

**Harry Potter and the Prisoner of Arkansas: First Amendment Rights, Reading Practices, and Moral Injury**

By

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This work is an attempt to use the concepts of moral injury and reading practices to complicate the common debate between freedom of speech and freedom of religion as it is framed in the Counts v. Cedarville School District court case. In understanding these often overlooked issues, the central motives behind restricting access to the *Harry Potter* series are revealed as well as the lack of appropriate language with which to discuss these problems in a legal manner. Thus, an awareness and comprehension of moral injury and various types of reading practices are required if religious dilemmas are to ever be accurately discussed in the court.

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## Introduction

The implementation of book banning in schools based on religious concerns has always been riddled with controversy and legal disputes. British author, J.K. Rowling's, *Harry Potter* series, has continuously been at the center of religious unrest and was the number one most banned or challenged book in the United States from 2000 to 2009.<sup>1</sup> Many parents and teachers contend that the literary representations of witchcraft and magic within the series are detrimental to their children's Christian upbringing, raising the need to restrict or ban the series from school libraries. In 2002 this anxiety reached the city of Cedarville, Arkansas, where the Cedarville School Board voted to restrict access to the *Harry Potter* series in their school libraries because it "exposes students to the 'witchcraft religion.'"<sup>2</sup> This decision was then challenged by the Counts family (whose daughter was enrolled in the Cedarville School district) and was later overturned by the Arkansas District Court in April of 2003. In making his decision, Judge Hendren cited the cases *Board of Education, Island Trees Union Free School District v. Pico*, and *Tinker v. Des Moines Independent Community School District* in order to define the extremely narrow circumstances under which schools are able to suppress information to their students. Based on this interpretation he was thus able to rule that the Cedarville School District's restriction of the *Harry Potter* series violated students' First Amendment Rights.

The arguments made in the Counts v. Cedarville School District case are typical of the common debate between the need for educational secularity and religious

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<sup>1</sup> "Top 100 Banned/Challenged Books: 2000-2009." American Library Association. *American Library Association*, 2013. Web. 3 Oct. 2012.

<sup>2</sup> Counts v. Cedarville School District. 295 F.Supp.2d 996. United States District Court, W.D. Arkansas, Ft. Smith Division. 2003. *Leagle*. Leagle, Inc., 2010. Web. 3 Oct. 2012.

endangerment. What regularly emerges from this dichotomy when placed in a legal setting is a discussion about freedom of speech and what is considered acceptable “religious” evidence. The case uses the term, “secular,” to separate where religious influence is appropriate, but secularity and religion are always in tandem because one cannot be defined without the other. What is considered secular cannot be determined without understanding what is religious. Literary critic, Saba Mahmood argues that “the religious and the secular are not so much immutable essences or opposed ideologies as they are concepts that gain a particular salience with the emergence of the modern state and attendant politics-concepts that are, furthermore, interdependent and necessarily linked in their mutual transformation and historical emergence.”<sup>3</sup> In his work, *Freedom of Speech and Religious Limitations*, Talal Asad also makes the claim that the concepts of religion and secularity are intertwined, stating that what is considered to be religious offense is “not a discursive device for suppressing free speech but as one indicator of the shape that free speech takes at different times and in different places, reflecting, as it does so, different structures of power, subjectivity, and truth.”<sup>4</sup>

The term religion in the context of the court is understood as a set of “ideas”<sup>5</sup> that are practiced, but based on the sentiments of Christians both involved with and outside of the case, “religion” is greater than a belief system; it is a set of moral standards that offer a model of virtuous behavior that are internalized as a way of life.

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<sup>3</sup> Mahmood, Saba. “Religious Reason and Secular Affect: An Incommensurable Divide?” 836

<sup>4</sup> Asad, Talal. “Freedom of Speech and Religious Limitations.” *Rethinking Secularism*. Ed. Craig Calhoon, Mark Juergensmeyer, Jonathan VanAntwerpen. New York: Oxford University Press, Inc., 2011. 282-297. Print. 288

<sup>5</sup> Counts v. Cedarville School District

With this understanding of “religion” in mind, when a novel containing themes that do not coincide with the Christian lifestyle emerges, it is a matter of moral rather than legal injury.

This issue of subjective moral injury cannot be sufficiently addressed under the law due to the absence of appropriate vocabulary which explains why the case focuses on the common sense censorship debate rather than the true concern of those opposed to the *Harry Potter* series. I argue that the case is not an issue of infringement of freedom of speech, but of moral injury instigated through differential reading practices of those for and against the *Harry Potter* series. These variations in reading practices and the seemingly obvious secular and the non-secular divide that emerges are further elucidated by Mahmood, in her discussion of the 2005 Danish cartoons conflict.

In what follows, I will be focusing on the arguments made for and against the censorship of the *Harry Potter* series in order to claim that the true issue with the series is not simply a division between freedom of speech and freedom of religion, but a lack of available discourse with which to discuss the offenses felt by those opposed to the novels. My argument is broken into five different sections, each of which highlights the relationship of the *Counts v. Cedarville School Board* court case to the series and to debates about secularism more generally.

### **Reasoning behind the *Counts v. Cedarville School District* Ruling**

The movement to restrict the *Harry Potter* series began in November of 2001 when Angie Haney, a mother of a student in the Cedarville School District, and her pastor, Mark Hodges, a member of the Cedarville School Board, submitted a

reconsideration request form to the Cedarville School librarian asking that *Harry Potter and the Sorcerer's Stone*, the first book in the *Harry Potter* series, be removed from Cedarville School libraries. Haney's request was due to her concern that the book "teaches children that 'parents/teachers/rules are stupid or are something to be ignored [,] that magic will solve your problems [and] that there are 'good witches' and 'good magic.'"<sup>6</sup> Haney's request form was reviewed by the Library committee which consisted of fifteen members: five representatives from the high school, five from the middle school, and five from the elementary school. The five members from each of the schools were the school principal, the librarian, a teacher, a student, and a parent of a student from that school. The Library committee voted unanimously to keep *Harry Potter and the Sorcerer's Stone* in their libraries. The Cedarville High School librarian then reported the verdict to the Cedarville School Board. The Board, which consisted of five members, also voted on the matter, but decided with a three to two vote to not only restrict access to the first of the *Harry Potter* books, but to the entire series. The new rule stated that all books in the *Harry Potter* series were to be removed from the libraries and "placed where they are highly visible, yet not accessible to the students unless they are checking them out."<sup>7</sup> In order to check the books out, students needed to obtain "a signed permission statement from their parent/legal guardian."<sup>8</sup>

Before delving into how this case can be read as one concerned with moral injury, it is important to first understand how it was framed as a matter of freedom of speech. Judge Hendren cited the case *Island Trees School District v. Pico* to determine

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<sup>6</sup> Grogan, David. "Arkansas Lawsuit Says Restricting a Book Counts the Same as Banning it." *Bookselling this Week*. American Booksellers Association, 25 Jul. 2002. Web. 3 Oct. 2012.

