reputation in the eyes of their children and then in the eyes of the world. Do you have the courage and ordinary decency to show this letter to the people, or will it, too, be consigned to the fires of your furnace?

I gather from what I read in the papers and hear on television that you imagine me, and some other writers, too, as being sort of rat-like people who enjoy making money from poisoning the minds of young people. I am in fact a large, strong person, fifty-one years old, who did a lot of farm work as a boy, who is good with tools. I have raised six children,

*Kurt Vonnegut is the author of 13 books. His latest is Palm Sunday (Delacorte, 1981), from which this article is reprinted.*

three my own and three adopted. They have all turned out well. Two of them are farmers. I am a combat infantry veteran from World War II, and hold a Purple Heart. I have earned whatever I own by hard work. I have never been arrested or sued for anything. I am so much trusted with young people and by young people that I have served on the faculties of the University of Iowa, Harvard, and the City College of New York. Every year I receive at least a dozen invitations to be commencement speaker at colleges and high schools. My books are probably more widely used in schools than those of any other living American fiction writer.

If you were to bother to read my books, to behave as educated persons would, you would learn that they are not sexy, and do not argue in favor of wildness of any kind. They beg that people be kinder and more responsible than they often are. It is true that some of the characters speak coarsely. That is because people speak coarsely in real life. Especially soldiers and hardworking men speak coarsely, and even our most sheltered children know that. And we all know, too, that those words really don't damage children much. They didn't damage us when we were young. It was evil deeds and lying that hurt us.

After I have said all this, I am sure you are still ready to respond, in effect, "Yes, yes—but it still remains our right and our responsibility to decide what books our children are going to be made to read in our community." This is surely so. But it is also true that if you exercise that right and fulfill that responsibility in an ignorant, harsh, un-American manner, then people are entitled to call you bad citizens and fools. Even your own children are entitled to call you that.

I read in the newspaper that your com-



munity is mystified by the outcry from all over the country about what you have done. Well, you have discovered that Drake is a part of American civilization, and your fellow Americans can't stand it that you have behaved in such an uncivilized way. Perhaps you will learn from this that books are sacred to free men for very good reasons, and that wars have been fought against nations which hate books and burn them. If you are an American, you must allow all ideas to circulate freely in your community, not merely your own.

If you and your board are now determined

to show that you in fact have wisdom and maturity when you exercise your powers over the education of your young, then you should acknowledge that it was a rotten lesson you taught young people in a free society when you denounced and then burned books—books you hadn't even read. You should also resolve to expose your children to all sorts of opinions and information, in order that they will be better equipped to make decisions and to survive.

Again: you have insulted me, and I am a good citizen, and I am very real.

© 1981 Kurt Vonnegut

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# Criticism vs. censorship

*Where does criticism stop and censorship begin? The Council on Interracial Books, which among other things criticizes the contents of children's books and school texts, has been accused of crossing that fine line and of being "censors of the Left." The Council disagrees, and this article, prepared by its staff, defends the organization's efforts.*

The book world is in a state of confusion about what constitutes public interest criticism and what constitutes pressure for censorship. The confusion is particularly intense in the world of children's books, as the realization grows that what children read in school today goes a long way toward shaping what they—and society—will be tomorrow.

For the past 16 years the Council on Interracial Books for Children has struggled to raise public awareness of the racist and sexist content of children's books and school textbooks. We have been severe critics of the publishing establishment, exerting pressure to open up the pages of books to perspectives traditionally omitted—the perspectives of minorities, women and other oppressed groups.

In the early Council years, publishers either accepted our criticism—some publishers acknowledged their omissions and started to make changes (not enough from our point of view, of course)—or they rejected the criticism outright. Oh, there were charges that we were too extreme or our voice too strident, but we were not called censors. The charge that the Council, along with activist groups like the National Organization for Women and the Gray Panthers are "censors" has come only in recent years. The charge has been coincidental with the spectacular increase in the number of attempts at book banning by the Right. While the Council's criticism has remained unchanged, now we are attacked as "censors of the Left." Regardless of the motive, whether it be from the publishing establishment to silence the Council's voice or from well-meaning civil libertarians, these censorship charges have had a chilling effect on criticism of bias in books. We feel that in the years ahead the censorship smear will be leveled against more and more progressive groups, and we call on civil liber-

tarians and civil rights advocates to address this issue.

