



# *BOOK BANNING AND CENSORSHIP*

*Ellie Bogue*

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As a seventh grader, I had a very ambitious English teacher. We read the diary of Anne Frank, "Lord of the Flies," and even Shakespeare's play "MacBeth." All these books have gone off and on banned book lists across the country.

I found this paper particularly difficult to write, and I quickly realized that just talking about the history of book banning and burning would not do this topic justice. What is happening right now is so very important. A lot of the pieces are current and shifting. Getting to the heart of the matter meant a lot of digging on the internet and vetting the sources. It was not unlike peeling back the layers on an onion. I am a firm believer in the First Amendment, and this topic is close to my heart.

Let's begin with the history of the issue.

In 212 B.C. Chinese Emperor Shih Huang Ti is reported to have burned all the books in his kingdom except for one copy of each for his personal library, which were to be burned upon his death. The emperor believed written history should start with him. (freedomtoread.ca). Proponents of the First Amendment in our Constitution see this amendment as a way to stop such abuses of power and allow all to have the freedom to read what they choose.

Book banning and burnings have been around for centuries and it still goes on today. Although the titles and authors have come and gone, their books have all been banned or burned for similar reasons: Politics, religion, social norms, race and sex.

As social norms change, books once banned come back into acceptance, others are banished. Neither the age of the reader or the genre of the book is free from censorship challenges.

Books are censored and banned all over the world. Annually, since 1982, the American Library Association raises awareness of the issue during Banned Book Week, typically the last week in September. Canada has a similar week called Freedom to Read Week. A timeline was put together for The Freedom to Read Week by the Canadian Library and Archives of Canada, the Canadian Urban Libraries Council, and the Ontario Library Association in partnership with the Book and Periodical Council. The list traces through time examples of book bannings and burnings. Here are a few of the numerous selections cited.

In 35 AD Roman Emperor, Caligula believed Homer's Odyssey, written 300 years earlier, was dangerous because it expressed Greek ideas of freedom.

Thousands of copies of William Tyndale's English translation of the New Testament were printed in Germany and secretly brought into England. London's Roman Catholic bishop publicly burned them in 1526. The Catholics believed the Bible should only be printed in Latin. Ten years later, Tyndale was arrested and put to death. Only three copies of the translation still exist.

Pope Paul IV published “The Index of Prohibited Titles” for Catholics starting in 1559. It was updated every year until 1948.

Sir Walter Raleigh’s book “The History of the World” was banned in 1614 by King James I of England for “being too saucy in censuring princes,”(freedomtoread.ca)

In 1744, “The Sorrows of Young Werther” by German author Goethe, was published. The book, written as a diary, is about a young man who commits suicide. It was popular throughout Europe, to the point where there were copycat suicides. The Lutheran church called the novel immoral. Governments in Italy, Denmark, and Germany banned the book.

“Leaves of Grass,” written in 1833 by Walt Whitman, was threatened by a Boston District Attorney who objected to Whitman’s philosophy on life. The uproar only caused the sales to spike, and it’s reported Whitman was able to buy a house from the proceeds.

Ernest Hemingway’s books were banned for years, starting in 1929 in parts of Europe, notably Italy, Ireland and Germany. Starting In 1960, “The Sun Always Rises” was banned in parts of California. In Texas in 1969, the group Texans for America protested textbooks that referred to him.

In 1933 the Nazis burned thousands of books written by communists, Jews and others. Such extraordinary authors as Helen Keller, Jack London, Thomas Mann, Upton Sinclair, Albert Einstein and Sigmund Freud went up in flames.

Salman Rushdie’s “The Satanic Verses” was banned in India in 1988. It was the first of several countries in the world to ban the novel. There were threats on his life, and he was forced to live abroad. In 2022 he was attacked while giving a lecture at the Chautauqua Institute. The attack left him with more than a dozen wounds and blinded in the left eye. His attacker is still behind bars.

The American Library Association reported J.K. Rowling’s Harry Potter series was the most frequently challenged in U.S. school libraries from 2000 to 2009.” In 2019 it again became a hot topic at public libraries. The American Library Association reported objectors were concerned by the depictions of magic, witchcraft, and “actual curses and spells” in the books.

According to the American Library Association seven of the top 10 books challenged in 2020 were about race, including To Kill a Mockingbird by Harper Lee. “Since January 2021, 44 states have introduced bills or taken other steps that would restrict teaching critical race theory or limit how teachers can discuss racism and sexism, according to an Education Week analysis. Eighteen states are imposing these bans and restrictions either through legislation or other avenues.” (edweek.org).