<sup>7</sup> *Counts v. Cedarville School District*

<sup>8</sup> *Counts v. Cedarville School District*

that it was inappropriate for the Board to suppress students' rights to access concepts simply because they did not agree with the Board's religious views. *Island Trees School District v. Pico* concerned controversy over a list of nine books that the Island Trees School District Board of Education in New York decided to ban from their high school and junior high school libraries because they were viewed as "anti-American, anti-Christian, anti-Semitic, and just plain filthy."<sup>9</sup> Four students from the high school and one student from the junior high school claimed that this ban was a violation of their First Amendment rights. After the Supreme Court's initial decision was appealed, the new verdict stated that:

[O]ur Constitution does not permit the official suppression of *ideas* [...] We hold that school boards may not remove books from school library shelves simply because they dislike the ideas contained in those books and seek by their removal to 'prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion.'<sup>10</sup>

Based on this ruling, Judge Hendren was able to assert that placing a restriction on the *Harry Potter* series because of its supposed promoted religion was not a valid reason for censoring the books.

Since this case focused on the circumstances under which a school board has the ability to restrict student rights rather than attempting to prove whether or not *Harry Potter* promoted paganism, religious testimony and reputable sources were not even considered during the Board's religious evidence against the series. Therefore, even if the Board members had been more informed about the books and were able to provide

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<sup>9</sup> Board of Education, Island Trees Union Free School District No.26, et al. v. Pico, by His Next Friend, Pico, et al. 457 US 853. Supreme Court of the US. 1982. Google Scholar, n.d. Web. 22 Oct. 2012

<sup>10</sup> Island Trees v. Pico

specific sections of the novels that they believed encouraged paganism, the court would not have viewed this evidence as viable or relevant.

Another important case Judge Hendren cited while making his verdict was *Tinker v. Des Moines* which helped in understanding the differences in First Amendment Rights application to students under the government and while in school. The case of *Tinker v. Des Moines* concerned students who decided to wear black armbands to school in protest of the Vietnam War and subsequently had their right to freedom of speech infringed upon when school officials suspended the students until they agreed to return without the armbands. In this case the Supreme Court ruled that:

State-operated schools may not be enclaves of totalitarianism. School officials do not possess absolute authority over their students. Students in school as well as out of school are ‘persons’ under our Constitution and may not be regarded as closed-circuit recipients of only that which the State chooses to communicate.<sup>11</sup>

However, the Supreme Court also acknowledged that school boards are allowed a very limited restriction where “necessary to avoid material and substantial interference with school-work or discipline.”<sup>12</sup>

The testimony given by one of the Board members during the *Counts v. Cedarville* trial revealed that the purpose of the restriction was for “preventative measures to prevent any signs that would come up like Columbine and Jonesboro.”<sup>13</sup> While this “better safe than sorry” method was enacted to protect against insensible violence, there is no scientific evidence that states that there is a relationship between

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<sup>11</sup> *Tinker et al. v. Des Moines Independent Community School District et al.* 393 US 503. Supreme Court of the US. 1969. Google Scholar, n.d. Web. 22 Oct. 2012.

<sup>12</sup> *Tinker v. Des Moines*

<sup>13</sup> *Counts v. Cedarville School District*

any sort of media and violence.<sup>14</sup> In her essay, “Shooting the Messenger: Why Censorship Won’t Stop Violence,” Judith Levine says that “the social science used to support claims of a relationship between media content and real violence is weaker than many would suggest, [falling] almost exclusively into one minor area of research psychology.”<sup>15</sup> Levine also believes that although “advocates of censorship say that shielding children from certain words and images protects them, in fact, it can endanger them [...]; such ‘protection’ will only diminish kids’ ability to keep themselves healthy and to participate intelligently in a complex world.”<sup>16</sup>

According to the court transcript of the *Counts v. Cedarville* case, Judge Hendren applied the clarification of students’ First Amendment Rights by stating that “The constitutional soundness of [the restriction of the *Harry Potter* series] depends on whether there is any evidence to support the application of a very narrow exception to the First Amendment rights of primary and secondary public school students.”<sup>17</sup> The lack of concrete instances of student insubordination caused by the *Harry Potter* series, allowed Judge Hendren to discount their precautions as due to speculation.

After establishing the School Board’s lack of evidence for enacting their limited censorship right, Judge Hendren mainly focused on the areas of the *Tinker v. Des Moines* ruling that recognized students as persons protected under the Constitution whether or not they are within the classroom, specifically students’ rights to obtain all information or ideas even if the Board does not agree with those ideas. One of the most

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<sup>14</sup> Levine, Judith. “Shooting the Messenger: Why Censorship Won’t Stop Violence.” *Media Coalition Network*. Media Coalition, Inc., 2000. Web. 22 Oct. 2012. 3

<sup>15</sup> Levine, 3

<sup>16</sup> Levine, 10

<sup>17</sup> *Counts v. Cedarville School District*

significant aspects of this section of the *Tinker v. Des Moines* interpretation of students' First Amendment Rights is that it illustrates the importance of upholding secularism in schools. Restricting access to the *Harry Potter* series because the books' representations of "witchcraft" and the "occult" do not coincide with the Board's Christian beliefs is a direct violation of the decree that "students may not be regarded as closed-circuit recipients of only that which the State chooses to communicate" making the ruling in favor of the Counts family clear.<sup>18</sup> The members of the Cedarville School Board felt that the series "expose[d] students to the witchcraft religion [and taught] witchcraft"<sup>19</sup> to students who read it illustrating not only the Board's disagreement with the series' content, but their deep concern that students who read *Harry Potter* will alter their lives to match those of the characters. The Board's reasoning for restricting access to the series was therefore not solely about hiding a text that contained opposition to their religion, but about protecting their children from a highly influential text that threatened the morality of the way in which they lived the rest of their lives.

