The Textbook Advisory Committee, appointed to evaluate the *Responding* series and recommend a resolution to the conflict, filed its final report on March 13, 1976. The official report vaguely declared that the books may be inappropriate for use in public schools but that the dispute was a complex issue with no simple answer that would be acceptable to all. The committee report offered two possible courses of action: Remove the *Responding* series entirely from the school system, or cease its use as the basic text while retaining it as supplemental reading. In addition to its "official" report, the Textbook Review Committee provided the board with an "unofficial" report, which made no pretense of objectivity. That report criticized *Responding* for encouraging disobedience, disrespect for authority, disrespect for God, and contempt for American institutions and the free enterprise system.

Perhaps on the basis of the Committee's "unofficial" report, the school board, at its next meeting, voted 5 to 2 to remove the *Responding* series entirely from the Washington County School System. A school bureaucracy had thus consummated a bookbanning, and a fundamentalist group had established permanent influence over the process of textbook selection in Washington County, Virginia.

ISLAND TREES v. PICO: A FIRST AMENDMENT VICTORY

In September 1975, in Long Island, New York, the seven members of the Island Trees School Board, including the board president, Richard Ahrens, attended a conference sponsored by a conservative organization called Parents of New York United (PONYU). The Island Trees board members heard a speech on the subject of controlling textbooks and library books in the public schools, and they obtained a list of books that PONYU opposed. At the top of the list was the heading "Objectionable Books," followed by thirty-three titles, along with excerpts from those books and editorial comments. Most of the excerpts concerned sex, but some of the editorial comments were political in nature. For example, one book was described as objectionable because it "equates Malcolm X, considered by many to be a traitor to this country, with the founding fathers of our country." ¹³

After the conference, when the board members returned to Island Trees, they decided to examine their own library's collections. On a night when the school was closed and the building empty, the board members entered the library. Steven Pico, the student who later led the opposition to the Island Trees censorship, recalls the episode:

Now please don't ask me why book banners feel more comfortable working during the night.... I guess they decided that is how censors should act. So, they had the janitor unlock the library, proceeded to go through

the card catalog, and found that our district had eleven of the books on that list. 14

Several weeks later, at its February 1976 meeting, the board ordered the principals of the junior and senior high schools to immediately remove all copies of the eleven books: *The Fixer*, by Bernard Malamud; *Slaughterhouse-Five*, by Kurt Vonnegut; *The Naked Ape*, by Desmond Morris; *Down These Mean Streets*, by Piri Thomas; *Best Short Stories by Negro Writers*, edited by Langston Hughes; *Go Ask Alice*, anonymous; *A Hero Ain't Nothin' but a Sandwich*, by Alice Childress; *Black Boy*, by Richard Wright; *Laughing Boy*, by Oliver LaFarge; *Soul on Ice*, by Eldridge Cleaver; and *A Reader for Writers*, edited by Jerome Archer. At that time, Malamud's *The Fixer* was not only in the library but was assigned reading in a senior literature course in the Island Trees district.

When the Superintendent of Schools Richard Morrow discovered what had been done, he publicly objected and wrote a memo to the board stating his opposition to banning the books on the basis of a list from an unknown source and with no criteria specified. "[W]e already have a policy," said Morrow, "designed expressly to handle such problems. It calls for the superintendent, upon receiving an objection to a book or books, to appoint a committee to study them and make recommendations. I feel it is a good policy—and it is board policy—and that it should be followed in this instance." The board responded to the superintendent's memo by repeating its directive that "all copies of the library books in question be removed from the libraries to the Board's office" [emphasis in original]. 15

In March 1976, the board agreed to form a Book Review Committee consisting of four Island Trees parents and four school staff members, to be appointed jointly by the superintendent and the board. The committee was to read the books in question and make recommendations to the board concerning their educational suitability, good taste, appropriateness, and relevance. The board then held a public meeting on the book dispute, at which it distributed copies of excepts from the offending books. Superintendent Morrow once again expressed his concern in writing, saying it was wrong for the board or any other group to remove books without following established procedure and without considering the views of the parents whose children read the books and the teachers who use them. He also said it was wrong to judge any book on the basis of brief excerpts taken out of context and from a list prepared by someone outside the Island Trees community. Morrow recommended that, pending review by a committee, the challenged books should be returned to the shelves.

In July, the Review Committee made its final report to the board, recommending that five of the listed books be retained and that two others

be removed from the school libraries. As for the remaining four books, the committee could not agree on two, took no position on one, and recommended that the last book be made available to students only with parental approval. The Board overruled the committee's report, deciding that only one book (*Laughing Boy*) should be returned to the high school library without restriction, that another (*Black Boy*) should be made available subject to parental approval, but that the remaining nine books should be removed from elementary and secondary libraries and from use in the curriculum. The board gave no reasons for rejecting the recommendations of the committee that it had appointed, nor did it justify its disregard for the concerns of School Superintendent Morrow. Within a year, Morrow had left the school district, replaced by an administrator from California with ties to former Governor Ronald Reagan's administration. The head librarian in the Island Trees schools, who like the superintendent had opposed the book removals, was demoted and transferred to a small elementary school.