Under the First Amendment, writers and publishers are free to produce racist and sexist books. Individuals have the right to purchase and read racist and sexist books. We deplore the content, but the right to publish and read them is undeniable. However, compulsory education laws compel young people to read textbooks that have been selected by an agency of the state and purchased with public funds. The Fourteenth Amendment requires the state to assure all students "equal protection" under these compulsory education laws. It is therefore the responsibility of the state to assure that those texts do not infringe on the rights of students to an equal education or to equal protection under the law. Thus, if publishers wish to sell their books to public schools, the question is not, "Is racist and sexist content protected by the First Amendment?" The question becomes, "Is racist and sexist content something that the state can sponsor by allowing it in books which are mandatory reading, paid for at public expense?"

Children's sex and race are unalterable conditions of their being, and one's condition of being should be inviolate from attack. Children must not be forced to read textbooks which demean their identity, negate their culture or stifle their potential. Children must not be forced to read texts which distort their history, ignore their heroes or omit their peoples' perspectives. They must not be excluded from the pages of their textbooks. Each and every group and sex must feel included in a pluralistic society. It is such *inclusion* that is the moral and legal responsibility of educational publishers.

Simple sounding as this may be, publishers face enormous pressures for continued exclusion by those people who want to pretend the

U.S. is all-white, all-Christian, all-middle-class-nuclear-suburban-family.

It is important that we recognize the distinction between criticism and pressure for greater *inclusion* of ideas, peoples and perspectives, and pressure for *exclusion* of ideas, peoples and perspectives from textbooks. The former asks for implementation of the obligation for equal protection of all peoples; it is a constitutional obligation; and it is what the Council, NOW and the Gray Panthers advocate. On the other hand, to exclude ideas, peoples and perspectives is censorship.

We base this interpretation on a definition of censorship in an article by E.J. Gaines in *Organized Censors Rarely Rest* edited by Edward A. Jenkinson (1977): "Censorship in its broadest terms is the attempt to prevent the movement and the sharing of information." When information about, and perspectives of, women, racial minorities, agnostics, or any other large group of Americans is omitted from textbooks, it may be due to ignorance of publishers. Or it may be that censorship has occurred—deliberate self-censorship by publishers.

Oftentimes such self-censorship is done to placate the exclusionists. It is an attempt to avoid controversy and consequent loss of sales. Whatever the cause or motivation, such censorship denies the rights of all children to "equal protection." Ironically, such censorship usually fails to placate the exclusionists, whose ultimate goal is to strip textbooks of all ideas and perspectives other than their own and to keep children innocent of the realities of U.S. life and even of the very meaning of the U.S. Constitution.

If public schools should not use race and sex biased materials—based on the Fourteenth Amendment—do not TV programs, movies, trade books still have a First Amendment, free-speech right to be racist and sexist? Legally, we believe they do. But for moral and educational reasons, we believe we have a perfect right to criticize them for doing so and to pressure them to change.

There is one big Catch-22 in this supposedly free marketplace of ideas. The marketplace isn't free. Only a few people of wealth control the establishment marketplace. They are not only well to do, but they are limited to one race and to one sex: white and male. Their control of the marketplace of ideas is the REAL problem of censorship in the U.S.

Because such a small group controls all the establishment communications media—and because they have no serious problems with the critics of the Right (as history also proves), a free marketplace of ideas is as likely to bring greater equity as is the Reaganomics marketplace likely to bring greater prosperity for all. Both will keep the status quo working to heavily favor one small group over the less powerful larger group.

Criticism, protests and pressures against demeaning stereotypes and for alternative portrayals and perspectives should be applauded and encouraged. These are the only means we have of combatting *real* censorship. Free speech and freedom of the press must not be limited to those who own the airwaves and the presses. For it is they who gain by maintaining the inequities of the status quo. The best way to challenge censorship is to work for the inclusion of views which challenge the unequal distribution of power. Such work is compatible with both the First and the Fourteenth Amendments. And it certainly broadens "intellectual freedom." ■

Emile de Antonio  
some films of the  
past about the  
future: *Point of  
Order; In the Year  
of the Pig; Millhouse:  
A White Comedy*



SUSAN BROWNMILLER

# The pornography question

*Another group whose activities have invited strong criticism from civil libertarian circles is the Women Against Pornography. In 1979, while organizing a march on Times Square in New York, author Susan Brownmiller defended the group's position in an article for Newsday Magazine. This is a reprint of that article.*

Free speech is one of the great foundations on which our democracy rests. I am old enough to remember the Hollywood Ten, the screenwriters who went to jail in the late 1940's because they refused to testify before a congressional committee about their political affiliations. They tried to use the First Amendment as a defense, but they went to jail because in those days there were few civil liberties lawyers around who cared to champion the First Amendment right to free speech, when the speech concerned the Communist Party.

