

# Censorship on Shelves: Banned Books in America

Larissa Moelber and Tori Kelleher  
Phoenix Policy Institute

In the United States, more and more books are banned every year, and censorship is called into question with each book that is challenged. Banned books presents themselves in policy through legislation, both proposed and enacted, that threatens the diversity in the learning environment of school classrooms and libraries. This issue is highly important as it censors the viewpoints of the racially diverse, LGBTQ+ community, and those discussing other marginalized groups. Legislations that limit access to these titles often fail to define the issue as anything other than simply “obscene” or “pornographic.” However, the use of such words does not accurately describe the content or provide solid justification of removal. The goal of this research is to explore policy alternatives to banning books that are politically feasible but also take into consideration that books may still be banned, and alternative access must be provided.

## Problem Definition

In recent years, parents, school administrators, and government officials have attempted to ban certain books from being on the shelves in public libraries and school libraries at the state level. The content of these books ranges from gender and sexuality topics to discussions of racial injustice. These state-level acts of legislation define these books as "obscene" or "pornographic" without specific definitions of such terms. This vague legislative language leaves the door open for a high increase in banned books without proper justification. This violates the First Amendment since these books are no longer accessible once they are banned and sets a precedent for many other important, educational books to be banned unnecessarily. The issue with allowing books to be banned without much regulation on the why or how, is due to a concern for mass censorship. In a study done in 2019, the Cooperative Children's Book Center found that out of 3,7000 published children's books, only 25% had main characters who were people of color (Knox, 2019). This number is low to begin with and allowing this category of books to be further diminished creates a lack of diverse stories and viewpoints.

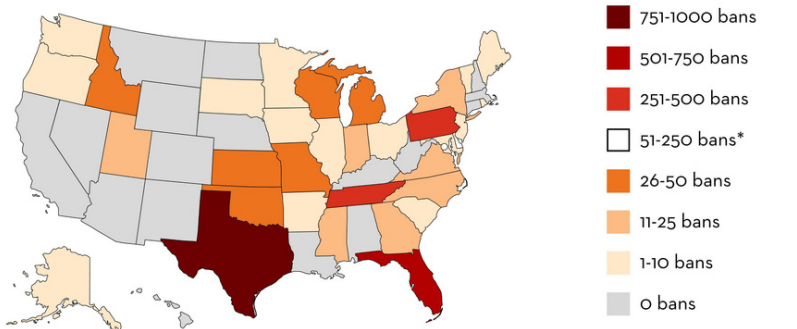
## Current Policy Context

America is currently facing an outbreak of book banning. Book challenges can be understood as the "redaction of text, the restriction of books to only certain age groups, the relocation of a book to another section of the library collection, or the removal of a book from the collection entirely" (Knox, 2019, pg. 27). A book ban is the removal of the book from a library or the classroom in the context of this research. A 2019 report by the American Library Association (ALA) details the reasons why many books in the United States had been either challenged or banned that year.

The most compelling example of censorship is highlighted by Mustang High School in Oklahoma's ban of Harper Lee's To Kill A Mockingbird; the book was banned from use due to "racially charged language" which references the N-word. However, the book was only banned in this instance, because a substitute teacher said the n-word aloud and a black student recorded it and told the teacher she was offended. Instead of addressing the issue of teachers being allowed to read specific words, they simply banned books with any mention of the n-word or similar words (Steele, 2019, pg. 9). This has vast policy implications, as any book that poses a sensitive topic can be banned because the school does not want to deal with it or discuss those topics at all.

## School Book Bans by State

July 1, 2021-June 30, 2022



Data from PEN America Index of School Book Bans, July 1, 2021-June 30, 2022.

Created with mapchart.net

\*There are no states with 51-250 bans

Figure 1

House Bill 3979 was signed into law which does not allow teachers to use critical race theory in classrooms (Lopez 2021). The bill insists that racism and slavery most only be taught as “deviations from, betrayals of, or failures to live up to” the principles of the United States (Powell et. al, 2021, pg. 5). Policies continue to sweep the nation

in regard to critical race theory, LGBTQ+ viewpoints, and what teachers and students are allowed to discuss in classrooms. For example, Oklahoma House Bill 1775 bans discussions in classrooms surrounding critical race theory and its content, often removing books from shelves and the curriculum that have similar topics and viewpoints (Jenson 2022). Senate Bill 775 from Missouri aims to ban the use of distribution of any explicit sexual material in classrooms or schools. It does not define what specifically is sexually explicit content and leaving that open to interpretation allows parents and administrators to decide for themselves (Jenson 2022). Utah House Bill 374 states that a public school may not use “sensitive materials” in the classroom but once again does not define sensitive materials or how they are considered sensitive (Jenson 2022).