According the Education Week, “critical race theory is an academic concept that is more

than 40 years old. The core idea is that race is a social construct, and that racism is not merely the product of individual bias or prejudice, but also something embedded in legal systems and policies.”( <https://www.edweek.org/leadership/what-is-critical-race-theory-and-why-is-it-under-attack/2021/05>)

In 2023 the books most likely to draw fire in schools and public libraries are books about the Lesbian, Gay, Binary, Transgender, Queer, plus or LGBTQ+, community. According to Penn America, a non-profit organization that defends writers, artists, and journalists worldwide, 41 percent of the books most banned are on LGBTQ+ topics while 21 percent deal with race.

According to the American Library Association the top five titles most likely to be banned in 2023 were: “Gender Queer,” a memoir by Maia Kobabe, “All Boys Aren’t Blue,” by George M. Johnson, “This Book is Gay,” by Juno Dawson, “The Perks of being a Wallflower,” by Stephen Chbosky, and “Flamer,” by Mike Curato. All of these books were challenged because of LGBTQ+ content, which was claimed to be sexually explicit, some with violence as well. “Gender Queer,” came in first place with 106 challenges for LGBTQIA+ content and is claimed to be sexually explicit. All these books present an alternative sexuality which has ruffled the feathers of conservative social norms. Sex and social norms are two of the hot buttons when it comes to banning books. ([ala.org](http://ala.org))

The American Library Association found “4,240 unique book titles targeted for censorship in 2023—a 65% surge over 2022 numbers—as well as 1,247 demands to censor library books, materials, and resources. Pressure groups focused on public libraries in addition to targeting school libraries. The number of titles targeted for censorship at public libraries increased by 92% over the previous year, accounting for about 46% of all book challenges in 2023.” ([ala.org](http://ala.org))

This large increase in the past few years is believed to be caused by right wing conservative groups that are concerned about what their children are reading. It’s not uncommon for there to be local groups, but the right-wing activist group Moms for Liberty has been a national driving force.

The group’s mission: “Moms for Liberty is dedicated to fighting for the survival of America by unifying, educating and empowering parents to defend their parental rights at all levels of government.” ([momsforliberty.org](http://momsforliberty.org)).

On their website, they refer to themselves as “Joyful Warriors, who stand for truth, build relationships and empower others.” They fight “by holding leaders accountable,” if they don’t like what the leaders are doing, they “work to replace them with like-minded individuals.” ([momsforliberty.org](http://momsforliberty.org)).

Their founders, Tiffany Justice and Tina Descovich, are former school board members in Florida counties. According to their website, they “witnessed how short-sighted and destructive policies directly hurt children and families.” Now they are using their “first-hand

knowledge and experience to unite parents who are ready to fight those that stand in the way of liberty.” (momsforliberty.org).

According to their Website map, the group has chapters in every state except three, Utah, Idaho and New Hampshire. Some states only have one, some have many. In Indiana there are chapters in Allen, Cass, Huntington, Howard, LaPorte, Marion, Noble, Tipton, and Warwick Counties. Local chapters operate independently and determine their own priorities and strategies based on what is important in their area.

The Southern Poverty Law Center recently listed Moms for Liberty as an extremist group. According to the Southern Poverty Law Center website, “Moms for Liberty and its nationwide chapters combat what they consider the “woke indoctrination” of children by advocating for book bans in school libraries and endorsing candidates for public office that align with the group's views. They also use their multiple social media platforms to target teachers and school officials, advocate to abolish the Department of Education, advance a conspiracy propaganda, and spread hateful imagery and rhetoric against the LGBTQ+ community.” The Southern Poverty Law Center was founded “to ensure that the promise of the civil rights movement became a reality for all.” (splcenter.org)

According to a USA Today story published Oct 5, 2023, book banning groups have one thing in common: Many are using the same online resource, BookLooks.com. USA Today reported “In less than two years, BookLooks has become the go-to resource for anyone seeking to ban books – especially books about gay people or sexuality – from school and public libraries, according to researchers, library experts and a USA TODAY analysis of book-ban attempts nationwide.(usatoday.com)

At BookLooks.com, the people reviewing and writing the reports are, to quote their website:

“Concerned parents who have been frustrated by the lack of resource material for content-based information regarding books accessible to children and young adults.” Their website says they are not paid to do this. (BookLooks.org)

Their website can be used by anyone who is interested in what they are doing. Their website claims they are not affiliated with any book banning groups, such as Moms for Liberty. They do say, they communicate with other individuals and groups who share their values, and they also commonly allow these parties to use their work and accept suggestions for books to look at.