### **Mahmood on Moral Injury and Reading Practices**

While the two sides that are often taken when confronted with a religious censorship issue are those who feel that the text threatens their religious beliefs and those that believe that censorship imposes upon their right to freedom of speech, an underlying often overlooked conflict is that of moral injury. This concept can be better understood through the examination of the 2005 Danish cartoons conflict during which the Danish newspaper, *Jyllands-Posten*, published twelve pictures of the Islamic prophet,

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<sup>18</sup> Counts v. Cedarville School District

<sup>19</sup> Counts v. Cedarville School District

Muhammed.<sup>20</sup> Although any type of depiction of Muhammed is strictly forbidden in the Islamic religion, the newspaper editors claimed that they were not trying to insult the Islamic religion but were trying to make a statement about the paper's right to freedom of speech.<sup>21</sup> In her article, "Religious Reason and Secular Affect: An Incommensurable Divide?," Saba Mahmood points out the obvious sides taken when this controversy arose: "secular necessity and religious threat."<sup>22</sup> Mahmood argues that to only recognize the "clash between the principles of blasphemy and freedom of speech is to accept a set of prior judgments about what kind of injury or offense the cartoons caused."<sup>23</sup> She states that the true conflict is one of moral injury which she defines as "a sense of violation that emanates not from the judgment that the law has been transgressed but that one's being, grounded as it is in a relationship of dependency with the Prophet, has been shaken."<sup>24</sup> Accordingly, to label the *Counts v. Cedarville* case as either a freedom of speech or freedom of religion violation is to overlook a fundamental issue. The moral injury incurred by Christians opposed to *Harry Potter* stemmed from their understanding of religion as a model of virtuous behavior and their interpretation of the text as more than a story, but as a representation of an immoral lifestyle.

This type of moral injury is caused by differences in "reading practices,"<sup>25</sup> or interpretations, that various groups have when viewing a particular text, or in the case of

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<sup>20</sup> Mahmood, Saba. "Religious Reason and Secular Affect: An Incommensurable Divide?" *Critical Inquiry* Summer (2009): 836-862. Print. 839

<sup>21</sup> Mahmood, "Religious Reason," 855

<sup>22</sup> Mahmood, "Religious Reason," 837

<sup>23</sup> Mahmood, "Religious Reason," 838

<sup>24</sup> Mahmood, "Religious Reason," 849

<sup>25</sup> Mahmood, "Religious Reason," 845

the Danish cartoons, an image. Mahmood explains that Muslims become upset when shown a picture of Muhammed because they understand the image as “linked to the abstract character of their religious beliefs” rather than acknowledging the “necessary distinction between the subject (the divine status attributed to Muhammed) with the object (pictorial depictions of Muhammed).”<sup>26</sup> Muslims are therefore subject to personal injury because they are unable to separate an image from the Prophet himself. In the *Counts v. Cedarville* case the offense the members of the school board felt toward the series was due to reading the text as a serious influence on the moral behavior of their children. The board members understood the text in such realistic terms that the possibility of children turning from Christianity in order to pursue witchcraft and paganism became a sincere threat. Through this type of reading practice Christians are unable to separate the true pagan religion from a book that contains a central theme of magic which leads them to believe that their religion is being attacked. Perhaps some Christians were, in fact, able to notice ties between Harry Potter and Jesus and were thus even more offended that one of their holy figures was mixed with magic, a practice firmly believed to be associated with evil. In this case, the inability to differentiate between an allegorical reference to Jesus (Harry Potter) and Jesus himself is the reading practice being employed. The dark magic and evil characters in the books urge children to cheer for Harry whose mission throughout the series is to defeat the Dark Lord, Voldemort. Thus, Christians who believe that the series encourages children to become pagans are unable to recognize that though both sides of the wizarding world use magic,

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<sup>26</sup> Mahmood, “Religious Reason,” 844

there is a clear “good” side and a “bad” side with a clear difference between “pure” magic and “dark” magic.

Mahmood continues her article by arguing that using legal language to solve the issue of free speech and religiosity complicates the matter rather than simplifies it. Mahmood uses the example of two movies that were banned in Austria on the basis that they offended the country’s large Roman Catholic population. When one of the filmmakers tried to contest the ban, the European Court of Human Rights (ECtHR) sided with the Austrian government stating that “the Court cannot disregard the fact that the Roman Catholic religion is the religion of the overwhelming majority of the Tyroleans. In seizing the film, the Austrian authorities acted to ensure religious peace in that region and to prevent that some people should feel the object of attacks on their religious beliefs in an unwarranted and offensive manner.”<sup>27</sup> The laws that the ECtHR follows are the European Convention of the Protection of Human Rights (ECPH) and while the ECPH does, in fact, have a law that guarantees free speech, a separate article also grants the Court leeway when placing restrictions on free speech. Article 10(1) of the ECPH states:

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This article shall not prevent States from requiring the licensing of broadcasting, television, or cinema enterprises.<sup>28</sup>

Article 10(2), however, states:

The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of

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<sup>27</sup> Qtd. in Mhamood, “Religious Reason,” 856

