
Yankee Go Home: A Critique of America's Semantic Transformation

Jeffrey S Kinsler Assistant Professor of Law, Marquette University, Milwaukee, Wisconsin.*

Introduction

It is said that Australia is destined to make the same mistakes as America, just ten years later. The historical support for this adage is debatable but one thing is certain: Australia is on the verge of making the same mistake with respect to political correctness ('PC') that America made less than a decade ago. Since being forced upon America's campuses in the late 1980s, PC has had a detrimental impact on all facets of university and law school education, including classroom presentation, the selection of textbooks and other materials, scholarship,¹ the hiring of faculty, participation in student organisations and, most of all, academic debate. Fortunately, Australia does not have to suffer such adversity, as it is still in a position to thwart PC before it takes hold. This article, accordingly, implores Australian universities to reject the importation of PC. If it acts quickly, Australia can avoid America's mistake.

During the past few months PC has fallen into disfavour in the United States, undergoing attacks from both conservatives and liberals.² Considering such attacks, it is surprising to learn that Australian universities (and especially law schools) are in the initial stages of embracing PC. PC is a blossoming movement in Australia, one which is destined to take hold absent immediate intervention. Australian universities are beginning to struggle with PC, something their American counterparts did five years ago. Faculty members of Australian universities and law schools are advocating the adoption of American-style speech codes that are meant to replace entire portions of the English language with a new Orwellian type vocabulary. Their goal is to sensitize language by removing all biases and prejudices, both real and imagined.³ Such efforts proved futile and dangerous in America, and are sure to be repeated in Australia. Like other unsuccessful imports — such as rabbits, foxes and cane toads — PC is primed to wreak havoc on Australia. But unlike those other unwanted visitors, there is still time to avert PC.

This article will demonstrate the ineffectiveness and danger of PC, not to mention the fact that PC has become a lethal weapon against social change. It will also show that PC has outlived its purpose and, more importantly, may have done more harm than good to the noble causes of its founders. Rest assured, this review does not attack the noble goals of the PC movement, most of which are beyond reproach. The founders of PC are, without question, some of the world's leading scholars. It is just that their efforts have been misguided. According to one PC advocate, '[e]ven the most well-meaning can err in the

* Fulbright Fellow, Faculty of Law, University of Queensland (1995). This essay is the second in a series of articles I am writing on the topic of political correctness.

1 For instance, there is now evidence that many of the leading law journals in the United States will only publish articles that are politically correct: K Myers, 'David Letterman, Watch Out: Professor Issues Top Ten of PC', *The National Law Journal*, March 13, 1995, 2.

2 See eg, W A Henry III, *In Defense of Elitism* (New York: Doubleday, 1994); H Bloom, *The Western Canon: The Books and School of the Ages* (New York: Harcourt Brace, 1994).

3 Even 'Auslan', the Australian sign language for the deaf, has been attacked on grounds of bias and prejudice: A Crawford, 'Australia: Signs of the Times', *Sunday Age*, September 11, 1994.

mission of good, worsen[ing] conditions they seek to reform'.⁴ From its inception, PC has been ridiculed by the conservative right and others opposed to social change. This was to be expected. But when liberals, who were its mainstay for the better part of a decade, lose faith in PC, then the time has come to reconsider the merits of the movement.

This paper will illustrate the flaws of PC, at least in the realm of linguistics. These flaws, some inherent in a semantic crusade and others politically motivated, have clearly outstripped the utility of PC. This review will examine each of these flaws and show that PC language was not only doomed from inception but has devalued university education throughout the world. The following are a few theories which may help explain why PC language has had very little positive impact on America's campuses and hence should not be imported into Australia. These are only theories, none of which is supported by more than anecdotal evidence. But these theories do help frame the debate over whether PC should be embraced by Australia's colleges and law schools.⁵

1. Definition of political correctness

What is political correctness? The answer to this question depends not only upon whom you ask but when you ask it. Everyone defines PC to suit his or her own purpose. The term 'political correctness' first gained usage in America among those on the left who hoped to redress the casual stigmatization of women and minorities.⁶ It was designed to raise society's consciousness about parts of the vocabulary that are saturated with implicit racism and sexism.⁷ According to its advocates, PC 'refers to a web of interconnected, though not mutually dependent, ideological beliefs that have challenged the traditional nature of the universe as well as traditional curriculum, standards of excellence, and views about truth, justice, and the objectivity of knowledge, while accentuating our cultural, gender, class and racial differences in the name of campus diversity'.⁸ A PC person is one who:

[S]ees the exclusion of black female lesbian authors from the 'Great Books of the Western World' as a purely political phenomenon. The traditional response that black lesbian authors are excluded because the canon inclusion is based on objective standards of excellence and that none have met these standards is, according to the PCer, evidence that these 'objective standards' are racist, sexist and homophobic. The traditionalist, although decrying oppression, argues that the historical absence of such authors has to do with the fact that they wrote and studied very little precisely because they were oppressed. The standards of excellence are just fine.⁹

