

Censoring the Student: A Bibliography

By

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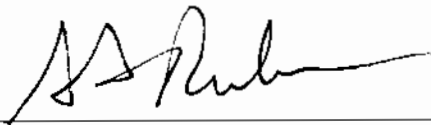
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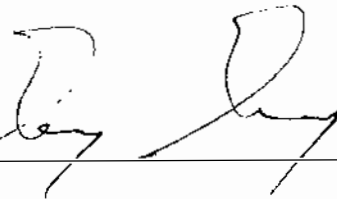
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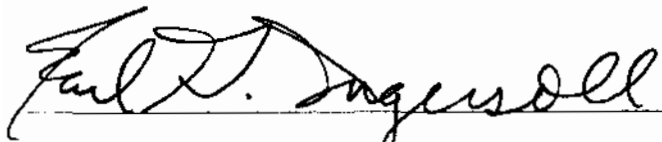
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Introduction

There are those who believe that censorship is a thing of the past. The truth is, it is as common today as it has been in history. Rulers and citizens of different societies throughout the world's history have performed the act of censorship. Most often, books-- or earlier manuscripts and other forms of communication including poetry, sermons, speeches, and plays have been banned -- because their contents were believed to conflict with the principles of a ruling church or government. More recently, within the past few hundred years, works have also been censored because they were thought to be indecent, or they create a negative influence upon young readers. It is students, elementary through high school, who are the unfortunate victims of the senseless philosophy. This bibliography will give sources, focusing on censorship cases, to help fight those who attempt to remove written materials from our schools and libraries. Students of all ages deserve the ability to read and learn from all printed materials available, not just those deemed "acceptable."

Although it has been over 125 years, Anthony Comstock's movement to "clean-up" the nation has not been forgotten. In reality, the momentum he built attempting to rid schools of obscene books, magazines and plays, has increased. As a result of his immediate efforts in the 1870s, many states adopted anti-obscenity laws. In the latter part of the century other powerful societies against the suppression of vice, including the New England Watch and Ward Society, were provoked to do the same.

The debate of what is “decent” and “acceptable” not only still exists, but the censorship drive is being carried into other popular media with no signs of reconciliation by those on a mission to censor. The fact that censorship is still considered acceptable, is what motivates me to provide the tools to combat those who are determined to continue banning books and written materials for students.

Daily, in our country, there are requests to ban, censor, or remove materials from our libraries, and make them unavailable to students. However, very few cases make it to the United States Supreme Court. Often they are resolved at the Board of Education or lower court. There are a few landmark cases, although not recent, that need to be mentioned because of their significance, and insight to all other cases.

In *Hazelwood School District v. Kuhlmeier*, a 1988 case, a school newspaper in Missouri was censored. The issue was slated for publication at the end of the school year. Three days before the publication date, the newspaper was presented to the principal, as it always had been, for approval. One focused on student pregnancies at the school. Another discussed the impact of divorce. The article regarding teen pregnancy did not use students’ real names. Nonetheless, the principal expressed concern that the girls might still be identifiable. Additional concern was expressed over the information in the article about sexual activity and birth control and whether this material might be inappropriate for younger students.

The principal removed pages containing the two controversial articles and allowed the paper to go to press as a four-page issue rather than the intended six.

The students sued. The Supreme Court ruled on behalf of the school district. It stated: "First Amendment rights of students in the public schools are not automatically coextensive with the rights of adults in other settings, and must be applied in light of the special characteristics of the school environment. A school need not tolerate student speech that is inconsistent with its basic educational mission, even though the government could not censor similar speech outside the school (Monroe 4)."

This case made it clear that freedom of expression rights inside the schoolhouse door are not the same as those afforded to the public outside a school setting. In essence, the majority opinion of the Supreme Court said that the rights of public school students are not necessarily the same as those of adults in other settings. The student newspaper at Hazelwood East High School, it said, was not a "forum for public expression" by students, and thus the censored students were not entitled to broad First Amendment protection.

Another issue of great debate in the education arena, and a focus in this project, is censorship through the removal of books from school libraries and classrooms. Organizations and individuals across the country address this issue, and local school board elections often turn on it. The question has been whether the removal of books is constitutional.