<sup>28</sup> Mahmood, “Religious Reason,” 855

national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.<sup>29</sup>

While Mahmood points out that “this regulated conception of freedom of expression in Europe stands in sharp contrast with the more libertarian conception of free speech in the United States,”<sup>30</sup> this duality of freedom of speech and speech restrictions is similar to the First Amendment laws in the United States and the clause that allows school boards to regulate the free speech of their students. According to Mahmood, the issue with trying to take religious arguments to the court is that the “mechanisms of the law are not neutral but are encoded with an entire set of cultural and epistemological presumptions that are not indifferent to how religion is practiced and experienced in different traditions.”<sup>31</sup> In other words, though many citizens believe the law to be impartial and fair, the laws themselves are subjective and created according to the culture of the majority of the people in the presiding area. Therefore, trying to resolve religious disputes through the use of legal language is always going to favor the side of the majority because of the biased interpretations of the legal vernacular used in the applicable laws. Every law does not account for variations in culture or religion which means that the terms used are never perfectly defined leaving room for debate over what counts as logical and necessary reason for enacting limitations on citizens’ freedoms. This type of majority bias occurred in the censorship of the *Harry Potter* series when the Cedarville Library Committee unanimously voted to keep the series in circulation,

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<sup>29</sup> Mahmood, “Religious Reason,” 855

<sup>30</sup> Mahmood, “Religious Reason,” 855

<sup>31</sup> Mahmood, “Religious Reason,” 859

but the Cedarville School Board voted to restrict access to the books because the majority (three out of five) were Christians who found the series offensive and a possible threat to the school's order.

In addition to having culturally biased laws, the issue of moral injury is difficult to discuss in court because of the lack of appropriate vocabulary to discuss religion. Those that feel religiously threatened by a particular text have no choice but to label their injuries as a violation of freedom of religion, when this is not an accurate assessment of the inflicted harm. Religious and legal scholar, Winnifred Sullivan, notes that the definition of religion in the court is “something that ha[s] dogmas and rules and texts and authorities” while religion to those who practice it is “a field of activity, one in which an individual's beliefs and actions [are] the result of a mix of motivations and influences, familial, ecclesiological, aesthetic, and political.”<sup>32</sup> This separation in understanding of the term “religion” as well as the unawareness by both sides of this difference is the cause of the deficiency of legal language that accurately addresses moral injury. Therefore, using the legal system to solve these issues does not reach the central problem, but rather promotes the same recognizable dichotomy of free speech versus religious rights.

Mahmood proposes that in order for these religious debates to be fairly assessed, a change in the laws would not be enough. What needs to happen is “a larger transformation of the cultural and ethical sensibilities of the majority [group] that undergird the law.”<sup>33</sup> While this change in cultural acceptance would be more beneficial for such cases involving seemingly direct insults to one religion in particular

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<sup>32</sup> Sullivan, Winnifred. *The Impossibility of Religious Freedom*. 36

<sup>33</sup> Mahmood, “Religious Reason,” 860

(e.g. depictions of Muhammed or other important religious figures), an understanding of reading practices would also be beneficial in cases like the restriction of the *Harry Potter* series. The *Harry Potter* series does not make any explicit reference to Jesus or directly insult the Christian religion, but because critics understand the series as a model for immoral living they find religious threat with what is portrayed in the books, specifically in the promotion of paganism that may negatively influence young Christians.

In her article, “*Azazeel* and the Politics of Historical Fiction: About Reading, History, Sectarianism, and Humanity,” Mahmood uses Youssef Zeidan’s novel, *Azazeel*, as an example of how differences in reading interpretations can cause problems regarding the different religions involved. *Azazeel* is a historical novel set during the Roman Empire that explains that the rise of Christianity was due to its overpowering of all other religions. Although the main arguments against the novel are about the inaccuracy of the book’s historical facts, Mahmood argues that the real issue lies in the way one reads the novel which affects how readers understand religion, and thereby their reality<sup>34</sup>. One of the issues that many Christians had with Zeidan’s novel was the claim that Jesus was human rather than a divine being. This problem, Mahmood argues, stems from the variations in interpretation of the word “humanity.” In the novel, Nestorius, the Archbishop of Constantinople, says, “Jesus is human, and his incarnation is a compromise between the Eternal Logos and Christ the human. Mary is the mother of Jesus the human being, and should not be called the mother of God.”<sup>35</sup> While

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<sup>34</sup> Mahmood, Saba. “*Azazeel* and the Politics of Historical Fiction: About Reading, History, Sectarianism, and Humanity.” *Journal of Comparative Literature* Summer (2013). Print. 3

<sup>35</sup> Qtd. in Mahmood, “*Azazeel*,” 17

Nestorius believed that “Christ consisted in two natures, human and divine,” Arius, a minister in Alexandria, believed that “Christ was a man distinct from the divine Word/Logos.”<sup>36</sup> These two statements of the humanity of Jesus are what prompted Bishop Bishoy of the Coptic Orthodox Church to state in his book, *Response to the Accusations in Youssef Zeidan’s Azazeel*, that Zeidan’s “aim is to defame the religion and to incite readers to doubt the divinity of Christ.”<sup>37</sup> These beliefs about Christ’s humanity are then taken one step further by questioning whether religion itself is man-made rather than of divine creation. In the novel, Azazeel, says that “in every age man creates a god to his liking, and his god is always his visions, his impossible dreams and his wishes”.<sup>38</sup> Mahmood argues that Bishoy is upset by the distinction between God and man because of his understanding of “humanity”: Bishoy understands “the humanity of Jesus as a medium for God’s Word” which is different from the use of “humanity” in the novel which is that “the humanity of Jesus is a symbol for all humanity with its capacity to create truth and meaning.”<sup>39</sup>

In the case of *Harry Potter*, the Christian understanding of “magic” and the understanding of “magic” as used in the series is the primary difference in the type of interpretation that Mahmood references in *Azazeel*. Based on the claims made by the many Christian leaders and various Christian groups who are against the *Harry Potter* series, it can be inferred that they strongly associate the word “magic” with witchcraft and paganism which are both negative religions in the Bible. This belief is epitomized by Revelation 22:15 which says “the fearful, the unbelieving, and the abominable, and

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<sup>36</sup> Mahmood, “*Azazeel*,” 16, 15

<sup>37</sup> Mahmood, “*Azazeel*,” 5

<sup>38</sup> Qtd. In Mahmood, “*Azazeel*,” 18

<sup>39</sup> Mahmood, “*Azazeel*,” 19

murderers, and whoremongers, and sorcerers, and idolaters, and all liars shall have their part in the lake which burneth with fire and brimstone: which is the second death.”<sup>40</sup>

There are many other quotations throughout the Bible that liken sorcerers to other evil doers and warn against following them because they will turn Christians away from the path of God. This interpretation of the word “sorcerer” and thus the word “witch” or “wizard” could be what causes Christians to ultimately view *Harry Potter* as a book about children who have turned away from God and decided to follow a dark path. If this interpretation is true, it is then clear why parents of this belief would not want their children exposed to the series.