PC consists of theories and practices designed to end injustices based on race, gender, class, and other social variables.¹⁰ PC is more than a language and more than an ideology; it is an attitude.¹¹ An attitude which forbids one from doing or saying anything that some other group might find offensive.¹² A politically correct person is one who has winnowed

4 D A Bell, *Confronting Authority* (Boston: Beacon Press, 1994), xii.

5 Other books debating the soundness of PC include, F J Becwith & M Bauman (eds), *Are You Politically Correct?* (Buffalo, New York: Prometheus Books, 1993); S D Gaede, *When Tolerance is No Virtue* (Downers Grove, Illinois: Intervarsity Press, 1993); H Dickman (ed), *The Imperiled Academy* (New Brunswick: Transaction Publishers, 1993); P Berman (ed), *Debating P.C.* (New York: Dell Publishing, 1992); J M Choi & J W Murphy, *The Politics and Philosophy of Political Correctness* (Westport Connecticut: Praeger, 1992).

6 J Morley, 'A P.C. Guide to Political Correctness', *The Washington Post* January 15, 1995, C1.

7 *Ibid*

8 Beckwith & Bauman *supra* note 5, 9.

9 *Ibid* (footnotes omitted).

10 Choi & Murphy, *supra* note 5.

11 Gaede, *supra* note 5.

12 *Ibid*

racism from his or her thoughts and is able to avoid language that has its roots in 19th-century prejudices.¹³ The goal of PC is to enforce a uniform standard of tolerance, regardless of race, gender, cultural background or sexual orientation.

By the mid-1990s, however, PC was viewed as an endeavour to stifle political debate and to propagandize social issues.¹⁴ According to its opponents, PC is an effort by advocates of liberal politics to control the content of speech, courses, appointments, and to impose their views with respect to multiculturalism, minority rights and feminism.¹⁵ It is a form of thought control similar to that which Orwell foresaw decades ago. PC is a rigid orthodoxy precluding the acceptability of any contrary view.¹⁶ Upon gaining acceptance at a university, PC becomes the institutionalised position of that group.¹⁷ No other viewpoints are acceptable. PC, according to many of its foes, has simply replaced one form of oppression with another.

PC is considered by some to be a complete domination of political discourse by the left, to the point that a person may not express certain views without fear of being shouted down or ostracised.¹⁸ One opponent of PC has defined it as '[a]ny action, statement or opinion that does not offend any other person, but only if that person is of the liberal mindset'.¹⁹ Another commentator facetiously defines PC as any organisation that is so paranoid that there is no joking, no humour and bare walls.²⁰ Indeed, some have pondered whether the only rights left are the rights of the left?

The only thing less certain than the definition of political correctness is its origin. Some believe that it is a term coined by the conservative right to put liberal academicians on the defensive. Others think that it is a movement created by the militant feminists in places like Berkeley, California and New Haven, Connecticut. Whatever its origin, there are few today who defend PC, and even fewer who claim to be among its founders.

II. PC in Australia

Is PC a threat to Australia or is it merely an American fad? Is Australia geographically and culturally isolated from such social phenomena? The answer is clearly no. A recent example should suffice. Alexander Downer, the former leader of Australia's opposition party (the Liberal Party), was sacked after only four months on the job. Why was Downer sacked so quickly? Did he embrace Marxism? Did he call for the end of civilization as it is currently known? Did he commit mayhem? No, Downer did something much worse. In his first four months as opposition leader, Downer made a series of gaffes offending women, civil rights groups, Aborigines and homosexuals.²¹ Downer's crime was that he was too quick to laugh at the over-seriousness of his political colleagues.²² Downer's recurrent quips led to his demise. As one international commentator reported:

It is a gloomy day when a political leader of a right of centre party, in robust Australia, of all places, is deemed unelectable because he is prepared to mock the ghastly totems of political

13 'Incorrect Mr Kraft', *The New York Times*, July 20, 1994, A18.

14 *Ibid*

15 S Lipset, 'The Sources of Political Correctness on American Campuses' in H Dickman (ed), *The Imperiled Academy* (New Brunswick: Transaction Publishers, 1993), 71.

16 D Hernandez, 'The Double-Edged Sword of Political Correctness', *Editor & Publisher Magazine*, May 21, 1994, 16.

17 *Ibid*

18 M Gottlieb, 'PC Enforcers Are Not Just on the Left', *The Dayton Daily News*, January 19, 1994, 10A.

19 T Martin, 'Are We Too Politically Correct?', *The Houston Chronicle*, November 13, 1993, 35.

20 F Bula, 'Workplace Wars Breed Growing Field of PC Trainers', *The Vancouver Sun*, March 6, 1995, B2.

21 D Lawson, 'The Last Laugh for the Honest Joker', *Financial Times*, September 17, 1994, XXII.

22 *Ibid*

correctness as 'women's and civil rights groups, Aborigines and homosexuals'.²³

It would be naive to assume that Australia is immune from political correctness.

