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CONFESSIONS OF AN ACCUSED PORNOGRAPHER*

GLORIA PIPKIN**

As a middle school English teacher in Northwest Florida and chairwoman of a department recognized as one of 150 Centers of Excellence in the entire country,¹ I sat among the audience at a school board meeting and heard a prominent member of the community—a former school board member for sixteen years—urge that I be fired for exposing junior high kids to what he had called on other public occasions “filthy little books.” This time he called them “a form of pornography.” He stated, “If they [teachers] want to sell pornographic material, then let them go out into the public life and do so And if they want to sell that, then there are laws that prohibit the distribution to young people.”²

In an open letter to more than 700 families within our school district, our critic warned of the content of the books we were reading, noting that some of these books “READ LIKE ‘PLAYBOY’ and ‘PENTHOUSE.’”³ A few days later he ran a half-page ad in the local newspaper, with excerpts from three books we read at our school. The headline of the ad was “Your Child’s Textbooks/Have You Read Them?”⁴ A coupon invited readers to write in and protest the “obscene language and explicit sexual descriptions being used in the Bay County Classrooms.”

Several petitioners appended comments to the coupons. “From the description I heard of Ms. Pipkin’s attire at a recent school board meeting I can only assume that this type of reading material stimulates her in some manner,” one respondent noted.

Others wrote:

“I strongly recommend that Gloria Pipkin be fired from the school system for contributing to the delinquency and moral decay”

* This article was adapted from a speech given at The Sex Panic: A Conference on Women, Censorship, and “Pornography,” May 7-8, 1993. An earlier version of this article appeared in ARIZ. ENG. BULL., Fall 1994. Reprinted with permission. Annotating footnotes have been added by the editors.

** English teacher and anti-censorship activist.

1. Letter from John C. Maxwell, Executive Director, National Council of Teachers of English, to Gloria Pipkin and Addie Fuller Adams (Nov. 22, 1985) (naming the author’s school as a Center of Excellence in English Language Arts) (on file with the *New York Law School Law Review*).

2. See Peter Carlson, *A Chilling Case of Censorship*, WASH. POST, Jan. 4, 1987, Magazine, at 10, 40.

3. Letter from Charles E. Collins to parents of children in the Bay County, Florida, School System (May 22, 1986) (on file with the *New York Law School Law Review*).

4. See Advertisement, PANAMA CITY NEWS HERALD, June 7, 1986, at 11A.

"These teachers are fortunate they are living in this era. 60 years ago they would have left town on a rail."

"We are opposed to the libertinish behavior and beliefs of Pitkin [sic] & other teachers who would degrade our young people."

"I am not for censorship but we are talking quality control. If we can't show the children (students) good language habits, we may as well hire cheap, foul-mouthed teachers."

Although contemporary literature became the primary focus of the public debate in our community, our pedagogy was also at issue. As a result of the latest research on language learning, our classrooms had become much more student-centered, with emphasis on students assuming more responsibility for their own learning. Rather than seeing children as empty vessels to be filled by teachers with received wisdom, we viewed them as constructors of their own meanings. In practice, this meant that students were now responsible for choosing many of their own books, and their own topics, modes, forms, and audience for their writing. Each classroom became a self-determined "community of learners," in which parents were invited to participate freely. Many parents welcomed the changes, but a few objected to what they viewed as vestiges of John Dewey's progressivism and secular humanism.⁵

Although the school board took no overt action against the teachers involved, the pressure to censure us and to remove a host of books continued. During the next few months, two other teachers and I received threatening phone calls and even a death threat that began with a quote from the book of Isaiah: "Woe unto you who call evil good and good evil, who put darkness for light and light for darkness, who put bitter for sweet, for they have revoked the law of the Lord."⁶ Almost daily, we were excoriated (and occasionally defended) in letters to the editor of the local newspaper.⁷

What kind of books were we using that provoked such a reaction? What was the nature of the "pornography" we were accused of purveying?

5. See Carlson, *supra* note 2, at 15, 16. For an excellent discussion of the New Right's hostility to secular humanism and progressivism, and its attempt to label them as religions that public schools unconstitutionally promote, see Martha M. McCarthy, *Secular Humanism and Education*, 19 J.L. & EDUC. 467 (1990).

6. Carlson, *supra* note 2, at 10. The quotation is from *Isaiah* 5:20.

7. See, e.g., Shirley Hoyle, *Obscene Books*, PANAMA CITY NEWS HERALD, June 12, 1986, at 6A (letter to the editor) ("Pipkin must be smoking the pipe if she thinks this is acceptable reading material."); Billie W. Harper, *Controversial Books*, PANAMA CITY NEWS HERALD, June 26, 1986, at 6A (letter to the editor) (arguing that the teachers' decision to focus on controversial books rather than the fundamentals is a failure to comply with state law); Tracy Gargus, *Morality and Education*, PANAMA CITY NEWS HERALD, June 23, 1986, at 6A (letter to the editor) (arguing that censorship should not shield students from factual material just because it is "offensive" to censors).