The Hollywood Ten were correct in claiming the First Amendment. Its high purpose is the protection of unpopular ideas and political dissent. In the dark, cold days of the 1950's, few civil libertarians were willing to declare themselves First Amendment absolutists. But in the brighter, though frantic, days of the 1960's, the principle of protecting unpopular political speech was gradually strengthened.

It is fair to say now that the battle has largely been won. Even the American Nazi Party has found itself the beneficiary of the dedicated, tireless work of the American Civil Liberties Union. But—and please notice the quotation marks coming up—“To equate the free and robust exchange of ideas and political debate with the commercial exploitation of obscene material demeans the grand conception of the First Amendment and its high purposes in the historic struggle for freedom. It is a misuse of the great guarantees of free speech and free press.”

I didn't say that, although I wish I had, for

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*Susan Brownmiller is the author of *Against Our Will: Men, Women and Rape*.*

I think the words are thrilling. Chief Justice Warren Burger said it in 1973, in the United States Supreme Court's majority opinion in *Miller v. California*. During the same decades that the right to political free speech was being strengthened in the courts, the nation's obscenity laws also were undergoing extensive revision.

It's amazing to recall that in 1934 the question of whether James Joyce's *Ulysses* should be banned as pornographic actually went before the Court. The battle to protect *Ulysses* as a work of literature with redeeming social value was won. In later decades, Henry Miller's *Tropic* books, *Lady Chatterley's Lover* and the *Memoirs of Fanny Hill* also were adjudged not obscene. These decisions have been important to me. As the author of *Against Our Will*, a study of the history of rape that does contain explicit sexual material, I shudder to think how my book would have fared if James Joyce, D. H. Lawrence and Henry Miller hadn't gone before me.

I am not a fan of *Chatterley* or the *Tropic* books, I should quickly mention. They are not to my literary taste, nor do I think they represent female sexuality with any degree of accuracy. But I would hardly suggest that we ban them. Such a suggestion wouldn't get very far anyway. The battle to protect these books is ancient history. Time does march on, quite methodically. What, then, is unlawfully obscene, and what does the First Amendment have to do with it?

In the Miller case of 1973 (not Henry Miller, by the way, but a porn distributor who sent unsolicited stuff through the mails), the Court came up with new guidelines that it hoped would strengthen obscenity laws by giving more power to the states. What it did

in actuality was throw everything into confusion. It set up a three-part test by which materials can be adjudged obscene. The materials are obscene if they depict patently offensive, hard-core sexual conduct; lack serious scientific, literary, artistic or political value; and appeal to the prurient interest of an average person—as measured by contemporary community standards.

“Patently offensive,” “prurient interest” and “hard-core” are indeed words to conjure with. “Contemporary community standards” are what we’re trying to redefine. The feminist objection to pornography is not based on prurience, which the dictionary defines as lustful, itching desire. We are not opposed to sex and desire, with or without the itch, and we certainly believe that explicit sexual material has its place in literature, art, science and education. Here we part company rather swiftly with old-line conservatives who don’t want sex education in the high schools, for example.

No, the feminist objection to pornography is based on our belief that pornography represents hatred of women, that pornography’s intent is to humiliate, degrade and dehumanize the female body for the purpose of erotic stimulation and pleasure. We are unalterably opposed to the presentation of the female body being stripped, bound, raped, tortured, mutilated and murdered in the name of commercial entertainment and free speech.

These images, which are standard pornographic fare, having nothing to do with the hallowed right of political dissent. They have everything to do with the creation of a cultural climate in which a rapist feels he is merely giving in to a normal urge and a woman is encouraged to believe that sexual masochism is healthy, liberated fun. Justice Potter Stewart once said about hard-core pornography, “You know it when you see it,” and that certainly used to be true. In the good old days, pornography looked awful. It was cheap and sleazy, and there was no mistaking it for art.