The Island Trees book dispute attracted considerable news coverage. The fact that two of the school board members were running for reelection further heightened tensions. So began a seven-year First Amendment struggle, during which the books remained banned from the library shelves. When the controversy reached the media and the community at large, the board issued a press release explaining that while at the PONYU conference, they had learned of books in schools throughout the country that were "anti-American, anti-Christian, anti Sem[i]tic, and just plain filthy." The board said that after finding some of those books in their own libraries, they verified that they contained "obscenities, blasphemies, brutality, and perversion beyond description." The press release concluded: "[I]t is our duty, our moral obligation, to protect the children in our schools from this moral danger as surely as from physical and medical dangers." ¹⁶

Students at the high school and junior high school, led by seventeen-year-old Steven Pico, sued the board in U.S. District Court, claiming a denial of their First Amendment rights. The plaintiff in *Island Trees* v. *Pico* (see Chapter 2) was an Island Trees student who recently recalled this epic legal conflict in a speech before the Missouri Association of School Librarians. Pico said he remembered quite clearly his first reaction to the book banning:

I could not believe the hypocracy of the censorship of books in the United States. In school, year after year, I had been told how books were banned in communist countries and burned in Nazi Germany. I could not believe that it was happening in the United States in the 1970s.... I found it hard to believe that students didn't care and that every single teacher remained silent. For the first time in my life I felt that I understood what happened

during the McCarthy era. After twelve years of schooling, my education had in many ways finally begun. 17

Steven Pico told the assembled librarians that the events in Island Trees were not unusual, but in fact represented the norm in schools around the nation. He noted that in this case, as in many other censorship incidents, the books had not been read by the censors and were praised by educators and reviewers. In the Island Trees case, two of the books were Pulitzer Prize winners, yet the opinions of professionals were ignored, the attitudes of students were never sought, and those who defended the books were ostracized.

Before initiating his suit, Pico conferred with representatives of the American Library Association, but realizing that he needed the support of a group with the resources to sustain protracted litigation, he turned to the American Civil Liberties Union. Pico's attorneys began by taking depositions from the school board members to establish a record of their objections to each book. The board members claimed that *The Fixer* was anti-Semitic because derogatory terms were used to describe Jews. Yet the book was written by a Jewish author who was simply describing the persecution of Jews. The board gave two reasons for banning *A Hero Ain't Nothin' but a Sandwich*: First, because "ain't" appears in the title; and second, because George Washington was identified as a slaveholder. *A Reader for Writers* was banned because, among selections like the Declaration of Independence and President John F. Kennedy's inaugural address, the editors included a satirical essay by Jonathan Swift. The bookbanners said *Go Ask Alice* glorified sex and drugs, though it was simply a moving account of the horrors of drug addiction.

The district court found in favor of the school board, but the students appealed to the U.S. Court of Appeals, which reversed the decision and remanded the case back to the district court for trial. The school board then appealed to the U.S. Supreme Court which granted a review in 1982. Pico and his fellow students asked the Court for a declaration that the board's actions were unconstitutional and that it should return the nine books to the school libraries and refrain from interfering with their use in the schools' curricula.

By the time the case reached the Supreme Court, the school board was no longer claiming that they had banned the books because they were anti-American and antireligious. Now they simply said the books were "vulgar." But one of these books, *A Reader for Writers*, contained no vulgarity at all. When the school board attorney appeared before the Supreme Court, Justice Stevens asked him why *A Reader for Writers* was banned, because it contained no vulgarity. The attorney answered that the board considered the book to be in bad taste. An incredulous Justice

Stevens then asked whether "bad taste" was really an appropriate basis on which to ban books in the United States.

The Supreme Court ruled 5-4 in favor of Pico and his fellow students, but Pico says they won by the skin of their teeth. The case came to the most conservative court in sixty years at a time when the Reagan administration and groups like Moral Majority were fueling antiintellectualism. Asking that Court to recognize a First Amendment "right to know," which had no firm history in constitutional law, was risky business. (For an in-depth discussion of the legal implications of this case, see Chapter 2.)

The Supreme Court decided that the case should have been tried to determine the board's motivation in banning the books, and so the case was remanded for trial. The Island Trees School Board considered their options, and then, rather than go to a trial that they might lose, they voted to return all the disputed books to the library shelves to be used without restriction

Stephen Pico believes that since that decision school officials have been reluctant to have their motives examined at trial and scrutinized in the press. They are also less willing or able to justify to taxpayers the hundreds of thousands of dollars in legal fees which would be necessary to ban a library book. But Pico remains disappointed at the passive community response to the bookbanning:

Not one parent in Island Trees ever complained about these eleven books. Not one teacher, not one student, ever objected to these books. A group of activists from around the country ... succeeded in keeping these books off the shelves for seven years.... I do look back now and then and recall how it felt to be called a "communist" in public because I was defending the right to read a book. That's sad and ironic, but I can easily brush it off. What I shall never forget is the silence of my teachers during the book banning. Only one of my teachers ever commented to me about the book banning....

Onedayafter class she whispered to me, "Steve, you're doing the right thing." I will never be able to forget that she felt the need to whisper. 18

CONFLICT AND COMPROMISE IN PRINCE GEORGE'S COUNTY

In September 1977, the rumbling of an approaching censorship storm could be heard in Maryland's Prince George's County when County Executive Winfield Kelly received a letter complaining about a book, Our Bodies, Ourselves, that was owned by the local public library. The letter was signed by C. Paul, a member of the Coalition for Children, a local religious group headed by Beth Trotto. Ms. Paul claimed that the book