

ENCYCLOPEDIA

Censorship

Official supervision and control of the information and ideas that are circulated among the people within a society. In modern times, censorship refers to the examination of books, periodicals, plays, films, television and radio programs, video and audio recordings, video games, [Internet](#) transmissions, news reports, and other communications media for the purpose of altering, restricting, or suppressing parts thought to be objectionable or offensive. The objectionable material may be considered immoral or obscene, heretical or blasphemous, seditious or treasonable, or injurious to the national security. Thus, the rationale for censorship is that it is necessary for the protection of three basic social institutions: the family, the church, and the state.

Until recently, censorship was firmly established in various institutional forms in even the most advanced democratic societies. By the mid-20th century a revolutionary change in social attitudes and societal controls weakened the existence and strength of censorship in many democracies; however, all forms of censorship have not been universally eliminated. Today many persons, including some civil libertarians, object to the "new permissiveness" in the arts and mass media; they claim it debases the public taste, corrupts all sense of decency and civility, and even undermines civilization.

In nondemocratic societies censorship is a dominant and all-pervasive force, felt on all levels of artistic, intellectual, religious, political, public, and personal life. Hardly any act, expression, or relationship is exempt from official surveillance and accountability.

Although the [Universal Declaration of Human Rights](#), adopted by the UN General Assembly in 1948, says nothing explicitly about the right of freedom from censorship, certain articles, if strictly observed, would tend to mitigate the rigor of censorship in nondemocratic countries. Among such provisions are those that prohibit interference with a person's home, family, privacy, or correspondence, and those that provide for the right to freedom of thought, conscience, religion, opinion, and expression without interference. Thus, the worldwide struggle for human rights often involves problems of censorship as well as the fate of those dissidents who are its victims.

EARLY HISTORY

Censorship and the ideology supporting it go back to ancient times. Every society has had customs, taboos, or laws by which speech, play, dress, religious observance, and sexual expression were regulated.

Greek Censorship

In Athens, where democracy first flourished, [Socrates](#) preferred to sacrifice his life rather than accept censorship of his teachings. Charged with the worship of strange gods and with the corruption of the youth he taught, Socrates defended free discussion as a supreme public service. He was thus the first person to formulate a philosophy of intellectual freedom. Ironically, his disciple [Plato](#) was the first philosopher to formulate a rationale for intellectual, religious, and artistic censorship.

Plato believed that art should be subservient to morality; art that could not be used to inculcate moral principles should be banned. In the ideal state outlined in *The Republic*, censors would prohibit mothers and nurses from relating tales considered bad or evil; and in his *Laws* Plato proposed that wrong beliefs about God or the hereafter be treated as crimes and that formal machinery be set up to suppress heresy.

In the 5th century BC, the Athenian philosopher [Anaxagoras](#) was punished for impiety; [Protagoras](#), another leading philosopher, was charged with blasphemy, and his books were burned. These instances of repression and persecution

in Athens were not truly typical of Greek democracy, for usually the freedom to speak openly in private or in the assembly was respected.

Roman Censorship

In Rome the general attitude was that only persons in authority, particularly members of the Senate, enjoyed the privilege of speaking freely. Public prosecution and punishment, supported by popular approval, occurred frequently. The Roman poets **Ovid** and **Juvenal** were both banished. Authors of seditious or scurrilous utterances or writings were punished. The emperor **Caligula** for example, ordered an offending writer to be burned alive, and **Nero** deported his critics and burned their books.

The far-flung Roman Empire could not have lasted for some four centuries if it had not maintained a policy of toleration toward the many religions and cults of the diverse nations and races it ruled. The only demand made was that Roman citizens, as a political act, worship the imperial person or image; beyond that, all citizens were free to worship their own gods and to observe their own rites and rituals. To Jews and early Christians, however, emperor or image worship was idolatry, and they refused to obey. They were persecuted and frequently martyred for their religious beliefs.

CHURCH CENSORSHIP

In AD 313 the Roman emperor **Constantine** decreed toleration of Christianity. Twenty years later, Constantine set the pattern of religious censorship that was to be followed for centuries by ordering the burning of all books by the Greek theologian Arius (256-336).

Roman Catholic Censorship

After the emperor **Theodosius** made Christianity the established religion of the empire, the Roman government and the church began to persecute both pagans and Christian heretics who deviated from orthodox doctrine or practice. The pope was recognized as the final authority in church doctrine and government, and the secular state used force to compel obedience to his decisions. Books or sermons that were opposed to orthodox faith or morals were prohibited, and their authors were punished. The first catalog of forbidden books was issued by Pope **Gelasius** in 496. Individual heretical books were subsequently forbidden by special papal edicts. Censorship in this period was concerned primarily with suppressing **heresy**. For the purpose of punishing all such manifestations, Pope **Gregory IX** instituted the **Inquisition** in 1231. For almost 500 years the Inquisition remained an influential agency of religious censorship.