Nowadays, since the porn industry has become a multimillion-dollar business, visual technology has been employed in its service. Pornographic movies are skillfully filmed and edited, pornographic still shots using the newest tenets of good design artfully grace the covers of *Hustler*, *Penthouse* and *Play-*

*boy*, and the public—and the courts—are sadly confused.

The Supreme Court neglected to define “hard-core” in the Miller decision. This was a mistake. If “hard-core” refers only to explicit sexual intercourse, then that isn’t good enough. When women or children or men—no matter how artfully—are shown tortured or terrorized in the service of sex, that’s obscene. And “patently offensive,” I would hope, to our “contemporary community standards.”

Justice William O. Douglas wrote in his dissent to the Miller case that no one is “compelled to look.” This is hardly true. To buy a paper at the corner newsstand is to subject oneself to a forcible immersion in pornography, to be demeaned by an array of dehumanized, chopped-up parts of the female anatomy, packaged like cuts of meat at the supermarket. I happen to like my body and I work hard at the gym to keep it in good shape, but I am embarrassed for my body and for the bodies of all women when I see the fragmented parts of us so frivolously, and so flagrantly, displayed.

Some constitutional theorists (Justice Douglas was one) have maintained that any obscenity law is a serious abridgement of free speech. Others (and Justice Earl Warren was one) have maintained that the First Amendment was never intended to protect obscenity. We live quite compatibly with a host of free-speech abridgements. There are restraints against false and misleading advertising or statements—shouting “fire” without cause in a crowded movie theatre, etc.—that do not threaten, but strengthen, our societal values. Restrictions on the public display of pornography belong in this category.

The distinction between permission to publish and permission to display publicly is an essential one and one which I think consonant with First Amendment principles. Justice Berger’s words which I quoted above support this without question. We are not saying “Smash the presses” or “Ban the bad ones,” but simply “Get the stuff out of our sight.” Let the legislatures decide—using realistic and humane contemporary community standards—what can be displayed and what cannot. The courts, after all, will be the final arbiters.

1979 © Susan Brownmiller

CORLISS LAMONT

# The mad Moral Majority

A recent *New York Times* article reported on efforts by the Moral Majority to have what they called "Humanist" books removed from library shelves. According to the article, Humanists were also under attack because of their alleged "amoral or immoral" teachings.

Probably no Humanist has drawn as much fire as Dr. Corliss Lamont, author of the book *The Philosophy of Humanism*, and he was asked to respond to the charges.

The Moral Majority was founded in 1979 by the Reverend Jerry Falwell, Tim LaHaye and other right-wing religious fanatics of the Baptist faith. This organization, which purports to be on the most intimate terms with God, claims that secular Humanists and secondarily the liberals are the root of all evil in America. I was immediately concerned with the Moral Majority's assault on Humanism because of being Honorary President of the American Humanist Association. I became more intimately involved after Tim LaHaye published *The Battle For the Mind* (1980), the "bible" of Moral Majority, and reprinted in it no fewer than 36 passages from my own book, *The Philosophy of Humanism*, to demonstrate the horrors of that viewpoint.

Mr. LaHaye states in his book: "Most people do not realize what Humanism really is and how it is destroying our culture, families, country, and, one day, the entire world. Most of the evils in the world today can be traced to Humanism, which has taken over our government, the United Nations and most of the other influential things in life." And he condemns Humanism as being "amoral" and "immoral."

This wild and ignorant attack overlooks entirely that Humanism is a philosophy or religion of joyous service for the welfare, progress and happiness of all humanity in this one and only life. The watchword of secular Humanism is compassionate concern for all our fellow human beings. While re-

jecting all supernaturalism as poetic myth, Humanism embodies the sound ethical principles of other religions and philosophies. Thus it incorporates much of the Judeo-Christian ethic as set forth in the Bible, including such precepts of the Ten Commandments as "Thou shalt not kill," and "Thou shalt not bear false witness."

Falwell, LaHaye and their associates immensely exaggerate the influence of Humanists, who have unfortunately remained a minority in the United States during the 20th Century. The American Humanist Association, their main organization, has only about 3,000 members. Of course there are quite a large number who do not belong to the AHA and multitudes more who do not realize they are Humanists and probably do not even know the word. But it is idiotic for LaHaye to assert that Humanism "has taken over our government" and even "the United Nations." We would indeed rejoice if we possessed the powers ascribed to us.

