

Two Cheers for Banned Books Week

Chris Forster

2015-09-30

<http://cforster.com/2015/09/banned-books>

My title, recalling E. M. Forster's (no relation, sadly) *Two Cheers for Democracy*, might be too generous. I can't imagine mustering more than two cheers for anything. Two is probably the utter limit of my cheering.

Is "Banned Books Week" anachronistic? That's the claim of this article at Slate. John Overholt, in a single tweet, manages to voice what I think are all the most pressing complaints about such a perspective:

A. "We won" is a huge oversimplification. B. It's only true for the narrowest definition of ban. C. They keep trying.
<http://t.co/iHo3BNbGx9>

— John Overholt (([john_overholt?](#))) September 28, 2015

And yet, as someone who spends quite a bit of time trying to think about what early-twentieth century censorship means, there is an important grain of truth in the Slate piece that is worth preserving, even if declarations of "Mission Accomplished" feel premature.

The idea of book banning conjures images of state censorship and book burning—images one can find in abundance, for instance, in Kevin Birmingham's wonderful account *Ulysses, The Most Danger-*

ous Book; images of court rooms where lawyers make grand appeals to *literary value* and *freedom of expression*. I pass over in silence distinctions between *books* and *literature*... The scene that Michelle Anne Schingler describes, at Book Riot, however is a very different one. Schingler wastes no time in affirming “No,” book banning is not simply over. Her examples all concern libraries; and indeed as Graham contends in her piece at Slate, the most recent cases that the Banned Books website cites all concern attempts to limit or remove books from library collections or school settings.

When Graham declares “we won,” that “book banning” is over, this is indeed (as Overholt suggests) an oversimplification. It imagines a single struggle, which reaches some sort of crisis, and ends. Graham is offering a narrative very close to that recounted by Charles Rembar in his memoir *The End of Obscenity*. Rembar was the defense attorney during many of the key 1960s obscenity trials in the United States, and his memoir wonderfully charts the erosion of state censorship in the period. Suppression of books on grounds of obscenity, Rembar suggests (I think, rightly), ends after the trials of *Lady Chatterley’s Lover*, *Tropic of Cancer*, and *Fanny Hill* in the United States. Starting in *Roth v. United States*, and culminating ultimately in the so-called “Miller Test”, American jurisprudence evolves a set of standards that have the effect of ending the censorship of books on the grounds of obscenity. In English jurisprudence, the 1959 reform of the Obscene Publications Act (which enabled publication of Lawrence’s *Lady Chatterley* by Penguin) plays the same role as the court cases discussed by Rembar. After those trials, it has proved essentially impossible for a book to be banned on grounds of obscenity; contract, libel, and copyright all continue to shape cultural production in important ways (the latter especially so), but obscenity and its particular brand of state-controlled book burning is indeed over. The Miller standard may justifiably be celebrated as a sort of liberal triumph.

And boy, do we love to tell this story. Birmingham offers a version in his account of *Ulysses*; we get a sort of version in movies about



Figure 1: Miller Logo

Allen Ginsberg's "Howl"; or in TV movies about the *Chatterley* trial. Folks love this tale of heroic lawyers fighting on behalf of great works of literature, against philistine puritans—figures like Anthony Comstock or William Joynson-Hicks (more commonly called simply, "Jix"). We tell very similar stories about Elvis and his hips, or Lenny Bruce and his comedy—tales where transgression and freedom contend with (usually comically absurd) conservatism. (We even tell a version of this story about dancing in small towns.) It's usually a narrative of triumph, told by liberal proponents who indeed end by declaring "We won." And, as history, it is usually an oversimplification. For one thing (and this is a hobby horse of mine), it tends to remove books from a broader media history which shapes what it means to "ban" a "book." I have a different story of my own, about the place of literature in the changing media ecology of the long twentieth century... but that's another tale for another time.

"Banned Books Week" conflates two narratives, perhaps deliberately. It inserts present instances of political struggle which involve books, particularly (like those described by Schingler) around libraries, into a longer history of book banning. It is, in some ways,

HE'S A BIG-CITY KID IN A SMALL TOWN.
THEY SAID HE'D NEVER WIN. HE KNEW HE HAD TO.