The couple who started the website are Emily and Jonathan Maikisch, West Melbourne, Florida. Emily Maikisch told USA today she had been a member of Moms for Liberty. Although she declined an interview with USA Today, she admitted she left the organization in March of 2022 to start the website.

Across the country, challenges are being submitted to schools and public libraries based on book reviews from this group. The group freely admits on their website that they “do not comment on the work as a whole, but instead seek out the parts of the book they find

offensive,” (BookLooks.org.) They rate the books on a one-to-five scale, one being the least objectionable. Sex, profanity, and anything they consider outside the social norms, such as the LGBTQ+ community or critical race theory are targets of their rating system.

The Supreme Court defines obscenity in literature based on the Miller v. California, (1973) ruling. In that ruling, the court established the standard for an obscenity conviction under the Constitution. A work will be found to be obscene if “taken as a whole, (it) lacks serious literary, artistic, political, or scientific value.”

It’s important to remember this case and the standard it set as a way of judging obscenity in literature. The rating system proposed by BookLooks.com does not look at the material as a whole, but instead searches for the content they find objectionable.

The PEN America organization stands on the opposite side of the fence from the book banning groups. The organization is a national and international nonprofit founded in 1922 that works to ensure people everywhere have “the freedom to create literature, to convey information and ideas, and to access the views, ideas, and literatures of others.” (pen.org). Their nationwide membership is made up of writing professionals of all genres and publishers, as well as readers and supporters.

In the 2022-2023 school year, PEN America identified “3,362 instances of book bans in US public school classrooms and libraries.” Authors most targeted were female, people of color and LGBTQ+. PEN America found books had been banned in 32 different states with most bannings taking place in Florida, Missouri, South Carolina, Texas, and Utah.

The group just released some new numbers, although the full report will not be out for a few weeks. The new findings suggest “more than 10,000 books were banned from public books in the 2023-2024 school year.” (pen.org).

They attribute the increase to new state legislation and the pressure from “parent rights” groups making it easier to remove books from school libraries. Thirty-seven percent of the books banned dealt with race and 36% of the books with LGBTQ+ content.

The organization does not just focus on America; they also advocate against challenges internationally. According to their website, “PEN America works to protect freedom of expression and promote fundamental rights around the world.” (pen.org)

They recently countered a Florida book challenge by filing a lawsuit. In May of 2023, PEN America along with the publisher Penguin Random House, several authors, and Escambia County parents and students filed a suit in Escambia County, Florida.

In February of 2023 the School Board had removed, “And Tango Makes Three”, a children’s book about two male penguins raising a chick, “All Boys Aren’t Blue”, a young adult memoir about sexual identity, and “When Aiden Became a Brother,” which is about a trans child and the birth of a sibling.

Their suit claims the Escambia County School Board violated the First Amendment and requests the district return the removed books and be prevented from removing or restricting any more of what they call “targeted books.” They’re also asking to be reimbursed for their legal costs.

According to National Public Radio reporting, on January 11, U.S. District Judge T. Kent Wetherell II ruled the lawsuit had standing to continue and rejected a motion to dismiss the suit and an argument from Florida Attorney General Ashley Moody that the district’s actions amounted to “government speech” that should not be subject to First Amendment scrutiny.

The judge asked, “Why is one parent able to control what everyone reads?” (npr.org).

According to PEN America, to date 1,600 books have been challenged or removed in Escambia County. Many of these deal with “LGBTQ+ topics or are about black- or brown-skinned characters.” (pen.org)

The American Library Association makes it very clear on their website where they stand on the book banning issue. The association is firmly behind the First Amendment, and they cite the Board of Education v. Pico, 457 U.S. 853 (1982) ruling. In the 1982 case when a group of students sued against the removal of books by parents and school administrators. The Supreme Court ruled “the right to receive ideas is a necessary predicate to the recipient’s meaningful exercise of his own rights of speech, press, and political freedom.” (law.library.cornell.edu). The books were returned to the shelves.

Book banning groups have successfully lobbied their state legislatures to change laws so that if a book is challenged it must go through a state-mandated procedure to decide if the book should be banned or not. These laws have resulted in confusion in some states as to what exactly should be pulled from the shelves. School employees’ fear of prosecution has led to self-censorship. Long list of challenged books awaiting their fate have been pulled from the shelves in some districts.

According to PEN numbers, at least 35 states have tried or put into place laws restricting books in education, frequently known as a “Parental Bill of Rights”. Texas and Florida were on the forefront of this movement.