\* \* \*

The Moral Majority condemns all liberals and curiously singles out the American Civil Liberties Union for special censure, repeatedly labeling this invaluable organization "a Communist front." The Reverend Dan C. Fore, Moral Majority's spokesman in New York City, alleged in an interview in *New York* magazine that he could prove the Communist front charge: "I have books full of documentation. There have been thousands of citations of Communist activity on the part of the American Civil Liberties Union." When asked where he discovered this infor-

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Dr. Corliss Lamont, Chairperson of NECLC, is the author of several books, including *Yes to Life: Memoirs of Corliss Lamont* (Horizon, 1980).

mation, Fore replied: "I got it from one of the world's best research organizations—the John Birch Society." To cite this reactionary group as a factual source is sufficient in itself to disprove Fore's charges.

Tim LaHaye, probably the most fatuous author I have ever encountered, reaches the heights of absurdity when he asserts in his book: "The most effective organization for destroying laws, morals, and traditional rights of Americans has been the ACLU. Founded in 1920, it is the legal arm of the Humanist movement. . . ." This is utter nonsense. LaHaye goes on to say that among the founders of the ACLU were William Z. Foster, former head of the Communist Party, John C. Bennett, ex-president of Union Theological Seminary, John Dewey and myself. These citations are all untrue, but are brought in by the author to somehow smear the ACLU.

The ACLU has been hitting back. Its President, Norman Dorsen, brilliant Professor of Law at New York University, ties in the Moral Majority with other New Right organizations and states: "These new groups are on the march and growing stronger every day. Their agenda is clear and frightening. They mean to capture the power of government and use it to establish a nightmare of religious and political orthodoxy. . . Their kind of 'patriotism' violates every principle of liberty that underlies the American system of government. It is intolerant. It stands against the First Amendment guarantee of the separation of church and state. It threatens academic freedom. And it denies to whole groups of people equal protection of the laws. . . In fact, the new evangelicals are a radical and anti-Bill-of-Rights movement. And conservatives as well as liberals should stand up against them."

Another point that Professor Dorsen stresses is the alarming book censorship that is taking place throughout the United States. This has been initiated by members of the Moral Majority and of other right-wing groups, and centers around eliminating from public libraries and public schools books that are considered Humanistic or supposedly go too far in discussing sex relations. Anti-Humanist parents pressure librarians and teachers to remove all such literature. *The New York Times* comments in an editorial that the Moral Majoritarians "propose to clad all children in the armor of unknowing."

The Moral Majority also bitterly attacks the excellent Sex Information Council of the U.S. (SIECUS) and the Planned Parenthood organizations because they favor intelligent sex education in schools and in general, and support the U.S. Supreme Court 1973 decision that abortion should be legally permitted during the first three months of pregnancy. At an open meeting Dan Fore argued that abortion is murder and "If a woman kills a child, she is a murderer." Since Humanists back the right to abortion, Moral Majority leaders like to call them "murderers." Moral Majority and its allies are naturally lobbying on behalf of adoption by Congress of the Human Life Statute (HLS) which would outlaw all abortion throughout the United States. At the same time, the Moral Majority is pressuring Congress to pass the necessary two-thirds majority legislation that would authorize the states to act on a Human Life Amendment (HLA) to the Constitution. This would likewise ban abortion.

\* \* \*

I believe that a powerful reaction is setting in against the Moral Majority, as it finally did against Senator Joseph McCarthy and his paranoid campaign against alleged Communists and subversives in the Fifties. President A. Bartlett Giamatti of Yale has denounced Moral Majority and its allies; and surprisingly enough, conservative Republican Senator Barry Goldwater of Arizona has issued a strong blast against them for using "the muscle of religion toward political ends . . . and trying to force government leaders into following their positions 100 percent." I never thought I would be marching arm in arm with Senator Goldwater, but I welcome him now as a valued associate in the battle against the Moral Majority.