The book that came to symbolize the entire conflict, Robert Cormier's *I Am the Cheese*, tells the story of a family forced into the federal witness-protection program and ultimately betrayed by the government agent assigned to protect them. An American Library Association "Best Book for Young Adults,"⁸ *I Am the Cheese* received similar distinctions from the *New York Times*⁹ and the *School Library Journal*.¹⁰ Despite these accolades, parents of a seventh-grader filed a formal complaint against *I Am the Cheese*, citing vulgar language (five words, including *damn*, *shit*, *hell*, and *fart*) and three "inappropriate sexual references," which included the fourteen-year-old protagonist's recollection of his girlfriend's breasts as "large" and "wonderful," and of an exciting kiss in which their tongues touched. The passages cited also included a reference to a Kotex display in a grocery store.¹¹ To the complainant, these references were not appropriate for twelve-year-olds in advanced classes.

Because of the controversy surrounding *I Am the Cheese*, our principal requested that we require written parental permission for its study. Nearly all of the parents responded, and ninety-one of ninety-five granted permission for their children to read this highly acclaimed novel. In accordance with our longstanding written policy of providing alternative selections, children of the four parents who said "no" would have been given other choices and procedures for study, but the school superintendent removed the book from use altogether,¹² despite a review committee's recommendation that it remain in the curriculum.

When I attempted to appeal the superintendent's decision to the school board, the official response revealed another major theme that would appear again and again throughout the conflict: zealous support for Authority. Although I had followed all the required procedures for addressing the school board, they didn't want to hear me at all. The chairman demanded to know whether I was approaching the board as a citizen or as a teacher. When I replied that I had difficulty separating

8. See YOUNG ADULT SERVICES DIVISION, AM. LIBR. ASS'N, BEST BOOKS FOR YOUNG ADULTS—1977 (1978).

9. See *Children's Books: Outstanding Books of the Year*, N.Y. TIMES, Nov. 13, 1977, § 7 (Book Review), at 50.

10. See SCHOOL LIBRARY JOURNAL, May 15, 1977.

11. See Carlson, *supra* note 2, at 14 (quoting ROBERT CORMIER, *I AM THE CHEESE* 56, 54, 59 (Dell Books 1991) (1977)).

12. See Memorandum from Leonard Hall, Bay County School Superintendent, to Gloria Pipkin (June 5, 1986) (on file with the *New York Law School Law Review*) ("[A]t no time has the administrative staff and [sic] the Superintendent recommended this book for use in the district, nor has the School Board adopted the book Because of this, it may not be used in the Bay County schools and it becomes unnecessary for me to make [further] determination[s]."); see also Carlson, *supra* note 2, at 15.

those roles, he said, "No, ma'am. You have been told by the principal of your school that this reading material has been rejected. [The superintendent] has concurred with it. And you . . . are supposed to be following the edicts of the boss."¹³ Apparently, the specter of defiant women (all eleven teachers in the English department were women) challenging the prerogatives of male administrators inflamed our critics even more than did the sex-related passages of the book.

In a similar vein, the principal's written rejection of *I Am the Cheese* included his fear that the book would encourage children to defy authority.¹⁴ The superintendent also expressed concern that the book would undermine the authority of government. "You know what happens at the end?" he asked a reporter. "The mother and father are exterminated by the United States government. What does that tell you? I mean, do you ever trust government again?"¹⁵

The father of the student on whose behalf the challenges were filed also accused teachers of undermining parental authority. In an interview with a reporter from the *Tampa Tribune*, the father asked, "You take a kid who already has rebellious thoughts and teach him independent thought and what do you get?"¹⁶ As evidence of teachers' efforts to turn children against their parents, the mother of the student cited a poem written by her daughter in English class, entitled *10 Ways to Fight With and Irritate My Mom*. The poem read in part:

I could give her the "silent treatment" but she'd probably beat the words out of me
Talk back and I'd get on restrictions.
Disobey and I'd stay on restrictions.
Finally, I just ignore her and guess what! She leaves me alone.¹⁷

In reacting to what they perceived as an all-out assault on their authority and values, these parents objected not only to specific novels used for whole-class reading but also to the existence of classroom libraries, which consisted of large collections of mostly paperback books available for independent and small-group reading. The mother who challenged *I Am the Cheese* complained to a *Washington Post* reporter that

13. Carlson, *supra* note 2, at 40.

14. *See id.* at 17.

15. *Id.* at 15.