### **The Case Against *Harry Potter***

At first glance the issue of censorship seems to be a clearly negative practice that should not even be considered if schools are to be truly unbiased and lawful.

However, the path leading to the enactment of censorship is often filled with conflicting morals making the decision to resolve such disagreement through restrictions difficult to avoid. Challenges to ban certain materials frequently “come from well-meaning individuals, often parents, who find something offensive or objectionable in their local school library”<sup>41</sup> and when those objections are based on “minority rights” or racism (as in the case with *The Adventures of Huckleberry Finn*) the line between other students’ rights to access the text and various students who could be offended by derogatory slurs is extremely difficult to navigate. Often acts of censorship go unnoticed by the public

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<sup>40</sup> Revelation 21:8. *King James Bible*, 2013. Web. 11 Mar. 2013.

<sup>41</sup> Coutts, Patsy, Cheryl L. Evans, Kirk Webster, Paul Haxton. “The Biggest Loser.” *National Social Science Proceedings*. 49.2 (2012): n. pag. Web. 22 Oct. 2012.

when implemented by the librarians or teachers that must decide what books to incorporate in their schools. This usually involves personal preferences making unconscious censorship inevitable. Librarian Sharon Coatney admits that “the hardest part of [being a librarian] is constantly keeping in balance all viewpoints [and] not pushing [her] own agenda, [but rather] remembering that the education of all the students is [her] top priority.”<sup>42</sup> Many teachers also find themselves employing self-censorship when creating their class curriculums for fear of challenges from the school administrators or from parents which could result in the loss of the teachers’ jobs.<sup>43</sup> Pressure from prominent Christian leaders involved in the community is also a major reason teachers “hesitate to use certain pieces of literature [in their classes because of] the power [some religious groups] have in the district’s school governing board.”<sup>44</sup> The religious dominance held by several of the members on the Cedarville Board of Education was a prominent factor in the decision to restrict the *Harry Potter* series.

Underlying the issue of censorship are concerns about the religious content of the novels. During the court case Mark Hodges, Jerry Shelly, and Gary Koonce, the three members of the Board that voted in favor of censorship of the *Harry Potter* series, attempted through their testimonials to confirm the negative antireligious influence the series has on the children who read it. Hodges, Shelly, and Koonce all testified that the books “teach about witchcraft [and that] witchcraft is a religion,”<sup>45</sup> but because only Hodges had actually read an entire *Harry Potter* book, their claims encompassed the

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<sup>42</sup> Coatney, Sharon. “Banned Books: A School Librarian’s Perspective.” *Time Magazine*. Time Magazine. 22 Sept. 2000. Web. 22 Oct. 2012.

<sup>43</sup> Noll, Elizabeth. “The Ripple Effect of Censorship: Silencing in the Classroom.” *The English Journal*. 83.8 (Dec. 1994): 59-64. Web. 22 Oct. 2012. 61

<sup>44</sup> Noll, 61

<sup>45</sup> Counts v. Cedarville School District

general theme of “witchcraft” used in the series rather than specific examples from the novels. The concerns expressed by those opposed to the *Harry Potter* series pertain to issues regarding the ability of parents to shield their children from another religion that may negatively influence their children’s Christian faith, and thus their virtues.

Many other church members around the country have expressed similar sentiments about the *Harry Potter* series. Berit Kjos, a Christian author, argues in her article, “Harry Potter Lures Kids to Witchcraft with Praise from Christian Leaders,” that even if the characters in the series have positive characteristics and the realm of the novel is fictional, the fact that it centers on magic and witchcraft ultimately teaches children to embrace paganism. Kjos states that although some people like Chuck Colson, the host of the Christian radio broadcast, “Breakpoint,” may point out that the characters in the series teach children that “courage, loyalty, and a willingness to sacrifice for one another—even at the risk of their lives” are admirable values, “according to the Bible, a brave person is no more free to pursue paganism than a coward.” Kjos also counters *World Magazine*’s statement that “the real world of witchcraft is not Harry Potter’s world. Neither attractive nor harmless, [the real world] is powerful and evil” by quoting the Bible passage from 2 Corinthians which says, “For Satan himself transforms himself into an angel of light. Therefore it is no great thing if his ministers also transform themselves into misters of righteousness.” In an article by Diane Dunne, Kjos is also quoted as saying that “there has been a paradigm shift from the social context that was the old biblical view [making it] tougher for children to evaluate good and evil or to resist such threats to their faith.” Kjos goes on to say that “the biblical God doesn’t fit into Potter’s world of wizards, witches, and other gods. The *Harry*

*Potter* series teaches an Earth-centered spirituality, the same religion as what the witch religions teach in the San Francisco area [and when] children are immersed in topics that make witchcraft very exciting, it can be confusing for them.”<sup>46</sup>

Based on the claims made by the Cedarville School Board as well as Kjos it is evident that they are interpreting the magical world of *Harry Potter* as a serious representation of a way of life rather than as a just a work of fiction which is leading them to understand the series as a promotion of paganism. If *Harry Potter* critics understand the terminology of the text as tantamount to the vocabulary used to describe witchcraft in the Bible, Deuteronomy 18:10-18:11 would influence their opinions of the witches and wizards in the series. The passage states, “There shall not be found among you any one that maketh his son or daughter pass through the fire, or that useth divination, or an observer of times, or an enchanter, or a witch, or a charmer, or a consulter with familiar spirits, or a wizard or a necromancer”<sup>47</sup> indicating the evilness of witches and wizards and as well as instilling the belief that it is a Christian parent’s duty to protect his/her children from becoming a witch or a wizard. Interpreting the text of *Harry Potter* with this passage in mind, the series’ wide influence on many children would cause parents to worry about not only if their children will be admitted into heaven, but also if they, themselves, will be admitted into heaven for letting their children “worship” or admire the wizard children in *Harry Potter*.

