



BANNED BOOKS WEEK

September 20-27, 2003

American Civil Liberties Union • www.aclu.org/banned2003

Defending First Amendment Rights

Artists' Speech

- When a judge issued a restraining order preventing Irwin Schiff from distributing his book "The Federal Mafia: How the Government Illegally Imposes and Unlawfully Collects Income Taxes," the ACLU was one of several free speech advocates that submitted briefs defending his right to criticize the government.

Students' Speech

- Arkansas governor Mike Huckabee signed Act 858, officially amending a state law that regulates what speech is deemed "harmful to minors." The amended law would require retailers and libraries to segregate and obstruct their patrons' view of a broad range of materials that may be considered inappropriate only for younger minors, including many great works of literature. The ACLU of Arkansas and a broad-based coalition of organizations and businesses filed a federal lawsuit challenging the constitutionality of the statute.
- Administrators at a Massachusetts high school prevented a teacher from showing the film "Bowling for Columbine" to students because it contained anti-war messages. The ACLU condemned the decision, insisting that the material was suitable for the 17 and 18-year-old students and that educators would do a disservice to their students by not presenting a diversity of opinions about important social issues.
- When Bretton Barber, a junior at Dearborn High School, wore a t-shirt to school that displayed a photograph of President George W. Bush with the caption, "International Terrorist," he was told to turn it inside out or go home. Although the principal alleged that the shirt was causing a disruption, there were strong indications that the school was in fact censoring his anti-war views. In response, the ACLU of Michigan filed a lawsuit in federal court against Dearborn Public School officials for violating the First Amendment rights of their students.
- The University of Maryland at College Park curtailed the free exchange of ideas among students when it banned public speaking on all areas of campus other than on an outdoor amphitheater stage and banned distribution of literature in any place other than the student union. The ACLU and a private Washington law firm filed a lawsuit on behalf of the students.



- Students attending Westfield High School in Western Massachusetts received one-day suspensions for distributing candy canes with religious messages just before Christmas. They were accused of violating a school rule that bans the distribution of all literature not related to the curriculum. The ACLU challenged this rule in court, arguing that it violated the students' right to free speech.
- An exam that the New York Commissioner and the Board of Regents required public high school students to take included reading passages that were censored to remove all references to race, religion, sexuality or any other topic that might be considered sensitive. The ACLU joined a coalition of free speech advocates that denounced the doctored literary texts for restricting students' exposure to diverse cultures and ideas.
- Two students at Holliston High School who held signs protesting expulsion of two classmates during a talent show were suspended from school for two days and banned from all extracurricular activities. The school claimed that their protest created a disruption and brought the school "dishonor," but a videotape of the event showed no disturbance. The ACLU brought a lawsuit on behalf of the two suspended students to defend their right to voice their opinions. ♠