III. Semantic transformation

Shakespeare once said that '[t]hat which we call a rose . . . [b]y any other name would smell as sweet'.²⁴ Shakespeare's prose exhibits the foremost defect of PC language. That is, you cannot change people's perception of something merely by changing its name. By an early age we have all formed an opinion of roses; we know they come in many colours, that they have thorns, and a sweet aroma. To change the name will not change one's opinion of roses because an opinion is based on one's perception, not on the term chosen for such beautiful flora. The best that can be achieved through semantics is momentary confusion, which will quickly dissipate once the new name is identified with the old perception.²⁵

For instance, PC has changed the terminology for short people. To be PC, one must now refer to them as 'vertically challenged' or 'differently statured'. It is a fact of life, regardless of its propriety, that some people are inclined to discriminate against and ridicule short people. All of us, those in favour of PC and those opposed, wish it were not so, but it is. The point is, however, that changing the name of short people will not change people's opinion of them. Whether they are called diminutive, differently statured, vertically challenged, nonstandard height or little people, one's perception of short people will not change. To borrow from a once-popular public service message: semantics don't stop discrimination, education does. But education is much more than masking the truth.²⁶

Feminist legal scholars have recognized the futility of semantic transformation in related contexts.²⁷ For instance, Professor Leslie Bender maintains that when the 'reasonable man' tort standard was changed to 'reasonable person', without a corresponding change in the substance of the standard, the modification had no positive effect for women. Professor Bender declares:

When it [the reasonable man standard] was converted to 'reasonable person', it still meant 'person who is reasonable by my standards' almost exclusively from the perspective of a male judge, or law professor, or even a female lawyer trained to be 'the same as' a male lawyer. Changing the word without changing the underlying model does not work.²⁸

Changing the name of the tort standard, according to Professor Bender, was simply a futile exercise in semantics, which had no impact on the application of the standard.²⁹ Women

23 *Ibid*

24 W Shakespeare, *Romeo and Juliet*, act 2, scene 2, line 43, in H Staunton (ed), *The Plays of Shakespeare* (London: Day & Son Ltd, 1866), 153, 174.

25 There are some linguistic modifications that involve more than semantics. Take, for example, the pre-PC change from 'dumb' to 'mute', as the term used to refer to people who are unable to speak. For years, people who could not speak were considered unintelligent, hence the term 'dumb'. But as science progressed, it became obvious that the inability to speak was unrelated to intelligence. Thus, the term 'mute' changed more than semantics, it changed a misconception.

26 World dictators have taken a cue from the PC crowd and now want to eliminate the term 'human rights'. They believe that 'human rights' connotes colonialist western values: 'The Human Rights Show', *The Jerusalem Post*, June 25, 1993.

27 L Bender, 'A Lawyer's Primer on Feminist Theory and Tort' (1988) 38 *Journal of Legal Education* 3, 20-25; L Finley, 'A Break in the Silence: Including Women's Issues in a Torts Course' (1989) 1 *Yale Journal of Law and Feminism* 41, 57-60; E Schneider, et al, 'Feminist Jurisprudence — The 1990 Myra Bradwell Day Panel' (1991) 1 *Columbia Journal of Gender and Law* 5, 19 ('When sensitivity to gendered pronouns crept into law, the reasonable man got transformed into the reasonable person. We thought that the gender problem was gone, right? Wrong. The linguistic transformation did not cure the underlying image.'). L Bender, 'An Overview of Feminist Torts Scholarship' (1993) 78 *Cornell Law Review* 575, 579.

28 Bender, *supra* note 27, 23.

29 *Ibid*

were subjected to the same discrimination under the new standard as they were under the old one because society's 'perception' of the standard remained constant. Only the name had changed. Merely changing the name of the tort standard in a thinly-veiled endeavour at equality was futile. The same can be said of the linguistic modifications made by the PC movement.

Another example of PC's futility is the change in the terminology for leprosy. In an effort to protect people inflicted with leprosy, PC has renamed it 'Hansen's Disease'. But as one prominent physician asserts, '[r]enaming leprosy . . . only deepens the shame and perpetuates a conspiracy of silence. The word leprosy is a medical term'.³⁰ You cannot remove the stigma of leprosy, according to the physician, simply by changing its terminology.³¹

Moreover, whose to say that today's politically correct term is less biased than yesterday's terminology? Take the PC term 'pre-woman', which is the enlightened replacement for 'girl'. No doubt the term 'girl', when used to refer to an adult female, is insulting. But is it insulting to refer to a five-year-old female as a 'girl'? Most people, surely, would think not. And is 'pre-woman' any less insulting than 'girl'. Pre-woman sounds like something less than a real woman. Will not future generations of women find this term insulting? If so, what term will we use next? There is another problem with the term pre-woman. Why is the term 'girl' banned but not the term 'boy'? The term boy is at least as insulting to African-American men as the term girl is to adult women. 'Boy' has been used to insult and denigrate African-Americans for centuries but its use is still appropriate. This makes no sense.