Continuing to understand the series as a model of immorality that opposes the honorable lifestyle that the Bible decrees, there are several parts of *Harry Potter* that

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<sup>46</sup> Qtd. in Dunne, Diane Weaver. “Look Out Harry Potter! Book Banning Heats Up.” *Education World*. Education World, 10 April 2000. Web. 3 Oct. 2012.

<sup>47</sup> Deuteronomy 18:10-18:11. *King James Bible Online*, 2013. Web. 11 Mar. 2013.

give substance to the claims that the books promote ideas deleterious to children's conduct as well as to the Christian faith. First, Angie Haney's (the woman who submitted the reconsideration request to the library committee) original complaint that the series teaches children to break the rules can be construed since Harry and his friends often find themselves breaking school rules in order to go on their wild, magic filled adventures. In the first book of the series, *Harry Potter and the Sorcerer's Stone*, Harry and his best friend, Ron, begin breaking school policies almost immediately after they begin classes at Hogwarts. Harry begins his rule breaking escapade by defying his flying instructor, Madam Hooch, by flying on his own without her supervision. Although Harry's justification for disobeying his teacher was to defend his classmate, Neville Longbottom, from the school bully, Draco Malfoy, Harry could have easily ignored Malfoy's taunts and let his teacher handle the situation. However, Harry's emotions override his sense of caution. Once Harry "defeats" Malfoy he is met with the cheers of his classmates. Interpreting this scene as an example of how the *Harry Potter* series intends for its readers to behave would indicate that the series aims to teach young readers that rule breakers are cool and are viewed as heroes rather than as troublemakers. This scene could also teach children that breaking the rules is sometimes acceptable if it is for the right reasons. However, "the right reason" is extremely subjective and could easily lead to injury or worse. The fact that even though Harry's insubordination was caught by Professor McGonagall, he was not punished further enforces the belief that breaking the rules is acceptable. Harry was rewarded for his disobedience by being placed on the Gryffindor Quidditch team, a position highly coveted by all students at Hogwarts. There are many other instances of insubordination

throughout the first novel including Harry and Ron's multiple middle of the night escapades to explore restricted areas of the school. Though the friends are always close to being caught by a teacher, they never actually get in trouble.

Understanding the scenes of the interactions between the character, Herminone Granger, and her peers as a promotion of corrupt behavior could lead to the interpretation that the text teaches children that breaking the rules gains peer acceptance and friends. In the beginning of the novel Hermione is the model student: she works hard, achieves top grades in all of her classes, and, almost obsessively, follows all of the school rules. However, Hermione has very few, if any, friends and constantly annoys Harry and Ron about how much trouble they will get in if they are caught breaking any rules. Throughout the first third of the book Harry and Ron are not at all shy about expressing how irritating they find Hermione. Ron even calls her a "nightmare" which explains why "no one can stand her [and why] she's got no friends".<sup>48</sup> However, the very first time Hermione breaks a school rule by telling a lie to the teachers about why she, Harry, and Ron had fought a troll that got into the school, Hermione instantly becomes close friends with the boys. Hermione "[becomes] a bit more relaxed about breaking rules...and she [is] much nicer for it"<sup>49</sup> after hanging out with Harry and Ron which could insinuate that people who do not follow all of the rules are more pleasant and therefore are able to acquire more friends.

Of course, the epitome of rule breaking in *Harry Potter and the Sorcerer's Stone* occurs when Harry, Ron, and Hermione set out in the middle of the night to defeat Lord Voldemort, the darkest wizard of all time. Not only do the three students break several

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<sup>48</sup> Rowling, J.K. *Harry Potter and the Sorcerer's Stone*. New York: Warner Bros., 1998. Print. 172

<sup>49</sup> Rowling, *Sorcerer's Stone*, 181

school rules by being out of their dorms late at night, using magic without supervision, and trying to fight powerful dark magic alone, they also put themselves in extreme danger that could result in their deaths. In the end, Harry and his friends do not receive any punishment, but are honored in front of the whole school for their bravery and conviction.

In addition to being construed as a text that teaches children that breaking the rules is acceptable, those against the series argue that *Harry Potter* also teaches children that non-magical people are boring, thereby encouraging students to follow paganism. Haney also claimed that the series makes children think that “parents are stupid or are something to be ignored” which could be a reflection on the way in which Harry’s muggle (non-magic) family, the Dursleys, is depicted in the novel.<sup>50</sup> Rowling’s initial description of the Dursleys portrays them as exceedingly dull: “Mr. and Mrs. Dursley were proud to say that they were perfectly normal [and] they were the last people you’d expect to be involved in anything strange or mysterious because they just didn’t hold with such nonsense”.<sup>51</sup> Not only are the Dursleys very average people, they are also very cruel to Harry because of Harry’s magical abilities. The Dursleys do everything they can to make Harry feel as insignificant and unwanted as possible by making him sleep in a tiny cupboard under the stairs, refusing to buy him any new clothes of his own, and treating him like a servant rather than as a family member. Harry’s horrible treatment makes his aunt, uncle, and cousin the initial villains of the novel (until they are later replaced by Voldemort). Harry’s cousin, Dudley, is also extremely slow witted and Harry’s aunt and uncle are not portrayed as much more intelligent. Making the

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<sup>50</sup> Grogan

<sup>51</sup> Rowling, *Sorcerer’s Stone*, 1

lives of normal humans seem unexciting and making the non-magical humans the enemy encourages children to wish that they lived the lives of witches and wizards. This could ultimately be construed as trying to convince children that magic and religions that believe in and use magic are much more fun than the normal everyday lives that regular humans live.

Apart from the novel itself, *Harry Potter* critics, like Kjos, view Rowling as a “pagan” because she “grew up loving the occult”<sup>52</sup> and has openly admitted to having a wavering Christian faith. Although Rowling is a practicing Christian and takes her children (all baptized) to church with her every Sunday, she stated in an interview that “[her faith] is something that [she] struggle[s] with a lot. On any given moment if [someone asked her] if [she] believe[s] in life after death [...she] think[s] [she] would come down on the side of yes [but] it’s something that [she] wrestle[s] with a lot”.<sup>53</sup> Rowling says that this wobbling of her faith is “very obvious within the books”<sup>54</sup> which could cause concerned Christian parents to wonder if Rowling’s unease could instilling that same uncertainty in their own children. At times in the series even Harry seems to consider converting to Voldemort’s side of darkness which could be indicative of Rowling’s own insecurity with Christianity.