The invention of printing in the 15th century made prepublication censorship possible. In 1487 Pope Innocent VIII (1432-92) introduced such censorship. Printers were required to submit all manuscripts to church authorities, and a work could be printed only after it had been approved. Pope **Paul III** in 1542 established the Universal Roman Inquisition, or Congregation of the Holy Office, one of whose duties was to examine and condemn heretical or immoral works. In 1559 Pope **Paul IV** first issued the **Index of Forbidden Books**, which was supplemented by his successors. Approximately 5000 books were ultimately listed in the Index, and the last edition was issued in 1948. Pope **Paul VI** in 1966 made substantial reforms, changed the name of the Holy Office to the Congregation for the Doctrine of the Faith, and abolished the position of censor. It was announced that the Index would not be renewed and that the penalty of excommunication would no longer have the force of law, but that the Congregation for the Doctrine of the Faith would occasionally publish lists of books that were not recommended for reading by Roman Catholics.

Protestant Censorship

The Protestant Reformation did not fundamentally challenge the practice of censorship. Its leaders--among them **John Calvin**, **John Knox**, and **Martin Luther**--claimed liberty of conscience and toleration only for themselves and their followers. When in power, they too attempted to suppress all deviation from their own brands of orthodoxy; they persecuted Protestant heretics and Roman Catholics.

In England King **Henry VIII** supplanted the pope as head of the Church of England. The Act of Supremacy (1534) vested in the king power to declare and punish heresies. He persecuted both papists and reformers, and he burned copies of the English translation of the New Testament.

Henry VIII established a licensing system that resembled the prepublication censorship of Pope Innocent VIII. It required printers to submit all manuscripts to church authorities for their approval prior to publication. This licensing system continued in England until 1695. The English poet **John Milton** protested against such censorship in his classic essay *Areopagitica* (1644). Many English people associated licensing by church censors with ecclesiastical supervision, the Inquisition, and restraints on religion, education, and intellectual pursuits.

CENSORSHIP IN THE MODERN WORLD

The 18th century marks the beginning of the modern period, with its emphasis on toleration and liberty--a beginning that reflects the influence of the **Age of Enlightenment** and the American and French revolutions. Although the new spirit of liberty was first felt in the area of religious belief, it rapidly affected political life, science, and literature. The U.S., France, and England set the pattern and the pace. The Declaration of Independence (1776), the U.S. Constitution (1787) with its Bill of Rights (1789-91), and the French Declaration of the Rights of Man and of the Citizen (1789) became models for the modern world. In England Roman Catholics were freed of all disabilities in 1829; Jews achieved the same freedom in 1858.

Religious Toleration

In modern democratic countries, certain basic constitutional principles are generally accepted: A person's religious beliefs and forms of worship are matters of strictly private conscience, into which no government act or official may intrude; no religious requirements may be stipulated for any public office or benefit; and the state and religion are independent of each other (*see Religious Liberty*). Although these principles do not resolve all problems, and perplexing questions must be faced continually, the principles have established peaceful relations between the government and religious systems in truly democratic societies. The situation was quite different in Communist countries such as the USSR, where religion was not at all, or only grudgingly, recognized, and atheism was the established ideology. Another exception is the kind of **theocracy** established in Iran after the 1979 revolution with the institution of an Islamic republic.

Government Censorship

In England religious conflict bred general intolerance, which resulted in censorship that embraced political as well as religious expression. At a time when religion dominated society, every aspect of life was necessarily subject to official control. In 1662, for instance, a licensing act created a surveyor of the press who had power to investigate and suppress unauthorized publications. The Toleration Act and the Bill of Rights in 1689 dealt with important personal liberties but said nothing about freedom from censorship. To publish an unfavorable opinion of the government was still a "seditious libel." As the 18th century began, however, English newspapers became more numerous, books on a greater variety of subjects were published, and arbitrary censorship was slowly reduced. **Freedom of the press** came about gradually as a result of judicial decisions and popular opposition to political oppression.

Except for a brief period in France after the Revolution of 1789, political censorship continued to flourish in continental Europe until the rise of republican governments in the mid-19th century. In the 1930s a new wave of political censorship swept Europe, especially in the totalitarian regimes of Germany, Italy, and Spain. Since the end of World War II, however, political censorship has diminished in Western nations.