Perhaps the Rev. Dr. Thomas S. Healy, Catholic President of Georgetown University, made the best statement when he compared the Moral Majority with the Ku Klux Klan, saying "whether hatred comes wrapped in white sheets or the Scripture, it is still a denial of man and his works. America is in a rancorous mood these days. These moods have found different names: Nativism, Know-Nothingism, America First, the Ku Klux Klan, McCarthyism. Now we have the new righteousness and its prophet, the Moral Majority." ■



PAUL LEHMANN

# Rechecking the scriptures

*When Moral Majority supporters are pressed to defend their book-banning activities, they run to the bible to find justification for their efforts. Is there such justification in the scriptures? We asked Paul Lehmann of the Union Theological Seminary what he thought.*

"Be warned that writing books involves endless hard work, and that much study wearies the body" (Eccl. 12:12; Jerusalem) Or in the more familiar version: "Of making many books there is no end, and much study is a weariness of the flesh" (RSV)

In these days, when publishing books is a complex—even conglomerate—and fiercely competitive industry, the warning of an unknown author in the late second century B.C.E., whom tradition identifies as Qoheleth, comes as a refreshing invitation to pause before succumbing to positive or negative literary addiction. Add the public-relations factor to the making of books, which panders to what will sell at the price of what is worth selling, and the warning seems a contemporary documentation of "the weariness of the flesh."

On the other hand, the brooding pessimism of Qoheleth's mind and mood, as he surveys the futility of life in this world, is singularly timely and pertinent as a caveat against those who vent their fears and frustrations over the futility and perils of human existence by censoring books in frenzied contempt of the "endless hard work" that goes into the making of books that endure.

Nowhere in Scripture and Tradition—at least in the Judeo-Christian heritage of faith and struggle and hope—is there a shred of warrant for the censorship of books. Books may not be worth the candle—but they are *not* to be deprived of access!

Books may be even perverse—but, if so, they belong to the futility of human existence! They do *not* serve as a pretext for the enslavement of human existence through the conscription of the mind! Ignorance and the shriveling of mind and spirit are too high a human price to pay for conniving to enshrine in law "the letter which kills". (2 Cor. 3:6) At issue is "the qualifications to be the administrators of this new covenant, which is not a

covenant of written letters but of the Spirit: the written letters bring death but the Spirit gives life". (2 Cor. 3:6; Jerus.)

The Judeo-Christian perspective and heritage has no monopoly on the rejection of the censorship of books. The commitment to the freedom of the Spirit, over and against all literalistic "power-plays," is intrinsic to other religious Scriptures and traditions too. The point to be underlined is that the variety of inquisitions which, in the course of Judeo-Christian history, has promulgated Indexes, and even burned books, in the alleged defense of dogmatic and/or ecclesiastical security, is in flagrant contradiction both of Scriptural warrant and the integrity of religious faith.

These basic guidelines in support and in defense of books and their freedom to be read are vulnerable to being "honored more in the breach than in the observance". Yet ever and again, these guidelines erupt to give shape to things to come. As when, for example, on August 19, 1980, testimony was given before the House Sub-committee on Courts, Civil Liberties and the Administration of Justice. The specific issue concerned the Helms Amendment to S.450, having to do with prayer in the schools. The testimony cited a constitutional position of the United Presbyterian Church, adopted in 1789, which said in part:

God alone is lord of the conscience, and hath left it free from the doctrines and commandments of men. ...Therefore, they (i.e., the Assembly) consider the rights of private judgment in all matters that respect religion, as universal and unalienable: they do not even wish to see any religious constitution aided by the civil power...

Pursuant to this constitutional position, the 175th General Assembly of the United Presbyterian Church declared, in 1963:

that "in this country it is no part of the business of government to compose official prayers for any group of the American

*Paul Lehmann is the Charles A. Briggs Professor of Systematic Theology Emeritus at the UTS in New York.*

people to recite', that is, in the schools. The declaration further expressed its conviction that the First Amendment to the Constitution in its present wording has minimized tension and conflict among religious interests, and for 180 years has provided the framework within which responsible citizens and our courts have been able to afford maximum protection for the religious liberties of all citizens... (and) warns the church of a tendency on the American scene (which) endangers true religion as well as civil liberties."

What applies to prayer, applies also to books and their freedom. "To breach the First Amendment, as interpreted by the Supreme Court", the testimony notes, "in the matter

of prayer (and books) would be to set dangerous precedents to removing other infringements beyond appeal to the highest court".

