



EXPERTS SAY ATTACKS ON FREE SPEECH ARE RISING ACROSS THE US - ASSOCIATED PRESS

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In Idaho, an art exhibit was censored and teens were told they couldn't testify in some legislative hearings. In Washington state, a lawmaker proposed a hotline so the government could track offensively biased statements, as well as hate crimes. In Florida, bloggers are fighting a bill that would force them to register with the state if they write posts criticizing public officials.

Meanwhile, bans on books and drag performances are growing increasingly common nationwide.

"We are seeing tremendous attacks on First Amendment freedoms across the country right now, at all levels of government. Censorship is proliferating, and it's deeply troubling," said Joe Cohn, legislative and policy director with the Foundation for Individual Rights and Expression.

"This year, we're seeing a wave of bills targeting drag performances, where simply being gender nonconforming is enough to trigger the penalty. We're also seeing a wave of bills regulating what can be in public or K-12 school libraries," Cohn said. "On college campuses, we have been tracking data about attempts to get faculty members punished or even fired for speech or expression and the numbers are startling — it's the highest rate that we've seen in our 20 years of existence."

First Amendment rights had been stable in America for decades, said Ken Paulson, director of the Free Speech Center at Middle Tennessee State University, but in recent years many states have reverted to the anti-speech tactics employed by people like Sen. Joe McCarthy during the "Red Scare" of the early 1950s.

McCarthy and others tried to silence political opponents by accusing them of being communists or socialists, using fear and public accusations to suppress basic free speech rights. The term "McCarthyism" became synonymous with baseless attacks on free expression, and the U.S. Supreme Court has referred to the phenomena in several First Amendment-related rulings.

"We are seeing a concerted wave that we have not seen in decades," said Paulson, highlighting states like Florida where Republican Gov. Ron DeSantis has pushed for legislation that would criminalize drag shows, limit what pronouns teachers can use for students, allow parents to determine what books can be in libraries and block some history classes entirely.

"It's pretty mind-boggling that so many politicians are waving the flag of freedom while doing anything they possibly can to infringe on the free speech rights of Americans," Paulson said.

Still, no one political group has a monopoly on censorship — aggression is increasing across the spectrum, Cohn said.

Washington state's bias hotline bill, which died in committee earlier this year, was sponsored by Democratic Sen. Javier Valdez and backed by several groups including the Anti-Defamation League, Urban League, Council on American-Islamic Relations and others. It aimed to help the state collect information about hate crimes and bias incidents and to provide support and compensation to victims at a time when hate crime reports are rising.

Opponents, including the Foundation for Individual Rights and Expression, said they feared it would chill protected speech because it encompasses both criminal behavior and offensively biased statements.

Hate speech can be damaging and repugnant, but is still generally protected by the First Amendment. The Department of Homeland Security and experts who study extremism have warned that hateful rhetoric can be seen as a call to action by extremists groups.

Oregon created a similar bias hotline in 2019. It received nearly 1,700 calls in 2021, with nearly 60% of the reported incidents falling short of criminal standards, according to an annual report from Oregon Attorney General Ellen Rosenblum's office.

"People in power target their political adversaries, so who is being silenced really depends on where you are on the map and its individual context," Cohn said.

Artist Katrina Majkut experienced that first-hand last week, when artworks she had shown in more than two dozen states over the past decade were unexpectedly censored at a small state school in Lewiston, Idaho.

Majkut uses embroidery to highlight and subvert historically narrow ideas of wifedom and motherhood. She was hired to curate an exhibit at Lewis-Clark State College focusing on health care issues like chronic illness, pregnancy and gun violence.

But March 2, a day before the show's opening, Majkut and two other artists were told some of their work would be removed over administrator fears about running afoul of Idaho's "No Public Funds for Abortion Act."

The 2021 law bars state-funded entities from promoting abortion or taking other measures that could be seen as training or counseling someone in favor of abortion.

Majkut's cross-stitch depicting misoprostol and mifepristone tablets — which can be used together to induce abortion early in pregnancy — was removed from the exhibit along with a wall plaque detailing Idaho's abortion laws.

Four documentary video and audio works by artist Lydia Nobles that showed women talking about their own experiences with abortion were also removed. And part of artist Michelle Harney's series of 1920s-era letters written to Planned Parenthood founder Margaret Sanger were stricken from the show.

"To be censored like that is shocking and surreal," said Majkut, who designs her art to be educational rather than confrontational. "If the most even-keeled, bipartisan artwork around this topic is censored, then everything is going to be censored."

Logan Fowler, the spokesman for LCSC, said the school made the decision after consulting with attorneys about whether showing the art could violate the law. Republican Rep. Bruce Skaug, the author of the law, said Tuesday that it was not intended to "prevent open discussion" of abortion — only to prevent tax dollars from being used to promote it.

The art exhibit censorship comes just two months after another controversial decision by Skaug. As chairman of the Idaho House Judiciary and Rules Committee, Skaug announced in January that people under age 18 would not be allowed to testify in his committee. Another Republican committee chair soon followed suit.

Lawmakers have the ability to limit committee testimony, and often use those limits to keep the legislature's work focused and timely. Still, the age-based speech restriction appeared to be a first for the state.

A group of teens took action, launching phone and email campaigns staging protests.

"There is a clear lack of foresight in politicians who seek to eliminate the voices of those who will one day elect and eventually supersede them," a group of 32 high school student leaders wrote in a joint opinion piece sent to news outlets across the state. "We ask Idaho's Republican leaders, what are you so afraid of?"

The lawmakers eventually modified their rules, allowing youth to testify as long as they have signed permission slips from a parent or guardian.

Skaug said the rule was necessary to ensure parents are aware if their kids are leaving school to testify at the Statehouse. He still intends to give priority to older residents when testimony time is limited, but said he's not aware of any youth actually being denied the chance to testify so far this year.

For Cohn, the efforts in Idaho and elsewhere reflect the danger of trying to restrict the expression of people who hold opposing views.

"We have to be ever-vigilant if we want our culture of individual freedoms to prevail," he said. "Bad ideas are better dealt with through debate and dialogue than government censorship."