Andrei Sakharov

Archive Photos

Dissidents in the former Soviet Union and other Communist countries have disclosed the severe persecution to which they were subjected. These dissidents from the USSR include [Aleksandr I. Solzhenitsyn](#), who was awarded the [Nobel Prize for literature in 1970](#), and [Andrey D. Sakharov](#), who won the Nobel Peace Prize in 1975. Their world recognition and acclaim did not prevent the Soviet government from expelling Solzhenitsyn from the country in 1974 and sending Sakharov into internal exile in Gorkiy (now Nizhny Novgorod) in 1980. By the late 1980s, however, the Soviet Union under President [Mikhail Gorbachev](#) had relaxed government censorship of the media as part of a more general reform movement, and other Eastern-bloc countries were also affected. The increase in freedom soon led to the collapse of Communism in the Soviet Union and several other Soviet-bloc countries.

The Communist countries have not been the only ones to impose control over thought and expression in modern times. In the mid-1970s India imposed strict censorship as part of an alleged state of emergency, while Argentina virtually suspended the importation of all foreign publications. Even in democratic France, the government started criminal proceedings in 1980 against the newspaper *Le Monde* for publishing five articles in the preceding three years that allegedly cast discredit on French courts. State censorship remains severe in China and other countries where political opposition is suppressed by permitting the existence of only one governing group. One-party nations determine directly the ideas and information to be published, circulated, and taught. When publishers, authors, or broadcasters are adjudged to have trespassed the political or moral boundaries set by law or administrative edict, they may be arbitrarily punished by fines, imprisonment, confiscation of their publication, prohibition of future publications, or closing of the medium of communication.

CENSORSHIP IN THE U.S.

When the American colonists drafted laws before 1776, they borrowed from English precedents regarding personal rights and liberties but went far beyond Great Britain in the fields of freedom of religion, speech, press, and assembly. After the American Revolution and the adoption of the U.S. Constitution, these freedoms were guaranteed in the [Bill of Rights](#), the first ten amendments to the [Constitution of the United States](#).

Protection from Censorship

The 1st Amendment, in broad terms, forbids Congress from enacting laws that would regulate speech or press before publication or punish after publication. At various times many states passed laws in contradiction to the freedoms guaranteed in the 1st Amendment. For example, in the pre-American Civil War period abolitionist literature against slavery was outlawed in the South. In the 1920s, the U.S. [Supreme Court](#) ruled that the guarantee of liberty in the due process clause of the 14th Amendment (adopted in 1868) makes the 1st Amendment applicable also to the states. The Supreme Court has held that although all prior restraint on publication is unconstitutional, exceptional

circumstances may justify such restraint--in wartime, for instance, publication of the number, location, or sailing dates of troops may be prohibited.

Public officials and all official acts, including the existence of government itself, may be openly criticized and attacked by speech or publication, provided only that the words used are not of such a nature and are not used in such circumstances "as to create a clear and present danger that they will bring about the substantive evils that Congress [or the state] has a right to prevent." The classic example is that a person has no right to shout "Fire!" in a crowded theater when there is no fire. Thus, a person addressing an angry mob has no right to urge them on to riot, which would be a clear and present danger to the peace and security of the community. Cases in which a court was persuaded that such a danger had been proved beyond a reasonable doubt, however, have been extremely rare.

In 1971 the Supreme Court considered the sensational Pentagon Papers case. A 47-volume official classified report on U.S. policy in Vietnam came into the possession of Daniel Ellsberg (1931-), a former federal official. The *New York Times* and several other leading newspapers began publishing parts of the report. The government asked for an injunction to stop publication. In considering the case, the Court said that any prior restraint on publication comes before the courts with a heavy presumption that it is unconstitutional, and that the government must prove that the restraint is justified. The Court, by a 6-3 vote, refused to bar the newspapers from reprinting the report.

Less dramatic expressions of a spirit of censorship have tended to persist. In some state or local communities textbook commissions or school boards have exerted pressure on authors and publishers to omit from or include in school texts certain materials relating to various sensitive areas such as evolution, the biblical account of creation, discussions of religious or racial groups, and expressions that are allegedly racist or sexist. Some groups have attempted to pressure public and school libraries to prevent circulation of books and periodicals they consider morally offensive or otherwise objectionable. In the past, serious censorship problems were presented by the operations of the U.S. Post Office and the Customs Bureau, which refused to allow certain books and other materials to be brought into the country or sent through the mails. Since the early 1970s, however, court decisions, congressional legislation, and administrative regulations have resolved most of these problems, at least for the present.

Censorship of Obscenity

Until about the mid-20th century government policies provided for the strict suppression of obscene publications. The test, as developed in Great Britain and substantially followed in the U.S., was whether the publication "tended . . . to deprave and corrupt those whose minds are open to such immoral influences." The law was invoked against works of recognized merit as well as against pornographic publications. Successful prosecutions were common, as were seizures of books by post office, customs, and police officials.