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<sup>52</sup> Kjos

<sup>53</sup> Qtd in Adler, Shawn. “‘Harry Potter’ Author J.K. Rowling Opens Up About Books’ Christian Imagery.” *MTV News*. MTV, 17 Oct. 2007. Web. 22 Oct. 2012.

<sup>54</sup> Qtd. in Adler

## **Christianity in *Harry Potter***

Those critical of the *Harry Potter* series interpreted it as a serious threat to their children's virtuous Christian lifestyles through an understanding of the magical vocabulary in the text as parallel to the same terms used in the Bible. However, Rowling used biblical allegorical cues in order to entwine positive Christian themes throughout the series. In an interview with *MTV News*, Rowling states that she thought that "the religious parallels [in *Harry Potter*] have always been obvious, but [she] never wanted to talk too openly about it because [she] thought it might show people [...] where the [story] was going."<sup>55</sup> When reading the series parallel to the Bible the general plotline shows great similarities to the life of Jesus. Although Jesus's fame was established from birth due to his immaculate conception, Harry's fame also starts from a very young age due to his miraculous survival from death through the power of love. As Harry grows older he is hailed as "the chosen one"<sup>56</sup> and is given the responsibility of ridding the world of the most powerful dark wizard ever known. At the end of the seventh, and last, book of the series Harry is killed by the dark wizard, Voldemort, but is resurrected because he sacrificed himself out of love for his friends and family.

In chapter sixteen of the final book, *Harry Potter and the Deathly Hallows*, Rowling makes the biblical allusions in the series obvious by choosing to insert two quotes from the Bible on two headstones in a cemetery that Harry visits. The first verse reads, "The last enemy that shall be destroyed is death" which is from 1 Corinthians 15:26. In the Bible this is a section where Paul is speaking about Jesus's resurrection. The second verse reads, "Where your treasure is, there will your heart be also" which is

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<sup>55</sup> Qtd. in Adler

<sup>56</sup> Rowling, J.K. *Harry Potter and the Half Blood Prince*. New York: Pottermore Limited, 2012. 201

from Mathew 6:19. This quote is said by Jesus in the Bible. After Harry reads these quotes Hermione explains that the passages mean “living beyond death. Living after death” which is “one of the central foundations of resurrection theology.”<sup>57</sup> Rowling says that this quote is “the theme for the entries series”<sup>58</sup> because an important message Rowling wanted to impart on her readers is that “love is the most powerful thing of all.”<sup>59</sup>

*The Deathly Hallows* begins with two religious epigraphs: one pagan and the other Christian. Beginning the novel with a pagan quotation may seem like Rowling is promoting anti-Christian sentiment, but when placed with Penn’s quotation Rowling says that they “cue up the ending [of the novel] perfectly.”<sup>60</sup> The pagan epigraph by the playwright Aeschylus is from his play, *The Libation Bearers*, which is the second play in his trilogy, *Oresteia*. In *The Libation Bearers*, Agamemnon’s children, Electra and Orestes, seek revenge for their father’s death. The section of the play used as the epigraph to the seventh *Harry Potter* book reads:

Oh, the torment bred in the race,  
the grinding scream of death  
and the stroke that hits the vein,  
the hemorrhage none can staunch, the grief,  
the curse no man can bear.  
But there is a cure in the house,  
and not outside it, no,  
not from others but from *them*,  
their bloody strife. We sing to you,  
dark gods beneath the earth.

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<sup>57</sup> Adler

<sup>58</sup> Qtd. in Gibbs, Nancy. “J.K. Rowling.” *Time Magazine*. Time, Inc., 19 Dec. 2007. Web. 22 Oct. 2012.

<sup>59</sup> Winfrey, Oprah. “The Brilliant Mind Behind *Harry Potter*.” *Oprah Show*, Oprah Show, 1 Oct. 2010. Web. 22 Oct. 2012.

<sup>60</sup> Adler

Now hear, you blissful powers underground –  
answer the call, send help,  
Bless the children, give them triumph now. (xi)

The two protagonists of the *Harry Potter* series are linked by their desire for revenge: Voldemort tries throughout the novels to get revenge on Harry for surviving that first night in the first book and taking away his powers, while Harry tries to get revenge on Voldemort for killing his parents and many of his loved ones. The fact that this theme climaxes in the seventh and last book during which the reader anticipates that one of the two characters will succeed in his revenge makes this quotation from *The Libation Bearers* very appropriate. This quotation could be interpreted as Harry calling upon dark powers to aid him in his quest to conquer Voldemort which then could give Christian parents reason to believe that the novel wrongfully exposes children to the idea of calling upon dark magic to aid them in their tasks. However, in understanding the text through a literary interpretation, this passage was chosen as a representation of Voldemort and the evil wizards that Harry Potter fights against. The speaker of the quotation is mulling over the looming possibility of death and is calling upon the spirits of the underworld to “save the children” which, although could be literally interpreted as Harry, Ron, and Hermione, is probably referring to Voldemort since he is the closest of all the characters to death. With the destruction of the majority of his horcruxes, Voldemort has become increasingly vulnerable and must use as much of his dark magic as he can to keep himself alive and protected. If this epigraph is indeed about Voldemort, then it would be apt to juxtapose it with an epigraph about Harry and his friends.

