



Statement for the Record of

Human Rights First

On

U.S. Senate Committee on the Judiciary

“Book Bans: Examining How Censorship Limits Liberty and Literature”

September 12, 2023

## **I. About Human Rights First**

Established in 1978, Human Rights First is an independent, non-profit organization that for more than four decades has pressed the United States to take a leading role in promoting and defending human rights. The organization's work includes advocacy and action to challenge authoritarianism, systemic injustice, and the antidemocratic extremist movement that represents an existential threat to our communities and our democracy. Efforts to protect the rights of Black and Brown communities as well as the LGBTQ+ community are central to this work.

## **II. Overview**

Human Rights First is alarmed at the scale of educational censorship being implemented across the United States. Book bans have historically been used to oppress free speech and limit public education, especially on topics that promote dialogue around civil and human rights. The current book ban campaign is part of the far-right extremist movement's weaponization of disinformation targeting minority voices, experiences, and representation.

The struggle for free and [public access to library services](#) has been a cornerstone of American democracy since the early nineteenth century, even as that struggle was often marred by segregation and institutional oppression. The recent attacks on libraries and schools are the lineage of that oppression and a stain on the progress made by countless [civil rights activists](#). We stand with the librarians, educators, parents, and advocates who are protecting our children's right to a full education.

## **III. Bans Part of Movement to Erase Black, Brown, and LGBTQ+ Rights**

According to a report by [Pen America](#), there were 2,532 instances of individual books being banned, including 1,648 unique book titles, between July 2021 to June 2022. The bans occurred in 138 school districts across 32 states. Of the 1,648 unique titles, 41 percent dealt with LGBTQ+ themes, and 40 percent featured prominent characters of color. Likewise, 21 percent of the titles directly address issues of race and racism. Collectively, the majority of unique titles under attack feature topics on LGBTQ+ representation, race, or racism.

The attack on books depicting race, LGBTQ+ diversity, and racism is directly linked to the movement's broader attack on civil and human rights in the education sector. Their campaign against curriculum and policies that create diverse and equitable learning environments has spread across the country, and includes discriminatory [state legislation](#). Often coded as restrictions on diversity, equity, and inclusion or so-called '[Critical Race Theory](#)', these attacks damage the [rights of teachers, administrators](#), parents, and students.

## **IV. Book Bans Are an Authoritarian Tactic**

The United States has a shameful history of banning books that address racism, discrimination, and sexual diversity. Often framed as an attack on 'indecent' or 'explicit' material, these campaigns, both historic and contemporary, are a veneer to erase diverse voices. Prior to the Civil War, books depicting the evils of enslavement were regularly censored. Like today's efforts, early book bans used claims of 'indecent' or 'explicit content' to [target quintessential American literature](#). This led to state-sponsored book burnings, destroying works by Ernest

Hemingway and Walt Whitman. Globally, book bans, and the destruction of books through [systemic book burnings](#), were a tool of authoritarian regimes of the early twentieth century, including by Nazi Germany.

Today's campaign to rewrite history and erase specific communities through censorship is the same tactic used by authoritarian regimes and leads to oppressive and antidemocratic policies and legislation. [PEN America](#) found that 31 percent of book bans in the last six months of 2022 were connected to legislation passed in Florida, Utah, and Missouri. Legislation like Florida's [‘Don't Say Gay’ and ‘Anti-Woke’ bills](#) have a chilling effect among educators and librarians and promote self-censorship out of fear of retaliation and retribution. These bills spread bigoted disinformation to generate paranoia, adversely impacting human and civil rights. This, too, is an historic authoritarian tactic, and one that we see as an imminent threat to our democracy.

## V. Recommendations for Protecting Literary Freedom

Human Rights First supports federal and state efforts to protect educators and librarians working to safeguard literary freedom. The amendments to the Illinois Library System Act, which makes Illinois the first state to outlaw book bans, are an example of an important first step to this end. We likewise support other states' efforts, such as the [resolution adopted](#) by Michigan's State Board of Education that expresses concern with censorship. However, we recognize that widespread censorship efforts and book bans in states across the nation represent a direct and pervasive threat to our democracy as well as civil and human rights. Therefore, we recommend Congress:

- **Reject the Mainstreaming of Extremist Narratives and Disinformation in Education:** The antidemocratic far right's most effective weapon is disinformation and that extends to their promotion of book bans. The intent of book bans is to limit the ability of children and youth to learn about topics like racism, discrimination, and the history of equal rights. Members of Congress must challenge the use of dog-whistles and disinformation that obscures the discriminatory intent behind educational censorship.
- **Support Department of Education Efforts to Protect the Civil Rights of All Students:**
  - Encourage the Department of Education to [fulfill the Administration's promise](#) to create and fund a national "book ban coordinator," ensuring the Department's Office for Civil Rights is equipped to challenge censorship that violates students' rights to equal education.
  - Increase funding for the Department of Education's Office for Civil Rights, to enable them to effectively protect students and educators against discriminatory censorship.
  - Ensure that federal regulations and guidance regarding curriculum and school materials are accessible to districts, parents, librarians, and educators. This includes methods of redress for individuals and communities who have experienced discriminatory book bans.

- **Support Inclusive Education Policies and Reject Discriminatory Policies:**
  - Support policies inclusive of all communities, such as the Equality Act, especially those promoting more inclusive education, such as the [Teaching Asian American Pacific History Act](#).
  - Oppose bigoted policies, such as those attacking the rights and representation of the LGBTQ+ community and Black and Brown communities, in libraries and in school curriculum.