### Role For Government

While this legislation is enacted primarily at the local level, there is a role for both the state and federal government. The local level challenges make their way to the state level governments where actual bans on particular content are enacted. The role of the federal government should be to step in, as censorship without particular cause is in violation of the First Amendment. If books are going to get banned on loose definitions of “pornography” or “obscenity,” then the government must provide alternative programs to combat this unnecessary censorship. The United States Supreme Court case Board of Education, Island Trees Union Free School District v. Pico (1982) established the precedent on censorship by deciding that no book could be removed from a library as that is a violation of the First Amendment; however, the court ruled that “pervasively vulgar” books are not protected. They did not define what “pervasively vulgar” means, and therein lies the problem (Deutsch). The role for government, at least on a state level, should be to require that pervasive, vulgar, or obscene be defined as legal terms in relation to the book or books that are challenged. There should be no case in which any book is banned under the obscenity umbrella without proper justification or definition.

## Policy Implications

Policy alternatives have the most possibility for success at a federal level in the U.S. Supreme Court. The *Pico v Board of Education* case set precedent on the language used for banning books and there is a policy need for a new decision that addresses the vague language of that decision. For example, Maia Kobe's *Gender Queer* was the most banned book of 2021, simply for discussing non-binary related gender ideas. Maia Kobe's is more or less a personal memoir that is not pushing an agenda of any kind. The banning of this book is only limiting exposure of a valid life experience and identity. Banning this book and calling it inappropriate, obscene, or pornographic is problematic as there are many books that feature heterosexual people and relationships that discuss the same topics. This is the type of case that has the potential to rise to the Supreme Court and challenge the *Pico* decision and how vague it was in defining what was allowed to be banned. If a book was banned based on unjustified reasoning that is not in compliance with the Supreme Court decision, there is potential for a challenge that could force states to redefine the way they challenge and ban books. With the current political climate in relation to the Supreme Court, it is possible that case and decision revising *Pico* would not come for some time. Individuals looking to take more immediate action on this issue can contact The Banned Books Week Coalition, an international organization that increases awareness surrounding censorship and the freedom to read. The Coalition is sponsored by the American Library Association (ALA) and may have the potential to uplift these findings and create a sponsorship program that will allow both physical and internet access to children who are burdened with book censorship.

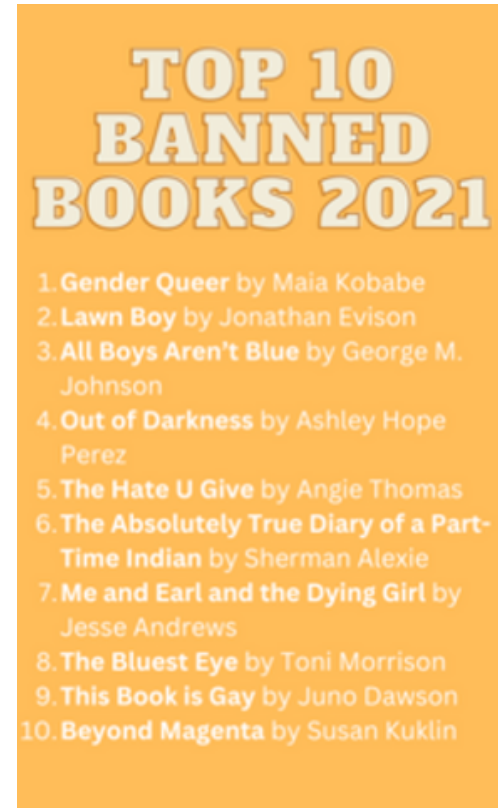


Figure 2

## Conclusion

The banning of appropriate, educational books without proper excuse is censorship and sets a dangerous precedent for states to follow in the future. States like Texas have banned upwards of 751 books on the basis of inappropriate content (PEN, 2022: n.p.). This is why it is important to implement a program such as the sponsorship with The Banned Books Week Coalition. Without national attention and involvement, this problem will persist and continue to limit people's and specifically children's access to viewpoint that are different than those in power. The issue of banned books highlights why censorship is dangerous, as continuing to remove materials that are different from the viewpoints of those deeming books inappropriate will result in a diversity desert. Children have a right to education and to a variety of content that will strengthen their development as people. Continuing to limit that content will further isolate certain children from the diversity of our country and the world. This will breed racism, sexism, and many other issues that could easily be remedied with exposure to diverse people and ideas.

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