The Christian epigraph is by William Penn, the founder of the province of Pennsylvania, from his work, *More Fruits of Solitude*. Unlike *The Libation Bearers*, this work does not have a plot, but is rather a collection of aphorisms. The passage that Rowling chose for her second epigraph reads:

Death is but crossing the world, as friends do the seas; they live in one another still. For they must needs be present, that love and live in that which is omnipresent. In this divine glass, they see face to face; and their converse is free, as well as pure. This is the comfort of friends, that though they may be said to die, yet their friendship and society are, in the best sense, ever present, because immortal.<sup>61</sup>

The quotation reminds the reader that although all people must die, the death of a loved one is comparable to the person “crossing the world, as friends do the seas,” meaning that friends who have passed will always be present and immortal in the hearts of the living that remember them.<sup>62</sup> This passage also relates to Rowling’s central message that “love wins...When a person dies, love isn’t turned off like a faucet. It is an amazingly resilient part of us.”<sup>63</sup>

In the section of the seventh book where Harry is killed, Harry’s spirit enters an ethereal train station which could indicate Rowling’s personal belief in a Christian heaven. The fact that Voldemort tries throughout the series to gain immortality while Harry willingly gives his life to save others illustrates the difference between pagan and Christian beliefs about the afterlife and ultimately, that in order to accept death one must understand that death does not mean absolute disappearance from the physical world.

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<sup>61</sup> Rowling, J.K. *Harry Potter and the Deathly Hallows*. New York: Scholastic, 2009. Print. xi

<sup>62</sup> Adler

<sup>63</sup> Winfrey

## Differences in Reading Practices among the Christian Community

While many Christians in the Cedarville community understood the series as a model of immorality and a promoter of paganism, many other Christian leaders used a literary lens to recognize the Christian themes in *Harry Potter* as well as to argue that the series is not anti-Christian. Chuck Colson, mentioned earlier as the radio host of the show *Breakpoint*, stated that he believed the magic in *Harry Potter* to be “purely mechanical, as opposed to occultic. That is, Harry and his friends cast spells, read crystal balls, and turn themselves into animals-but they don’t make contact with a supernatural world...[It’s] not the kind of real life witchcraft the Bible condemns.”<sup>64</sup> The disparity between Colson and other Christians in their belief of whether or not the witchcraft in *Harry Potter* is synonymous with the witchcraft in the Bible is caused by a difference in interpretation of the text. Colson differentiates evil “real life” magic from harmless “mechanical” magic by whether or not there is a connection with a “supernatural world” which shows that Colson does not identify the world of *Harry Potter* as supernatural. In the novel the realm where Hogwarts exists is separated from London, England by a secret entrance onto Platform 9 ¾, showing that the world of magic is not the same as nor is it accessible to the normal world, but is parallel to it. The fact that Colson does not view this separation of worlds as “supernatural” illustrates his literary reading of the series because he is able to distinguish between a fantastical world in a novel from the modern world. Religious critic, Berit Kjos, argued against Colson’s interpretation questioning where Harry’s magical powers come from if not

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<sup>64</sup> Qtd. in Kjos

from supernatural conditions,<sup>65</sup> but when understanding the text through a literary viewpoint the exact details of where and when a character gained magic powers is overlooked in lieu of larger themes presented in the novel. Colson's list of typical magical activities and his preference to focus on the world of *Harry Potter* illustrates this lack of concern for the details of why or how the students at Hogwarts can perform witchcraft and rather for how it is relevant to the plot.

World Magazine author, Roy Maynard, shares Colson's view that *Harry Potter* is not anti-Christian through his literary reading of the series. Maynard hailed *Harry Potter and the Sorcerer's Stone* as "a delight-with a surprising bit of depth...This is the realm of Gandalf and the Wizard of Id, not witchcraft. There is a fairy-tale order to it all in which, as Chesterton and Tolkien pointed out, magic must have rules, and good does not-cannot-mix with bad."<sup>66</sup> The literary interpretation Maynard uses when reading *Harry Potter* is evident from the way in which he likens the series to J.R.R. Tolkien's, *The Lord of the Rings*, and Brant Parker and Johnny Hart's comic strip. Maynard's use of the word "fairy-tale" shows his belief that the magic illustrated in *Harry Potter* is nothing like the magic referred to in the Bible, specifically because the magical world in *Harry Potter* contains a decisive line between good and evil which does not exist in reality.

In understanding the various ways in which *Harry Potter* can be understood as relating to Christianity, Shelly's testimony during the *Counts v. Cedarville* case stating that he "objected to the *Harry Potter* books because they 'teach witchcraft,' but if the books 'promoted Christianity' he would not object to them," emphasizes the way in

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<sup>65</sup> Kjos

<sup>66</sup> Qtd. in Kjos

which he and the rest of the Cedarville School Board interpreted the series. An issue during the case was the admittance that almost none of the Cedarville School Board members who voted for censoring the *Harry Potter* series had actually read any of the books, but the use of the term “read” here is problematic. In the context of the court case “read” meant that none of the Board members read the novel in a literary sense, such as examining for metaphors and themes. However, the members did in fact read the text as a serious functional influence on the Christian way of life. Whether or not the members could provide a literary and scholarly analysis of the novels is not important to the issue raised by the Cedarville Christian community. The fact that this group of people comprehends *Harry Potter* as more than a frivolous piece of literature was the reasoning behind their complaints. A disparity between reading the text as literature and reading the text as an influential model of immoral behavior was the main issue plaguing this case, but the unawareness of this type of “reading” complicated the discussion of the series between those for and against the novels.

## **Conclusion**

I want to clarify that I am not trying to discuss which reading of *Harry Potter*, as literature or as a serious lifestyle influence, is a more correct interpretation of the series. My aim is to bring awareness to the differences between these two ways of understanding the same text and to reveal the reasons behind the inability to have productive discussions about religiously challenged books. In disputes that center on religious debates such as the Danish cartoons incident or the Counts v. Cedarville case, it is common to focus on the clear divide between free speech and religious offense. However, the prevalence of the conversation concerning the constitutional and legal issues surrounding these events overpowers the issues of moral injury causing them to be frequently overlooked. The initial arguments over a text such as *Harry Potter* are caused primarily by differences in reading practices by the members of offended and defensive parties, leading to moral injury concerning the personal attachment one has with his/her religion as well as with one's lifestyle. In order to resolve disagreements involving the religious offenses of a text, solely examining the validity of the legalities surrounding the complaints is insufficient. The development of accurate vocabulary to describe reading practices outside of the most common literary reading must be addressed in order to comprehend the origins of the moral injuries sustained by the offended.

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