Prayers and books, and religious, human and cultural freedom belong together. They are twin and basic bulwarks against the double co-option of fear and special interests by those who aspire to power in disregard of justice, and who conspire against the liberties of the people. The foremost of these liberties is the inviolability of conscience and the freedom to read and to know. The pen is still mightier than the sword; and those who seek to censor the fruits of the pen, like those who trust in the security of the sword, are the unmistakable enemies of the people. **E**

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## Battling back

66 **N**o book is genuinely free from political bias. The opinion that art should have nothing to do with politics is itself a political attitude." When George Orwell asserted the inevitable conjunction of politics and art in his essay "Why I Write," he was discussing the motives of the author.

Thirty-five years later, the problem of book censorship is giving new support to the connection Orwell saw, with a greater emphasis than ever before on the reader. Today, it might be said that no reader is genuinely free from the politics of censorship. Those who want to ban particular books, those who resist censorship, and those who ignore the problem all take implicit political stances.

Schools and public libraries have been frequent targets of censorship, as parents challenge the morality of books available to their children. But the teachers and librarians who have faced and resisted censorship have concluded that these challenges to books within the educational system represent much broader threats to First Amendment rights. Dorothy Massie, Inquiry Specialist for the National Education Association's Teacher Rights Division, explains that people outside the field of education must "recognize the political nature of attacks on teachers. . . . Academic freedom is not some arcane, isolated issue," but is one aspect of the "repressive climate affecting First Amendment rights in every field."

While national groups such as the NEA, National Council of Teachers of English (NCTE), and the American Library Association (ALA) are working against censorship in schools and libraries, their concerns are more than academic.

The ALA has the largest full-time staff devoted to the problem. In 1967, its Office for Intellectual Freedom was established in Chicago, Illinois to educate professional librarians and the public about the importance of intellectual freedom in libraries. Their *Newsletter on Intellectual Freedom*, published six

times a year, provides information about incidents of censorship and about First Amendment court rulings. The office also assists librarians involved in specific incidents of censorship. Its staff will, for example, help prepare written testimony and statements about challenged books.

If such a case goes to court, the librarian will be supported by the Freedom to Read Foundation, the separate legal defense branch of the ALA. Based in Washington, D.C., the foundation lobbies against repressive legislation, and provides direct legal counsel and defense funds for its members.

The teachers' organizations serve their members in ways that are similar to the ALA's support of librarians. The NCTE has a standing Committee Against Censorship. The committee provides general information through publications such as *The Student's Right to Read*, which concerns students' First Amendment rights, and a collection of essays entitled *Dealing with Censorship*. It also advises teachers in specific cases.

One of the NCTE's major concerns is with establishing formal administrative procedures for handling complaints against teachers' selections of class books. Leona Blum, the NCTE's Director for Affiliate and Member Services and its Staff Liaison to the Committee Against Censorship, says that 50 percent of the country's school boards do not have formal procedures established to handle complaints. Yet, such procedures are a teacher's best, and at times only, defense against the frequently emotional challenges of parents who want their children protected from "dirty" or "immoral" books.

Blum has found that the greatest problem among teachers has been convincing individuals that censorship can effect them. Book burnings too often seem to be events which only happen in other communities, she explains. Blum says, however, that in the last six months "awareness of the issue is starting to shift into the consciousness of teachers everywhere." Such awareness is crucial, she believes, because book censorship, as well as

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Caryn Fuoroli is a New York based free lance writer and literary critic.

self-censorship by teachers hoping to avoid challenges, is contributing to what she calls a "chilling effect" on education throughout the country.

The 1.6 million teachers who belong to the NEA also receive information and advice on censorship. Through workshops in local communities, for example, the NEA helps to establish policies and procedures which might prevent challenges to books. The group's publications include a resource book on academic freedom, *Helping Teachers to Teach All the Children*. If challenges do occur, the organization will send a staff member to meet with and assist a teacher in a particular community, and will provide legal defense aid through the United Legal Services Program.

As the number of challenges to books has increased, so has the cooperation among various organizations. Both the NEA and NCTE will file *amicus curiae* briefs in the United States Supreme Court case of *Pico vs. Island Trees*, which involves the removal of a number of books from school library shelves in a Long Island town.