If the goal of PC is to 'neutralize' all masculine terms, such as manpower, manhole, garbage man and mankind,³² then terms that are inherently negative in nature, like manhunt, manslaughter or man-eater, must also be neutralized. The converse is true for terms such as 'battered wife'. In *The Bias-Free Word Finder: A Dictionary of Nondiscriminatory Language*,³³ nearly all gender-biased terms are converted to gender-free terms but not the term 'battered wife'. To neutralize this term, according to the author, would denote that men and women are equally battered and that is not the case.³⁴ Hence, the reason for not neutralizing the term is that it accurately reflects the statistical evidence of spousal abuse. There is no doubt more wives are abused by their husbands than vice versa. But the statistics would also show that there are more men than women in the garbage collection business, yet that term is neutralized. The PC movement's selective neutralization, as this example illustrates, is inherently discriminatory and extremely hypocritical.

And whose to say that the new PC terms won't stereotype just as much as traditional English. Prostitutes are now called 'sex industry workers' but some higher-class 'call girls' oppose being lumped together with run-of-the-mill streetwalkers.³⁵ They believe that the term 'sex industry workers' is over-inclusive, and as such discriminates against those who practice prostitution at a more pristine level. So from now on she's a 'call girl', and don't you forget it!

30 L Keene, 'Leprosy Not What It Used To Be', *The Seattle Times*, September 30, 1994, A1.

31 *Ibid.* More importantly, a change in the terminology may be dangerous. One leprosy victim failed to receive the proper treatment because medical personnel were unfamiliar with the term 'Hansen's Disease': *ibid.*

32 Even the 'gingerbread man' has fallen prey to PC. The cookie has been renamed a 'gingerbread person': A Bellos, 'Gingerbread Persons Take the Biscuit for Political Correctness', *The Guardian*, January 22, 1994.

33 R Maggio, *The Bias-Free Word Finder: A Dictionary of Nondiscriminatory Language* (Boston: Beacon Press, 1992).

34 M Kakutani, 'Today P.C. Word Cops Aren't Just Busting Academe', *Sacramento Bee*, February 14, 1993, F03.

35 J Carroll, 'Between the Lines on the Muni', *The San Francisco Chronicle*, September 25, 1994, 3/Z1.

IV. Free and open discourse

If the worst thing about PC was its futility, then, arguably, there would be 'no harm, no foul'. But PC has wreaked havoc on America's college and law school campuses and has significantly devalued university education. In less than half a decade, PC has done what ultra-conservatives have tried to accomplish for several centuries: PC has put an end to free and open debate on college campuses, the one place where meaningful discourse was meant to flourish. There are two main reasons why PC has imposed a 'gag-order' on American universities.³⁶

First, unless stationed at PC headquarters, where copies of the daily PC passwords can be secured hot off the press, one cannot expect to stay abreast of PC's constant changing vocabulary. Without a working knowledge of this ever-changing lexicon, many students and faculty are apprehensive to discuss sensitive social issues. Even words that are in no way offensive have become targets of PC. Take the term 'Chinese Wall' for example. For decades, the term 'Chinese Wall' has been used to describe the formal screening of attorneys in conflict-of-interest situations. The term is a metaphor for the Great Wall of China, one of the Earth's most prominent landmarks and the only artificial structure visible from space. 'Chinese Wall' is used in admiration of this architectural accomplishment, not as some sort of racial epitaph. Nevertheless, pity to the student who uses the term 'Chinese Wall' in today's more enlightened law schools, as it will unleash the wrath of the PC zealots who unilaterally replaced 'Chinese Wall' with 'insulation wall'.³⁷ So much for admiration.

Issues involving the physically handicapped exemplify the inhibiting effect PC has had on free and open discourse. On today's campuses, one is likely to shy away from a discussion of this issue, absent a PC-perfect vocabulary. How can you expect someone to enter a debate in which he or she does not speak the language? Are the physically handicapped referred to as differently abled, disabled, or some other yet invented term? Without such knowledge, one is inclined to avoid all such discussions or risk academic banishment.³⁸ And absent meaningful discourse of the issues, everyone suffers: faculty, students, administrators and, most of all, the physically handicapped.

As an illustration of the inhibiting effect of PC, consider the following anecdote. A professor at Yale Law School had a habit of referring to home-made wills as 'trailer-park wills'. In using this term, he surely did not mean to insult people who live in trailer parks or, for that matter, poor people in general. He only meant that people at the lower end of the socio-economic scale (some of whom undoubtedly live in trailer parks) have a tendency to write their own wills and, not surprisingly, many of these wills result in probate litigation. Over the years he had simply coined the phrase 'trailer-park wills' to refer to such instruments.

Well, one day at the beginning of class, the professor gave an extensive apology for his use of the term 'trailer-park wills'. He explained that he did not mean to insult people who live in trailer parks and would cease using the term. What possibly could have caused a distinguished Yale Law School professor to change his teaching style? The PC police, of course, who roam the halls of places like Yale Law School. There is no way to know if the professor's reference to 'trailer-park wills' was insulting to people who live in trailer parks. But one thing is almost certain: the person who complained about the language

36 See generally, C J Sykes, *A Nation of Victims: The Decay of the American Character* (New York: St. Martin's Press, 1992).

