

# BEWARE OF THIS GRINCH

By: Jack Greiner on March 29, 2021 on [graydon.law](https://graydon.law)

Dr. John Joyce, a Republican congressman from Pennsylvania, recently introduced the [\*\*“GRINCH Act.”\*\*](#) In this case “GRINCH” stands for “Guarding Readers Independence and Choice Act.” If enacted, the Act would deny federal funding to any “State or local educational agency that has in place any law or policy that prohibits the availability of books or other written materials to students, teachers, or schools within such State or local educational agency based on a determination that such books or materials contain offensive or outdated language or images.”

I have some problems with the Act. First, the obvious. How does he get “GRINCH” for the name of the Act? The title - “Guarding Readers Independence and Choice Act” - actually translates to “GRICA.” I realize I may be nitpicking here. But would it have killed him to line up the letters? How about “Guarding Readers Independence Notwithstanding Cancel Honchos”? I’m spit balling here, but I am confident my readers (looking at you Dan Donnellon and Dan Lally) could come up with something. Show some respect to Dr. Seuss for crying out loud.

Second, I assume the legislation was triggered by the [\*\*recent decision from Dr. Seuss Enterprises\*\*](#) to cease publication of six titles from Dr. Seuss that contained offensive stereotypes of other cultures. That decision was made voluntarily by the entity that publishes the works. According to Deborah Caldwell-Stone, the director of the American Library Association’s Office for Intellectual Freedom, Dr. Seuss Enterprises “have not made a call for libraries or schools to remove the books from collections.... Any author, or anyone publishing books, can make choices about what is out in the world.” So the legislation has nothing to do with what actually happened. As is often the case with stunt legislation, it is a solution in search of a problem. And really, if an author decides that its earlier work is offensive, why shouldn’t they stop publishing it? Does Dr. Joyce plan to ban erasers next?

Third, it’s not like anyone is cancelling Dr. Seuss. He wrote over 60 titles. If Dr. Seuss Enterprises chooses to stop publishing six titles, there are plenty more titles to choose from. Believe me, there is not a bigger fan of Dr. Seuss than me (see, e.g. <https://graydon.law/dr-seuss-gets-win-copyright-dispute/> and <https://graydon.law/in-a-major-victory-for-dr-seuss-the-ninth-circuit-court-rules-aga-inst-fair-use/>) but I’m really struggling to figure out the outrage here.

Fourth, I thought conservatives were adamantly opposed to the federal government telling local education boards what to do. Maybe not so much as it turns out.

And fifth, how is this supposed to work exactly? Let's face it, there are children's books that convey **inappropriate cultural stereotypes**. So if a school chooses alternative titles are they at risk of losing funding? If a group of parents insist that a particular book be included on a course reading list, but the school in its discretion opts not to use it, is the school at risk of losing its federal funding? Why? And if this legislation essentially forces a school to choose a title, that starts to sound like compelled speech, which violates the First Amendment.

I suspect this Act will die a natural death in Congress. Which would be an appropriate fate. And I don't think that would trouble Dr. Seuss in the least.