In Texas, Law 900, passed in 2023, seeks to keep what they deem as sexually explicit books off the library shelves in the state’s school system by creating new library standards. It requires all school library vendors to use the rating system the state has created to assign ratings to books and materials which have sexual references or depictions. It also calls for the vendors to remove any books already in circulation within the school system that would have these ratings. The law is currently working its way through the court system after being challenged by Austin and Houston Bookshops, the American Booksellers Association, the Association of American Publishers and the Authors Guild. Their attorney, Laura Lee Prather, argued the state law makes book vendors “apply imprecise standards to promote the state’s preferred message,” as

reported in The Texas Tribune. As recently as July of 2024, school children of all grade levels were holding sit-down protests in Austin's State Capitol Building. (statesman.com)

In Florida, HB 1069 was signed into law in 2023. The bill allows parents and citizens to petition for classroom books and instructional materials that include "pornography" or describe sexual conduct to be removed. Individual school districts were responsible for creating processes "to handle all objections" and provide resolutions.

In 2024, Governor DeSantis amended the law he had once helped to pass. The amendment limits the number of books a person can challenge to one a month for residents with no children in the school district. It does not limit the number for a parent with a child within the school district. So many books and classroom materials had been pulled for review the system could not keep up. DeSantis said books were being pulled that shouldn't be.

CNN quoted DeSantis last April as saying: "You have some people who are taking the curriculum transparency, and they are trying to weaponize that for political purposes. That involves objecting to normal books, like some of the books that I saw in the teacher's lounge, these classic books." (CNN.com)

Iowa's governor signed a new restrictive bill in 2023. Bill 496, known as the parental rights law, requires schools to take books out of circulation that depict sexual acts and restricts materials and instructions related to gender identity and sexual orientation for K-6 students. Schools must also make sure K-12 schools ensure programs contain age-appropriate materials as defined by the act. If the schools do not comply, the Department of Education has the right to investigate. According to the Iowa Capital Dispatch, the Iowa Department of Education has not clarified the law, which has left teachers and administrators confused as to how to implement it.

In Wisconsin, Governor Tony Evers vetoed AB 510, another parental rights bill, in March. Evers denounced it as "another attempt to divide our schools and communities and inject political ideology." (Governor's Veto Message, [website//docs.legis.wisconsin.gov](https://docs.legis.wisconsin.gov)).

Currently 21 states have bills moving through the legislature on parental rights. Some states have more than one bill moving forward. Iowa and North Carolina have already passed legislation into law, Texas passed a bill which is now embroiled in a lawsuit. Not all but many of these bills enable parents to more easily challenge books or curriculum. Of the 54 bills moving, 47 were introduced by Republicans, 4 by Non-Designated and 3 by Democrats.

Public libraries are under fire as well. According to the ALA, while public school libraires makeup 39% of where the censorship challenges are, public libraries come in at 54% of the censorship challenges according to 2023 numbers for 2022. To put this into perspective, in 2004 there were 390 title challenges compared to 4,240 in 2023.

Some Librarians who have resisted requests to remove titles have lost their jobs, and in a small town in Michigan the library was closed. The Detroit Free Press reported in



November of 2022, voters went to the polls in Jamestown, Michigan, and voted to defund the public library. The book "Gender Queer: A Memoir" had residents calling the library to remove the book from its shelves. The library refused to remove the book from its collection but instead moved it to a place behind the counter. Readers could still check out the book but would have to ask for it. Several other gender-based books were also brought into question. According to USA Today, despite the fact "Gender Queer: A Memoir" had been housed in the adult collection, before being placed behind the counter, residents said the book was too sexually explicit for children about being gender queer or gender fluid, that it was manipulative, destructive and wrong," (usatoday.com) The defunding removed 85% of the library's operational funds.

In March of 2024, a former librarian filed suit against Llano County in the Texas Hill Country after she was fired for refusing to remove books with content related to race and LGBTQ+ experiences. The plaintiff, Susan Baker, was the head librarian at the Kingsland Public Library, 65 miles northwest of Austin. According to a story in the Austin American Statesman, she is suing the county, the county Commissioners Court, County Judge Ron Cunningham and several community activists who were appointed to the Library Advisory Board during the push for book removals. The case states they terminated her employment to discriminate against minority groups through book bans and suppressed her First Amendment rights as well as those of other residents. (statesman.com).