37 This is the term used by Professor Geoffrey Hazard, formerly of Yale Law School. Others have suggested the term 'ethical wall'. See *Wausau v Albert D Seeno Construction Co* 692 F Supp 1150, 1165 (N D Cal, 1988).

38 It is safe to say that PC has come to embody the essence of parental advice, 'if you can't say something good about someone, then don't say anything at all'.

would not have been 'caught dead' in a trailer park. This was not an effort to eliminate insults. It was a hypocritical crusade to police language.

Second, as previously stated, PC permeates more than vocabulary, it also influences ideology. Not only must one be careful of terminology, one must also be careful not to take positions too far astray of those that are PC. The homeless issue epitomizes this ideological mine-field. There are many causes for America's homeless problem.³⁹ But to be PC, you must agree that the primary (if not sole) cause is a shortage of affordable housing. If you espouse any other beliefs, such as alcoholism, drug addiction, welfare dependency, crime or mental illness — all of which undoubtedly contribute to the problem⁴⁰ — you will be considered, at best, unenlightened, and, at worst, a bigot. A one-sided debate is no debate at all. As long as only one ideology is espoused in America's universities, meaningful debate of America's social problems will continue to degenerate.

V. Embedded and concealed discrimination

According to Professor Bender, the change from 'reasonable man' to 'reasonable person' was not only ineffective, it embedded years of discrimination against women into the tort standard.⁴¹ That is, the reasonable man standard, which had been moulded over the centuries with a male in mind, was now being marketed as a gender-neutral standard. All of the standard's inherent male bias was, according to Professor Bender, transplanted into a so-called neutral test. The male-orientation of the standard remained the same but advocates for change assumed equality had been achieved by means of the name change. Not only was this untrue, but it also caused advocates of change to rest on their laurels.

The same arguments can be made about PC language. Take the term 'vertically challenged' for instance. This term is meant to remove the bias in the terminology for short people. As shown earlier, it fails to achieve this goal. But more importantly, it embeds people's discrimination against short people into a 'neutral' term. As a result, advocates for change are inclined to accept victory, assuming that discrimination against short people has been eliminated. Their claim to victory would be, it is fair to say, a bit premature.

In addition to embedding past discrimination into so-called neutral terms, PC has also forced bias underground, thereby making it more difficult to detect. As far as appearances are concerned, PC has converted the bigot of the 1970s into a sensitive man of the 1990s. Although the bigot still possesses the same prejudices, PC has taught him to disguise his biases. In the 1970s, one knew where he stood with the bigot. If the bigot despised you or your kind it was easy to detect. But not today. Today, thanks to the PC movement, the bigot has learned to discriminate without detection.⁴² Americans are coming to realise that the sensitive man of the 1990s is worse than the bigot of the 1970s. While one could have easily discerned the bigot's bias in 1970s and sought appropriate redress, it is not so easy to detect his bias today. The concealed discrimination of the PC era is proving more destructive than its 1970s predecessor, as one African-American college student recently noted:

39 To be PC, of course, one should refer to the homeless as 'the underhoused'. See Kakutani, *supra* note 34.

40 It has been estimated that as many as 75 to 85 percent of the homeless have drug, alcohol or mental illness problems: 'More Than Housing, Addiction, Mental Illness Plague the Homeless', *The San Diego Union Tribune*, May 20, 1994, B-6. Even the current administration has recognized the role drugs, alcohol and mental illness play in the homeless dilemma: 'Clinton Tackles the Homeless', *Sacramento Bee*, July 1, 1994, B6.

41 Bender, *supra* note 27, 22-25.

42 As an example of PC's concealing effect, consider the term 'crime'. Many African-Americans believe that in the PC era 'crime' has become a euphemism for the 'unmentionables' such as race and class. According to Professor Patricia Fernandez-Kelly of the Hopkins Institute for Policy Studies, when '[w]e cannot use the old language of racism . . . we come up with all kinds of politically correct terms to refer to the same problems. When we say 'crime' we're really saying we are afraid of lower-class black people': S Banisky, 'Sadness for Family, Relief for Community', *The Baltimore Sun*, August 19, 1994, 1A.

Back in the 60's, racism was easier, I guess, to spot, because we saw it . . . But now it's to the point where you can work right next to a gentleman that does not like your color and you would never know it, because he knows how to hide it. [Racism in the 1990s is just] harder to spot.⁴³

The great enemy of clear language is insincerity. When there is a gap between one's real and declared aims, one turns as it were instinctively to long words and exhausted idioms, like a cuttlefish squirting out ink.⁴⁴ PC embodies this belief, as it has become the language of concealment not only for those who discriminate, but also for those who advocate liberal programs like affirmative action. There is no better evidence of this phenomenon than the Association of American Law Schools' *Placement Bulletin*,⁴⁵ which is the publication used by law schools to solicit applications for faculty positions. After briefly perusing this brochure, one suspects that the law schools are either schizophrenic or practising the age-old art of concealment. On the one hand, each school claims to be seeking the best candidate for the job, a person with top-notch credentials in both legal scholarship and law teaching. But on the other hand, the schools are imploring all members of 'underrepresented groups' to apply by stressing their commitments to 'diversity'. Are these schools truly searching for the best candidate for the job or are they using PC terms like 'diversity' and 'underrepresented groups' to mask some other intent?⁴⁶ If the latter is true, this use of PC language is every bit as distressing as the bigot's.