16. Andrea Peyser, *Battles Over Book-Bans Getting Dirty*, TAMPA TRIB., May 17, 1987, at 10B.

17. *Id.*

our classrooms looked like "B. Dalton with desks."¹⁸ She went on to say that she didn't allow her children to go to the theater and choose what movies they wanted to see, and she didn't want the school giving them similar choices with books.¹⁹

In response to the controversy surrounding *I Am the Cheese* and classroom libraries, the school board developed a policy governing the selection and review of instructional materials other than state-approved textbooks. One of the selection criteria introduced by the superintendent required that all materials be free of "vulgar, obscene, or sexually explicit" content.²⁰ But when, at a public hearing on the proposed policy, a Florida State University professor read a lengthy list of classics that such a provision would eliminate from study in the schools, the board approved an amendment that allowed books whose literary merit outweighed their other attributes.

As a result of the adoption of the new policy on book selection, the superintendent and school board were required to review hundreds of books that had been in use for years. To facilitate this process, the superintendent instituted a bizarre system that required high school English teachers to categorize their selections. Category I books were pristine, that is, free of any vulgar or sexually explicit material. Category II books were those that contained "a sprinkling" of such references, and Category III was reserved for materials with "a lot" of vulgarity or sexual references. Teachers at two of the high schools were further instructed to append page numbers of all potentially objectionable passages. Teachers at the third high school were somehow not given this directive, and the superintendent responded by placing all of their books in Category III. All told sixty-four novels and plays were placed in Category III, which meant, according to the superintendent, that these works could not be studied by whole classes. Parents who wanted their children to read the books independently could apply to the teacher in writing, but the books could not be discussed in class. Titles restricted in this manner included *Hamlet*, *The Red Badge of Courage*, *The Scarlet Letter*, *The Autobiography of Benjamin Franklin*, and many other classics.

Shortly after this classification scheme was announced by the superintendent, forty-four parents, students, and teachers filed suit in federal district court against the school board, superintendent, and principal of my school, on the grounds that they had acted to remove

18. Carlson, *supra* note 2, at 13.

19. *See id.* at 13.

20. *See id.* at 16.

books from the system for constitutionally impermissible reasons.²¹ One day after the lawsuit was filed, the school board voted to overturn the superintendent's recommendations and approve the sixty-four classics, but three previously restricted Young Adult novels—*I Am the Cheese*, *About David* by Susan Beth Pfeffer, and *Never Cry Wolf* by Farley Mowat—remained banned altogether.

More than five years after the complaint was filed, plaintiffs reached an out-of-court settlement with the school board, which restored all books and secured many favorable amendments to the materials selection and review policy.

Although the furor has abated and the case is now officially closed, the experience continues to have a chilling effect on education in our school district. The school board policy for getting new books into the system and for challenging those already in use remains a lengthy and cumbersome document, running more than thirteen pages.²² Even the personnel in the school district who are charged with administering it repeatedly have given misinformation to teachers inquiring about its provisions. The response of teachers in general has been to avoid the policy altogether by sticking with safely sanitized, state-adopted textbooks; choosing the blandest books possible, those calculated to offend no one; or, in the case of a brave few, ignoring the policy and living in fear of being discovered. The message has gone out from this school district that only state-sanctioned ideas are welcome in its classrooms.

Several parallels exist between our case and the efforts of the anti-pornography crusaders whom this conference was organized to counter. The most obvious connection is that both groups want to restrict sexual expression. As Connie Samaras,²³ Judy Blume,²⁴ and Debra Haffner²⁵ have so brilliantly articulated, these elements in our society would deny children's sexuality altogether and leave them with only the message that, as Debra Haffner put it, "Sex is dirty—save it for someone you love."²⁶

Although these censorious campaigns are advanced in the guise of protecting those who are portrayed as weak, defenseless victims, an

21. See Malcolm Jones, *In Defense of the Freedom to Read*, ST. PETERSBURG TIMES, Sept. 13, 1987, Book Review, at 7D.

22. See Bay County, Florida, School Board Policy §§ 8.208 to 8.210 (1991).

23. See Connie Samaras, *Feminism, Photography, Censorship, and Sexually Transgressive Imagery*, 38 N.Y.L. SCH. L. REV. 75 (1993).

24. See Judy Blume, *Is Puberty A Dirty Word?*, 38 N.Y.L. SCH. L. REV. 37 (1993).

25. See Debra Haffner, *Sexuality Education: Issues for the 1990's*, 38 N.Y. L. SCH. L. REV. 45 (1993).

26. *Id.* at 51 (referring to Sol Gordon's identification of America's attitude toward sex).

analysis of whose interests are actually served will indicate that, whether the targets are women or children, the real goal is control. And it isn't just sexually related expression that the Far Right wants to ban from schools, but a host of other ideas they deem offensive or depressing as well. At one point in the early stages of our local battle, I was summoned to a meeting with the school superintendent, the school board member from our district, and the president of the local ministerial association, who presented me with a list of more than a dozen topics that his group considered off-limits for school discussion. Among the topics he sought to exclude were teen suicide, drug use, and child abuse, in addition to premarital sex.

