

June 11, 2018

Dear Colleagues,

I am writing to express my thanks to the FDGA for supporting my trip to Toronto this past week to deliver a paper at the Joint Annual Meeting of the Law and Society Association. This was an extremely opportune time to share my work and to network with colleagues, as my book *Lust on Trial: Censorship and the Rise of American Obscenity in the Age of Anthony Comstock* was just released in April.

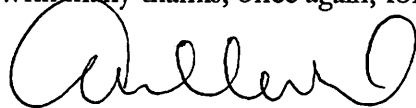
Since the time of my application, the title and focus of my paper changed a bit. Ultimately, I spoke on parallels between art censorship in the era of Comstock, and on social media today. My final title was: "Fool's Errand: Art Censorship and the #Resistance. Here are my final paragraphs:

In April this year, Monica Bickert, Facebook's head of global policy management suggested that they were sensitive to the complaint that their rules are limited, and happy to take context into account. "Users should make context and intentions clear to avoid having their posts taken down That's why we say if you're using, for instance, an ethnic slur to say 'we shouldn't be using this word' or 'this is something I heard somebody call someone today and I thought it was terrible,' make that clear in your post and we'll leave it on the site."¹ This statement suggests that they are willing to move a century beyond the *Hicklin* test to the *Miller* test, which takes into account the intention and value of the work as a whole. Without the benefits of historical study, they might as well call their project reinventing the wheel.

So, here's my proposal. If Facebook values context, historians have plenty. Why not, as Leah suggests, hire content moderators with expertise to review the "gray" posts that have them so confused? Add in some discussion of the history of censorship campaigns and their results to discussions about how best to solve these complicated problems. In short, stop thinking that what you are trying to solve is a math problem. At the very least, if social media censors study history, they will be moved to acknowledge to their many constituents and regulators what they can, and cannot hope to achieve.

In the next few weeks, I will submit a shorter version of my talk as an Op Ed.

With many thanks, once again, for your support,



Amy Werbel
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¹ <https://www.cnbc.com/2018/04/25/facebooks-monika-bickert-offensive-content-is-ok-if-context-is-clear.html>