VI. Change breeds animosity

Humans are creatures of habit that abhor change, especially change that seems preposterous. The PC movement's efforts to compel modifications to our language have been met with great resistance. As shown earlier, these modifications are, at best, futile and, at worst, dangerous. But there is another problem with PC language. The change itself breeds animosity. If one disliked short men before PC, the change to 'vertically challenged' is not likely to decrease this animosity. On the contrary, forcing the bigots to change vocabularies will increase the enmity, not decrease it as the PC advocates had hoped.

The animosity will also increase if people perceive that the linguistic changes are conferring special treatment on certain groups. Professor Lucinda Finley warned of this obstacle in discussing whether there should be a 'reasonable woman' standard in tort law.⁴⁷ A 'reasonable woman' standard, she believed, might be perceived as special treatment for women, in essence, 'letting them off the hook'.⁴⁸ This perceived special treatment would result in more hatred, which alone is enough reason to oppose cosmetic changes to our vocabulary.

VII. Revisionist history

We study history because history is said to repeat itself. The study of history will better prepare us to deal with complex issues in the future, as '[t]hose who cannot remember the past are condemned to repeat it'.⁴⁹ This truism, of course, assumes that we have an accurate version of history to study. The revisionists of the PC movement are undertaking to rewrite history. Australian and American children are being taught that their Anglo-Saxon

43 'The MacNeil/Lehrer NewsHour: Young, Frustrated & Black', *Educational Broadcasting*, May 16, 1994 (transcript on LEXIS).

44 G Orwell, *Shooting an Elephant: and Other Essays* (London: Secker & Warburg, 1950).

45 *Placement Bulletin*, Association of American Law Schools, October 7, 1994.

46 Henry, *supra* note 2, 169-170.

47 Finley, *supra* note 27, 64.

48 *Ibid*

49 G Santayana, *The Life of Reason* (New York: Scribner's Sons, 1905), ch 12.

descendants are the epitome of evil.⁵⁰ Regardless of the severity of past prejudices, rewriting history to 'sensitize' the language and issues is a dangerous exercise. To sanitize history is to deny such issues as slavery and gender inequality. How can we expect future generations to handle historically-cyclical problems better than our generation if we give them a watered-down version of history?

It is also naïve to presume that concealing discrimination from our children will make the problem disappear. PC labours to erase all forms of discrimination. Even classics like *The Adventures of Huckleberry Finn* have been blacklisted in some PC communities due to 'offensive' language.⁵¹ Is it wise to shield children from the cold, hard facts? Discrimination and offensive language exist. Will our children be prepared to deal with them if they have been raised on 'PC-coated' material? In a PC world, there is no discrimination based on colour, height, weight, appearance, gender, religion, ethnicity, etc. This is not the real world, no matter how much we wish it were so.

VIII. Political weapon

One can disagree with all of the reasons I have given to discard PC. But one must admit that PC has become a lethal weapon for America's conservative right, a weapon used to ridicule and embarrass anyone even remotely associated with PC. Conservatives like Rush Limbaugh have used PC to convince millions of Americans that liberals are outside the mainstream. The term 'PC' is used today to describe 'Orwellian bureaucracies, crusading do-gooders [and] brainwashed victims of state-directed propriety'.⁵² When used in its extreme, PC is ridiculous. Australians have also used PC to label those who are 'bound by inflexible, ideological rules'.⁵³ Something so easily discredited is not worth preserving, especially when you consider its minuscule value. PC has become a considerable political liability,⁵⁴ which is reason enough to abandon it.⁵⁵

The onslaught of articles, books and essays attacking PC proves its total lack of utility. Pick up any newspaper in the world and you are likely to see at least a couple of articles ridiculing some position taken by the PC crowd. These attacks are not partisan politics, for many are based on a concrete application of common sense. Even staunch liberals have begun to abandon PC. William Henry, a life-long liberal, card-carrying member of the ACLU and a Pulitzer Prize winning author (for works on gay and feminist issues), recently deserted PC in his book *In Defense of Elitism*. Harold Bloom, a liberal professor at Yale University, has done likewise in his book entitled *The Western Canon: The Books and School of the Ages*. Yet, the PC advocates continue to press their case for a linguistic utopia, albeit without a true core of support.