Just as repressive parents fight to retain control of their children's sexuality, so will they seek authority over their children's minds. The mission of the schools, as our critics see it, is to reproduce an idealized version of the dominant culture rather than to critique it in any way. They want their own values inculcated (the root of which means "grind in with the heel"), which necessarily entails carefully controlling the content of reading and writing in schools. In the new methods and approaches we were implementing within our department, they correctly saw a threat to that control. Children who are kept busy underlining subjects and predicates aren't likely to generate or encounter actual ideas that have real-world consequences. Even literature, always in danger of impacting impressionable youth, can be stripped of power if it is treated as a body of knowledge to be dissected and tested. Endless symbol-hunting and spoon-feeding of approved themes will trivialize even the greatest works of art and render them harmless to the status quo. As traditional methods and materials, which typically involve students in decontextualized drill and practice and leave little time for actual authorship, gave way to real reading and writing within our school, parental protests increased.

Alternative visions or minority voices are not welcome in this climate, as evidenced by a letter from a grandparent to the principal of my school early in our conflict:

The depressing books about disturbing events in the home, ugly remarks, family quarreling, divorce, death, dying, suicide, domestic violence and mental illness lead young adults to believe the gigantic falsehood that these evils are typical, normal or common to most homes. This is a time of stress, but it is no justification for scaring the overwhelming majority of students who come from normal homes where parents observe standards of morality and courtesy and do not indulge in violence or abuse their own family members.

Our . . . students have the right to be inspired and encouraged by classroom literature—not depressed or disturbed. One of our most urgent tasks is to provide literature that teaches

the greatness of America and our Constitution, and that ours is a land of freedom and opportunity for those who learn, work and persevere.²⁷

Another similarity between the attacks on freedom of thought and expression we experienced here and the campaigns to link pornography and violence against women is that both have resorted to legalistic/bureaucratic means to accomplish their purposes. In both cases, a system of policies, ordinances, and implementing procedures becomes a means by which struggles over real ideas are avoided. The great value of a written policy (the longer the better) to the bureaucratic mind is that it provides a vast system of excuses for those who cannot conceive of ideas, unmediated by policy, as important. As my friend and lawyer Michel Stone recently reflected:

[I]t was almost startling to me how quickly and unexaminedly the assumption that a written policy was needed was inserted into and dominated the discussion. Not only does the challenge procedure deliver a blueprint for the legal removal of books, but its mere existence suggests that the removal of a book is an option that ought to be exercised from time to time. This is clearly a giant step backward, since it is not at all clear (much less obvious) that the removal of any books is ever a good idea.²⁸

Although the conventional wisdom favors the implementation of policies to govern the adoption and review of instructional materials, our experience has highlighted some very real dangers. In lieu of such a policy, or its MacKinnon-Dworkinesque legal equivalent, I would substitute the age-old prescription for any excess of free speech: more free speech. Whenever citizens disagree about the nature or content of expression in a free society, whether within the schools or in society at large, why not convene an open forum in which government's only function is to ensure that all parties have equal access and opportunity to be heard? After a full, free, and fair hearing, the matter would then be resolved in a truly American way—with individuals or families deciding for themselves what they wish to read, view, say, think, and know. To those who fear that such pluralism would be unmanageable within the classroom, I say that diversity must be sought and accommodated rather than avoided and squelched. For more than a decade now, teachers and

27. Letter from Marian Collins to Joel Creel (Feb. 3, 1986) (on file with the *New York Law School Law Review*).

28. Electronic mail from Michel Stone to Gloria Pipkin (Aug. 1993) (on file with author).

researchers across the country have been devising and modifying structures, such as workshop teaching, that foster individual choices. The old model of everyone in the classroom reading the same text at the same time need not dominate our thinking any longer.

One of the greatest challenges we face in our multicultural society is, as Michael Ignatieff put it, finding "language adequate to the times we live in,"²⁹ and I do not believe that it will ever be found in the byzantine mazes of bureaucratic policy. Once we realize, as all intellectual freedom fighters eventually must, that free expression is not a gift of the gods, that the fight is never over and the victories never final, then we can see that the existence of any written policy or ordinance that would select, challenge, or control the ideas and images available within a society merely adds a layer of legality/bureaucracy that, by its nature, opposes learning's desire to be free.

29. MICHAEL IGNATIEFF, *THE NEEDS OF STRANGERS* 141 (1984).

