

— BOOK II —

# HASTE AND WASTE: THE BOOK OF THE TOILETTE

## Yet More Words to the Wise

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The U.S. Supreme Court first confronted the issue of indecent speech in the 1971 case of *Cohen v. California*. Paul Cohen was convicted and sentenced to 30 days in jail for wearing in a courthouse corridor a jacket which on its back said “FUCK THE DRAFT!” The court reversed Cohen’s conviction, finding his speech protected by the First Amendment. Writing for the court, Justice Harlan noted that “One man’s vulgarity is another man’s lyric,” suggesting that the First amendment protects not just the intellectual content of speech but the emotive content as well. In 1978, the Court refined its ruling further:

WASHINGTON (UPI)—The Supreme Court Monday upheld, 5-4, a ban against airing seven “filthy” words when children might be listening. The broadcast industry called it “a harsh blow to freedom of expression of every person in this country.” Justice John Paul Stevens’ opinion rested on the unique characteristics of broadcasting: Society’s right to protect children from “inappropriate speech” and the right of unwilling adults not to be assaulted with offensive speech. Justices Potter Stewart, William Brennan, Byron White and Thurgood Marshall dissented on the ground that Congress intended to prohibit obscene speech—not words deemed merely “indecent.” The words involved were cocksucker, cunt, fuck, motherfucker, piss, shit, and tit. (July 3, 1978)



When people read the story of the Supreme Court decision in their newspapers, they found something missing—the words. Most editors apparently were terrified of putting them into print.