Brooky Parks worked in the teen section of a local public library in Erie, Colo., starting in 2019. The 49-year-old mom of two was fired after two years. She had started a book group that focused on LGBTQ+-themed books. The library received several complaints from parents, and Parks was asked to stop the group. She spoke out about it publicly and was eventually fired. She filed a discrimination complaint with the Federal Equal Employment Opportunity Commission, and she filed a lawsuit with the Colorado State Civil Rights Commission. A year later, a Colorado's Civil Rights Commission ruled Parks' firing was illegal discrimination, and the library district settled Parks' lawsuit against them for \$250,000.

In Minnesota, Bill 3567, an omnibus education reform bill, was passed and signed by Governor Walz, in May 2024. The legislation "prohibits book bans in public libraries, and libraries or media centers in public postsecondary institutions and schools," according to a report in Library Journal.

Some of the public who have objected to public library content have come up with some creative ways of controlling what is available to the public.

According to Sara Patalita, Fort Wayne native, now head of reference at the Rochester, Minnesota, library, families will come in and check out as many books as they can which they believe have questionable or offensive content. They will then keep the books long past their due dates. Others will simply pull the book from its designated place in the library and move it to another location so others can't find it. Patalita recalled when they had a display up with authors who wrote about LGBTQ+ topics. She said when she started in the morning the table was full of books, but by the end of the day every book had disappeared. She responded to the situation in the monthly library newsletter

informing patrons due to the popularity of the display they had ordered more books on the topic.

In 2023, Indiana passed Bill 1447 which requires schools to publish a catalog of their books. Under this new law schools must design procedures for parents or community members to challenge the library books that could be harmful or obscene to minors. The law takes away the legal defense that a person provided harmful material to a minor for educational purposes.

Both Fort Wayne Community and the Allen County school districts had to address this new law.

East Allen County made some revisions to their challenged book policies in December of 2023; Northwest Allen County Schools said they had already updated their challenged book policy in 2023, so no updates were necessary, and Southwest Allen is still checking on that as is Fort Wayne Community Schools.

Although each of the school districts have a slightly different way of handling a request for reconsideration, in general, the person who has brought the challenge will first talk with the librarian or teacher to walk through the complaint and give the challenger more perspective on the materials, generally talking out the problem can solve it. If they are still unhappy, they can go through the formal process where a committee is appointed to review the material. All parties will read the book and then discuss if the book is appropriate for the grade level or should be removed from the collection. Frequently the problem can be resolved by moving the book up a level. For example, moving the book from grade school to middle or high school in most cases resolves the problem.

Susan Baier, Executive Director of the Allen County Public Library said engaging the unhappy patron in a conversation about the challenged material and hearing their concerns frequently resolves the problem because people like to be heard. If they are not satisfied, they can move forward with a Request for Reconsideration. During this process, the person with the challenge is asked to read the whole work, if they have not already, and four professional librarians are chosen to read and review the material and give a recommendation. If the patron is still unhappy, they can take it to the board. Since Baier has been in her position, she could recall only two books that went through the process.

Baier said, "Not everything on the shelf is for every person." There is variety so as many people as possible can find something they would each like to read. Baier said most of Allen County is grateful for the diversity in the collection. "We have a very supportive community when it comes to uses of intellectual freedom," she said.

There are a couple of advocacy groups in Indiana that support library patron access to a wide collection of materials: The Indiana Library Federation and a newer organization known as In Freedom, Hoosiers for Parents and Reader Rights.

The Indiana Library Federation, ILF, is a statewide advocate for of all types of libraries. According to their website, they are opposed to: "Relocating materials from collections

with intended audiences to other collections. Creating areas of restricted access for materials deemed inappropriate or dangerous, thereby preventing patrons from exploring topics some might find uncomfortable or challenging. Labeling materials to identify content or viewpoints considered controversial. Rewriting or ignoring existing library collection development policies with the goal of restricting access to certain types of materials.” (ilfonline.org)

“In Freedom, Hoosiers for Parents and Reader Rights, is a grassroots coalition dedicated to safeguarding the fundamental freedom to read. According to their website: “Our collective efforts are geared towards ensuring every Hoosier enjoys the unrestricted freedom to read and access books of all genres.” Their work is supported by the Indiana Library Federation.( <https://infreadomtoread.org/>).

In conclusion, not unlike the Chinese Emperor Shih Huang Ti, on one side we have individuals and groups wanting to be the gatekeepers for what we all should know. This has happened time and again throughout history. Censorship is a slippery slope. Can any one person or group of people truly judge what is the best for all? The First Amendment of the United States protects the freedom to read what one chooses. It has been tested over time, and standards have been set by a series of Supreme Court cases defining obscenity and the freedom to read. I think Susan Baier, executive director of the Allen County Public Library said it best, “Not everything on the shelf is for every person.”

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### **Graphics**

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