Footloose



The music
is on its side

PARAMOUNT PICTURES PRESENTS A DANIEL MELNICK PRODUCTION A HERBERT ROSS FILM
FOOTLOOSE - KEVIN SPACEY - LORE SANDER - DENNE WHEAT AND JOHN LITHGOW
EXECUTIVE PRODUCER DANIEL MELNICK - EDITED BY PAUL HIRSCH - WRITTEN BY GLENN PITCHFORD
PRODUCED BY LEWIS J. FUCHS AND CHRIS ZORN - DIRECTED BY HERBERT ROSS
FORD THE PARAPHRASE FROM WALLABY BOOKS ©1984 BY PARAMOUNT PICTURES
ORIGINAL MOTION PICTURE SOUNDTRACK ALBUM ON COLLECTOR RECORDS AND CASSETTES
FOOTLOOSE: A FILM BY HERBERT ROSS
CASTING BY JUDITH M. WATSON

Figure 2: Footloose

a savvy rhetorical move to align parents who want to limit access to particular titles with Anthony Comstock and similar figures (after all, who wants to be this guy). But this conflation also has the, I think unfortunate, effect of casting contemporary debates about education and the meaning of “the public” as matters of “banning books.” I think it makes more sense to understand attempts to limit access to Toni Morrison’s *Beloved*, not as a debate about book censorship continuous with the suppression of *Ulysses* or *Lady Chatterley’s Lover*, but as part of the same political struggle over how to teach the causes of the American Civil War, or even whether to mention evolution. These are debates about books; but more fundamentally they are debates about education and, more importantly, debates about *the public*. They ask not, “Should this book be legally available?”, but “Should *my children* learn this?” or “Should *my tax dollars* pay for this?” Defending against the active defunding of public goods by appealing to the “freedom to read,” seems to me, to be a tactic of ambivalent value.

When “Banned Books Week” began in 1982, the heroic age of the struggle against state censorship of books in the United States was already over. In 1982, rather than the State of New York seeking to prevent folks from reading *Ulysses*, we find the Moral Majority complaining about works like *Our Bodies, Our Selves*. This concern with women’s sexuality and health is uncannily recalled when earlier this month a Knoxville parent complained about the explicit references to women’s bodies in the *The Immortal Life of Henrietta Lacks*. Is this debate about women’s sexual health and knowledge, either in the early 1980s or now, best understood as a debate about books? Or does it have more in common with a history that, as this moment, materializes as an effort to defund Planned Parenthood?

Schlinger writers, “Reading only about people our parents and pastors are comfortable with isn’t an education, it’s an echo-chamber.” I agree. Reading is a wonderful and potentially transformative experience. It should be celebrated and defended zealously. But if we find people seeking to limit access to books, we may wonder

whether their target is *books* per se, or something else: *public education* or *women's health*, both of which require a well-funded state. Schingler writes, "Libraries are a marketplace of ideas, and if they're going to operate in a truly democratic fashion, all ideas should be represented." May be. But the arguments of would-be book-banners are, right now, often couched exactly in market terms—not that this or that book should not be published or legally allowed to circulate, but that *my tax dollars* shouldn't have to pay for it. We love the version of this conflict which is a struggle between freedom and censorship; but the conflict today is precisely one which takes place through appeals to market values—not between freedom and suppression, but *what* to fund according to what criteria. The real argument today seems less about "freedom," than about our willingness to fund and maintain a robust sense of "public goods."

As a matter of rhetoric and political tactics, it perhaps makes sense to throw the weight of a long historical struggle against state censorship behind our own moment of squabbles in local school boards or funding lines in state budgets. We should be careful, though, that such rhetoric doesn't lead us to mistake a fight about public education or women's health or the rights of queer people for *the right to read*. Indeed, if we could add a little nuance and history to our sense of the long struggle to publish controversial books, we might even realize that the history of books and their banning is already replete with lessons for these distinct, but not unrelated, struggles (see, for instance, the case of *The Well of Loneliness* and its banning in England).

So, two cheers for Banned Books Week and for all efforts to protect the freedom to read. The fullest possible access to the textual record is indeed a public good worthy of our time, attention, and dedication. It is not, though, the only good; it may not, at this moment, even be the most pressing one.