All the groups discussed here participate in two major national coalitions. The four-year-old Academic Freedom Group (AFG) is a coalition of ten member groups which also includes the American Federation of Teachers and the National Council of Social Studies. The AFG runs workshops around the country and helps to build coalitions on the state level. The six-year-old National Coalition Against Censorship is an alliance of thirty-one non-profit organizations concerned with preserving freedom of thought, inquiry and information. More broadly-based than the other groups, its members include PEN, The Newspaper Guild, The National Council of Churches, and the ACLU. It acts as a national clearinghouse for information on litigation and incidents of censorship, and runs conferences on First Amendment issues. Coordinator Leanne Katz says its function is to be a "resource and a catalyst," for member organizations, in order "to help others to act" against censorship and other threats to First Amendment rights. ■

## For More Information

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Chicago, Illinois 60611  
(312) 944-6780

American Association of School  
Administrators  
1801 N. Moore St.  
Arlington, VA 22209  
(703) 528-0700

Association of American Publishers  
One Park Ave.  
New York, N.Y. 10016  
(212) 689-8920

National Coalition Against Censorship  
132 West 43rd St.  
New York, N.Y. 10036  
(212) 9899

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1201 16th St. N.W.  
Washington, D.C. 20036

National Council of Teachers of English  
1111 Kenyon Rd.  
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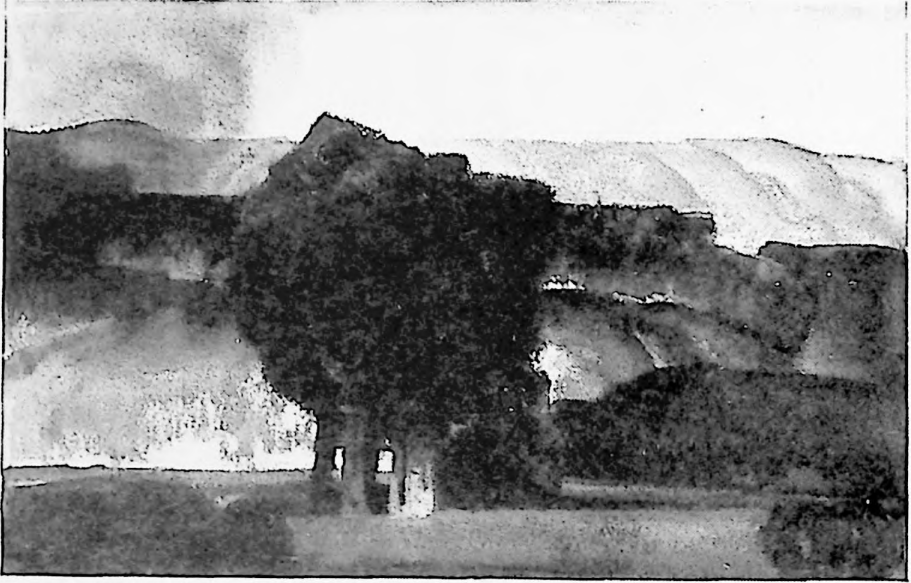
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*Tune: Acres of Clams*

I dreamed I walked on an endless path  
    Circling the land and the sea  
I greeted my neighbors of many lands  
    And everywhere folks greeted me.

In friendship we planned joyous years  
    Free from the fears of the past  
And lifting our eyes to the rising sun  
    We knew peace and freedom at last!

The dreamer wakes, but the dream lives on,  
    A star in the darkest night,  
Through savage storms we cling to our dream:  
    A world of peace and light.

*Edith Segal*

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The Constitution of the United States, ratified in 1789, is the world's oldest charter of government. Two years later, the ten amendments which made up the Bill of Rights were put in effect.

The National Emergency Civil Liberties Committee was founded in 1951 with one objective: To reestablish the freedoms guaranteed by the Constitution and the Bill of Rights. For twenty-five years, the NECLC has pursued this single-minded goal, through test cases involving freedom of speech, press, religion, and the right of people to assemble or to travel freely, to remain silent in the face of an inquisition, and—in recent years particularly—to refuse to fight in an illegal and immoral war. Above all, it has defended the right to dissent. And it has expanded the meaning of freedom to include rights previously denied to women and minorities.

Toward this end it has raised and spent hundreds of thousands of dollars in cases which have become landmark decisions. It has informed hundreds of thousands of citizens through its publications and meetings. All its funds come from citizens of this country whose stake in the restoration of the Bill of Rights is paramount. If you are not already a member, we invite you to join. Individual membership is \$25; sustaining, \$35; cooperating, \$50; participating, \$100. The bi-monthly publication *Rights* is sent free to all members, as well as other pertinent publications during the year. Send your check or money order to:

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