IX. Selective enforcement

Not all discriminatory and insulting language is forbidden by PC. Some groups, notably men and, to an even greater extent, lawyers, are targets of open discrimination and bias.⁵⁶

50 See eg, D Clark, 'The Bright Side of the Brits', *Australian Financial Review*, September 20, 1993.

51 Henry, *supra* note 2, 52-53.

52 G Case, 'The War Against Political Correctness', *The Vancouver Sun*, July 27, 1994, A15.

53 S Freeman-Greene, 'Kindly Put Down that Loaded Stereotype', *The Age*, May 26, 1994.

54 Ultraconservative groups in the United States, like the neo-nazis and skinheads, are exploiting the tide of revolt against PC to their own violent ends: *ibid*.

55 Some have even suggested that things are so bad in the PC movement that it has become politically correct to be politically incorrect: C Davis, 'The High-Pitched Squeal From the Right', *The Plain Dealer*, July 31, 1994, 1C.

56 Other groups claim they too have been excluded from PC's umbrella of protection, including conservative Christians, Catholics, Arabs and veterans, to name just a few.

Male-bashing has become a favourite pastime of the nineties.⁵⁷ There are more than a dozen talk shows in the United States, many of which are seen in Australia, devoted almost exclusively to blaming men, particularly white men, for everything from menopause to the civil war in Rwanda. If that is not enough, peruse some of the tabloid and 'magazine' headlines at the supermarket checkout stands. It seems that Elvis is the only male above reproach. At a time when it is taboo to even think bad thoughts (much less express them) of any other group, males, especially those of Anglo-Saxon descent, have become the country's punching bags.⁵⁸ As one feminist author recently observed, this era is destined to be known as a time when 'anybody was better than a white male'.⁵⁹ The question on the minds of many is: When did it become illegal to be a heterosexual, white male? The answer seems to be circa 1990.

Where is the PC crowd? Why have they not come to the rescue of white males? Most of the founders of PC are white males, albeit from the upper-echelon (financially) of the species, so why have they not put a stop to this abuse? Well, maybe it is because white males are responsible for all that is bad in the world. White males have bought and sold slaves, prevented women from voting, started numerous wars, not to mention countless other dastardly acts. So may be it is time they took their medicine.

Or is fear the reason for the white man's silence? Fear that if they respond to the criticism they will be deemed racists, sexists, or some other 'ists'. How can a white male defend his forefather's slave trade or spousal abuse? He can't. There is no defence for such action. But should the son answer for the father's sin, particularly in this age of sensitivity?

'What happens when you cross a pig with a lawyer? Nothing, there are some things even a pig won't do.' In this age of PC, when jokes about race, religion and gender are strictly off limits, the one group that is still open to ridicule is lawyers, as amply demonstrated by the above quip.⁶⁰ Lawyer-bashing is thriving in this era of sensitivity. If you do not believe it, go to the local bookstore and pick up a copy of *Dead Lawyers and Other Pleasant Thoughts* or *Lawyers and Other Reptiles*, or maybe a magazine like the *Anti-Shyster*, or turn on the television to watch a lawyer get roped and hog-tied in a Miller Lite commercial. Lawyers are constantly portrayed as thieving, conniving shysters who can't wait to get their hands on your wallet.⁶¹ This description accurately portrays some lawyers, but not all attorneys are shysters, just as not all physicians are quacks. But generalisations, which are forbidden to be used against other groups, are fine when referring to lawyers. If any other group in society were subjected to such abuse, the PC police would immediately issue a cease and desist order. Squeezed between the conservative right's indictment of lawyers for the business recession and the liberal left's inherent distrust of the legal establishment, lawyers are the last bastion of witty banter in this era of political correctness. It seems that selective enforcement is an essential component of the PC paradigm.

X. Arabian proverbs and Shakespeare

'I thought I was abused because I had no shoes until I met a man who had no feet.'⁶² Much can be gleaned from this ancient Arabian proverb, but is it politically correct to use

57 See generally, Austin, 'Deconstructing Voice Scholarship' (1993) 30 *Houston Law Review* 1671, 1682-1683.

58 This is especially troubling considering that white males will soon comprise a minority of the work-force in America.

59 K Parker, 'Don't Trash History with Male Bashing', *Orlando Sentinel Tribune*, April 23, 1993, E1.

60 A Drell, 'Courting a New Image', *Chicago Sun-Times*, July 28, 1993, 33.

61 R Rabin, 'Professional Curtesy', *Newsday*, July 1, 1993, 60.

62 J Braude, *Speaker's Encyclopedia of Stories, Quotations and Anecdotes* 338 (1955), reprinted in S Platt (ed) *Respectfully Quoted* (Washington: Library of Congress, 1989), 316.

someone else's misfortune in order to feel better about yourself? Is there a place for human comparison in a world where everyone is guaranteed not only equal opportunities but equal outcomes? If there is no place for such comparisons, then the message of this maxim will be lost on a whole generation raised on PC, a generation who altogether fails to appreciate its good fortune.