The beginning of a new legal approach may be traced to the action of the federal courts in the 1930s, when they held that the Irish author [James Joyce's](#) *Ulysses* was not obscene and could be freely passed through customs. The courts ruled that the use of "dirty words" in "a sincere and honest book" did not make the book "dirty." Since the 1950s many obscenity cases--involving books, magazines, and films--have been brought before the Supreme Court. In the cases during the 1970s the Court ruled that laws against obscenity must be limited "to works which, taken as a whole, appeal to the prurient interest in sex; which portray sexual conduct in a patently offensive way; and which, taken as a whole, do not have serious literary, artistic, political, or scientific value." The Court has further held that the questions of what is "prurient" and "patently offensive" should be determined by applying "contemporary community standards" rather than national standards. *See also* [Obscenity](#).

Rating Systems and Self-Censorship

One U.S. industry, the film industry, has for many years practiced a form of self-censorship. In the 1920s, responding to public demands for strong controls, the Motion Picture Association of America imposed on its constituents a Production Act; compliance with its standards gave a movie a seal of approval. A system of film classification was begun in 1968 and has been revised several times since then. Films are given ratings as follows: G

(general audiences), PG (parental guidance advised), PG-13 (may not be suitable for preteens), R (persons under age 17 not admitted unless accompanied by parent or adult guardian), and NC-17 (persons under age 17 not admitted; replaced the X rating in 1990). This system has been criticized from a variety of perspectives. Some commentators complain that the age-based ratings are too vague. These critics call for a content-based system that rates films by the adult language, violence, and sexual situations they contain. Other critics contend that PG-13 films contain too much violence and crude language, and that restrictions on the admission of young teenagers to R-rated films are not properly enforced. Civil libertarians, on the other hand, hold that because many exhibitors refuse to show NC-17 films, the rating system has an inhibiting effect on some serious filmmakers, who face severe commercial pressures to cut their films to qualify for the R rating.

For the television and radio industries the Federal Communications Commission (FCC) has generally promulgated vague rules about program content containing an implied threat that a license can be revoked for repeated poor judgment involving program content. In 1987, however, the FCC responded to public complaints by adopting measures to restrict the use of explicit language about sexual and excretory functions in the broadcasting media. Another code, designed by the National Association of Broadcasters, is voluntarily adhered to by station operators. Each of the major networks has its own self-regulating system, with full-time employees who review scripts and watch everything aired on that network, including commercials; every contract with a producer provides that the project is subject to approval under this system.

In 1997 the television industry began implementing a new voluntary rating system based on both age appropriateness and specific program content. The age ratings are as follows: TV-Y (appropriate for all children), TV-Y7 (intended for children age 7 and up), TV-G (general audiences), TV-PG (parental guidance suggested), TV-14 (parents strongly cautioned), and TV-MA (mature audiences only). These ratings may be further modified by the addition of the letters FV (fantasy violence), V (violence), S (sexual situations), L (coarse, crude, or indecent language), and D (suggestive dialogue, usually about sex). The system is designed to work in concert with the V-Chip, an electronic circuit that, when incorporated in a TV set (or set-top box) and activated by parents, can block categories of programming that parents do not wish their children to see. News and sports are exempt from the rating system. As of January 2000, all sets sold in the U.S. with screens of 13 inches or larger were required to contain the V-Chip.

Since 1985 the recording industry has voluntarily applied parental advisory labels to new audio releases that feature strong language or explicit depictions of violence, sex, or substance abuse. Coin-operated video games also employ a voluntary parental advisory system. The entertainment software industry has adopted a rating standard that employs both age-based and content-based criteria, with specific warnings covering such elements as graphic violence, strong sexual content, and strong hate speech.

Other Issues

New media have raised complex censorship issues that have not been fully resolved in U.S. courts. In a landmark ruling in 1997, the Supreme Court invalidated parts of the Communications Decency Act (1996), which made it a federal crime to transmit "indecent" material that children might access over the Internet. In its majority opinion, the Court declared that Internet communications deserved the highest level of 1st Amendment protection, similar to that given newspapers and books. In 2003, however, the Court upheld the Children's Internet Protection Act (2001), which required public libraries receiving federal funds to install filtering software on all computers connected to the Internet, in order to prevent children from downloading pornography or other harmful materials.

In the U.S. many different private groups attempt to influence government agencies, businesses, libraries, radio and television broadcasters, newspapers, and other communications media to suppress material that they consider objectionable. In recent years, religious, ethnic, and racial groups have tried to prevent plays, movies, and television programs from being presented because of elements they deem offensive. One private group, the [American Civil Liberties Union](#), promotes the open flow of all types of information in the belief that individuals should have free access and opportunities for the exercise of their personal discretion and that no group should limit the availability of the resources from which such choices are made. **M.R.K.**

For further information on this topic, see the Bibliography, sections [Censorship](#), [U.S. Constitution](#), [First Amendment](#), [Academic freedom](#).

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