In Levittown, New York, a 1982 case, the Board of Education v. Pico, the U.S. Supreme Court decided that school officials do have the right to remove books for good faith or educational reasons. "If, however, the books are being removed in an effort to advance a particular way of thinking or a particular religion,

such removal is not constitutional. This was the first (school) library censorship case taken up by the U.S. Supreme Court. It is also the only case so far where the Court has considered the constitutional right to receive information and ideas in a library setting. Pico also played an important part in development of that constitutional right” (Riley 23).

Although this bibliography focuses on censoring written materials, there is one other significant case worth mentioning involving speech. It is the most symbolic speech case that was decided in 1969 during the Vietnam War era when protests against the war raged across the country. In Des Moines, Iowa, a group of families, including the Tinker family, met and decided to protest peacefully by wearing black armbands throughout the December holiday season. When area school principals learned of the plan, they immediately promulgated a policy providing for the suspension of students who refused to remove their armbands.

When the Tinker children went to school, they were told to remove their armbands. They refused to comply and were suspended. The U.S. Supreme Court held in their favor, ruling that their conduct was not disruptive to others and was clearly within parameters protected by the First Amendment. In its decision, the Court stated: “state-operated schools may not be regarded as closed-circuit recipients of only that which the State chooses to communicate” (Riley 24).

“It is important to note that the students won the case because their armbands were a peaceful, nonintrusive type of expression. Vulgar and offensive speech does not fall into that category and is not a form of protected expression in the public school setting” (24).

These monumental cases are dated, but they are referred to in most, if not all, other censorship lawsuits. The decisions from these cases are several years old, and still we are only beginning to see the first of the court cases interpreting them. Much of the continuing impact of the cases will be determined by those legal actions that follow.

This project focuses on recent issues and incidents, grade to high school, within the past ten years (1990 – present). There is a focus on cases in the North East region of the United States; however, a few cases that deserve mention, outside of this area are also included. When building any defense, an attorney or researcher is not limited to one geographical area because a strong, complete case needs to be built. If a case were significant, or unique from all others in the specified region, it was also included.

The index displays the subtopics that have been established. These should be used only as a guide, because many of these topics overlap in subject matter. Censorship cases tend to evolve with the times, however the true reasons why we censor seem to remain the same. Comstock tried to regulate what was sent in the mail to prevent people from being exposed to everything from sexually explicit materials to language that was considered inappropriate. Those concerns still exist; only they have expanded from the postal service to the internet, television, literature, and radio.

Since the primary focus of this bibliography is to fight censorship, there are three areas designated for particular cases that, may or do, go beyond the discussion

stages: “Censorship in the Courts (1990-2000),” “School Board and Censorship,” and “The First Amendment Rights for Students.”

As in anything, everyone has his or her opinion, and there is no exception in censorship. “The Debate: Who Censors and Why” covers those opinions and controversies that are often confronted in this argument and are typically the foundation of the legal cases. Topics that are debated are everything from language, sex, books considered “anti-American,” religion, and violence. This section also identifies whom actually censors and methods to fighting the act of censorship.

“Specific Books and Authors Censored” focuses on particular literature that has been censored. Mark Twain has been censored more than any other author, and this bibliography proves this fact by the number of articles and books written on *Huckleberry Finn* alone.

Often professionals in the education system are faced with censorship challenges, but from a different perspective than the students. “Effects of Censorship on Librarians, School Professionals, and Their Views” captures their standpoint. Often the teachers are the focus of the scrutiny versus the “inappropriate” book that is introduced to the class. School professionals also face decisions on how to present materials that are known to be controversial. School professionals have to determine what is ethical for the students, which often introduces disagreement and debate among students, often parents, and occasionally other school professionals.

“Parents and Students, Instigators and Victims” is an interesting perspective because the students are not always the ones being censored. They, along with their parents may be doing the censoring. The focus of this bibliography, and the majority of this section, is about the student being censored. However, roles are sometimes reversed and they are acknowledged.

“Effects of Censorship on Students” is a unique category, but one that analyzes the effects of censorship on students versus focusing on materials that should be censored. It takes the “debate” issue one step further and addresses what can happen to the individuals once censorship occurs.

While I find the censorship of literature to be outrageous, I have accepted it will be around for a long time. I have spent too much time trying to figure out what the censor is thinking and not enough time attempting to educate, or prevent “them” from banning what our students not only have a right to read, but deserve. This bibliography will give up to date resources to fight, and protect our students and libraries from the wrath of the censor.

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