Besides devaluing American education, PC has also taken a good deal of the fun out of life. Forms of entertainment appropriate a decade ago are now forbidden. Two examples will suffice. The first is Halloween, a long-time favorite of American children.⁶³ A decade ago, children could be seen running the streets on Halloween eve dressed as witches, goblins, bums, devils or angels. But no more. All of these costumes have been declared politically incorrect because, for instance, 'real' witches find witch costumes insulting.⁶⁴

The second example proves that PC is an equal opportunity censor, as even the classics are subjected to Orwellian scrutiny. Jane Brown, headmistress of a London district primary school, recently refused to take her students to a performance of Shakespeare's *Romeo and Juliet* at the world-renowned Covent Garden Ballet and Opera House.⁶⁵ Why, you ask? Because, according to Ms Brown, *Romeo and Juliet* is a 'blatantly heterosexual love story'.⁶⁶ Ms Brown refuses to involve her students in the heterosexual culture until books, movies and the theatre reflect all forms of sexuality.⁶⁷ If PC is meant to promote tolerance, then tolerance must be extended to all groups, including heterosexuals, even blatant, 'hormonally-challenged' heterosexuals like *Romeo and Juliet*. Intolerance in the name of tolerance is unacceptable.

XI. Conclusion

'Ours is the age of substitutes: instead of language, we have jargon; [and] instead of principles, slogans.'⁶⁸ PC has staked its claim in both United States and Australian universities.⁶⁹ Fortunately, PC has not taken hold outside of colleges and law schools. The effectiveness of PC depends upon its power to banish, a power that does not exist in most circles. So middle America has ignored the call of PC, and so has middle Australia.⁷⁰ But some PC advocates are unwilling to concede defeat, even as the core of PC support — liberal academicians — is beginning to erode.⁷¹ Rather, they have decided to legislate PC language. In Raritan, New Jersey, for instance, the town council recently passed legislation that bans profane, vulgar or indecent language in public, as well as insulting remarks or comments to others.⁷² PC is attempting to use the real police to accomplish what its own forces have failed to achieve: a linguistically utopian society. This is PC run amok, and the time has come to end the charade. Had the efforts expended on PC during the past decade been aimed more at meaningful solutions and less at superficial semantics, there is no telling what progress could have been made toward eliminating America's social problems. Much can be learned from America's mistakes.

63 In addition to Halloween, PC has taken aim at Christmas, in particular Santa Claus, who, it is claimed, reinforces the cultural male-as-norm system. See Kakutani, *supra* note 34.

64 A Barbie (Doll) Liberation Organization has been formed to combat the gender stereotypes promoted by Barbie Dolls. In one of their first operations, the group kidnapped a supply of Barbie Dolls and G.I. Joe Dolls and switched their voice boxes. The Barbies now said 'Eat lead, Cobra,' and the G.I. Joes extolled the benefits of shopping: 'Tainted by Experience', *The London Times*, February 10, 1994.

65 R Coffey, 'Ban Romeo? Wherefore Art Thou Orwell?', *Chicago Sun-Times*, January 23, 1994, 5.

66 *Ibid*.

67 *Ibid*.

68 E Bentley, *The New Republic*, December 29, 1952.

69 See eg, 'Politically Correct Academics', *Sydney Morning News*, April 30, 1994.

70 See eg, D Clark, 'A Politically Correct House', *Australian Financial Review*, November 29, 1993.

71 See *supra* note 2.

72 'Curses! Law Would Ban Naughty Words', *The Milwaukee Journal*, October 9, 1994, A12.

Two final anecdotes to demonstrate the excesses of PC language.⁷³ A student of mine recently told me that there is now a computer program which is designed to scan documents to ensure politically correct language.⁷⁴ This program was used by a local company to 'PC' some financial documents. In these documents, the company had referred to its financial status by using the phrases 'in the black'⁷⁵ and 'in the red', two phrases which, of course, reflect the profitability of the company. When the document was sanitized by the PC program, these phrases were changed to 'in the African-American' and 'in the Native American'. One suspects that this is a slightly different meaning than intended by the company. Second, my experience with a foreign graduate student at Yale Law School exemplifies the absurdity of PC language. The graduate student was European and spoke very little English. One day during lunch he asked me what the difference was between the phrases 'people of color' and 'colored people'. He had been using the phrases interchangeably, but noticed that the latter had caused considerable discomfort in his colleagues. He had checked the dictionary and discovered that the term 'colored' was defined as 'having color' or 'of color'. Hence, he logically assumed that 'people of color' meant precisely the same thing as 'colored people'. Grammatically, he was entirely correct. Politically, however, he could not have been more wrong. But try explaining this to someone who barely understands English.

73 There are more examples of PC's absurdity than a person can count in one lifetime. For instance, the National Pork Producers Council recently complained that reference to extravagant government spending as 'pork' was not politically correct: 'Passage of SOS Initiative Won't Cause Sky to Fall', *The San Diego Union-Tribune*, September 1, 1994, B-13.

74 The truthfulness of this account is unknown. Nonetheless, it demonstrates PC's perception in mainstream America.

75 PC advocates oppose the use of the term 'black' in any negative context, such as blackball, blackmail, black eye, or black sheep. See Kakutani, *supra* note 34.