

**TESTIMONY OF STATE REPRESENTATIVE JOHN CARMICHAEL  
IN OPPOSITION TO SENATE BILL 56  
KANSAS HOUSE JUDICIARY COMMITTEE, FEBRUARY 2, 2016**

Chairman Barker and Members of the Committee:

I offer this testimony in opposition to Senate Bill 56. The bill removes the legal defense which allows public, private and parochial schools and teachers to teach the Classics in our schools. Imagine a class in Western Civilization, English Literature or Art History without any of the following:

**John Steinbeck,**

“In the West there was panic when the migrants multiplied on the highways. Men of property were terrified for their property. Men who had never been hungry saw the eyes of the hungry. Men who had never wanted anything very much saw the flare of want in the eyes of the migrants. And the men of the towns and of the soft suburban country gathered to defend themselves; and they reassured themselves that they were good and the invaders bad, as a man must do before he fights. They said, *These goddamned Okies are dirty and ignorant. They're degenerate, sexual maniacs. These goddamned Okies are thieves. They'll steal anything. They've got no sense of property rights.*”

*The Grapes of Wrath*, John Steinbeck, Chap 21 (emphasis added); or

**J.D. Sallinger,**

“I just see the big phony bastard (Undertaker Ossenburger) shifting into first gear and asking Jesus to send him a few more stiffs. The only good part of his speech was right in the middle of it. He was telling us all about what a swell guy he was, what a hot-shot and all, then all of a sudden this guy sitting in the row in front of me, *“Edgar Marsalla, laid this terrific fart. It was a very crude thing to do, in chapel and all, but it was also quite amusing. Old Marsalla. He damn near blew the roof off.”*

*Catcher in the Rye*, J.D. Salinger, Chap. 3 (emphasis added); or without the double entendres of

**William Shakespeare,**

Nurse: God ye good morrow, gentlemen.

Mercutio: God ye good den, fair gentlewoman.

Nurse: Is it good den?

Mercutio: *‘Tis no less, I tell you; for the bawdy hand of the dial is now upon the prick of noon.*

Nurse: Out upon you! What a man are you!

*Romeo and Juliet*, William Shakespeare, Act II, Scene Three (emphasis added).

How can Kansas teachers teach and Kansas student's learn Art History without:

**Michelangelo,**



David

or without,

**Jacques-Louis David,**



Cupid and Psyche

Not only does the bill remove the Classics from our public schools, The Senate amendments also prohibit display in public buildings of "harmful materials" to minors. Accordingly, do the proponents of the bill really propose to arrest and try the Clerk of the Kansas House of Representatives for public display of this mural in the House Chamber above my desk?



Even worse is the “chilling effect” of the bill. Under this legislation the only way Kansas teachers will know what they can and cannot teach is after being arrested for felony pornography charges, going through a trial, paying their lawyers, and hoping a jury agrees teaching the Classics is not displaying material harmful to minors. Worst of all, another teacher, teaching the same class from the same textbook, may well be convicted of the crime by a different jury on a different day.

Kansas suffers enough ridicule, whether it be for trickledown economics, committee rules prohibiting low necklines on women’s clothing, or folks who want to prohibit the teaching of Darwin’s Theory of Evolution in our public schools. This committee should not give those who denigrate our state another headline by “burning” books and removing the Classics from our classrooms.

Respectfully,

John Carmichael  
Kansas State Representative  
District 92