POLITICAL CORRECTNESS AND FREEDOM OF EXPRESSION

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Abstract

A brief history of political correctness is discussed along with various definitions of it, ranging from political correctness being a benign attempt to prevent offense and avert discrimination to stronger views equating it with Communist censorship or branding it as "cultural Marxism". The aim of the research is to discover what political correctness is, how it relates to freedom of expression and what wider implications and effects it has on society. The moral foundations of rights and free speech in particular are introduced in order to set a framework to determine what authority people and governments have to censor others' expression. Different philosophical views on the limits of free speech are discussed, and arguments for and against hate speech are analysed and related to political correctness.

The thesis looks at political correctness on university campuses, which involves speech codes, anti-discrimination legislation and changing the Western canon to a more multicultural syllabus. The recent South African university protests involving issues such as white privilege, university fees and rape are discussed and related to political correctness. The thesis examines the role of political correctness in the censorship of humour, it discusses the historical role of satire in challenging dogmatism and it looks at the psychology behind intolerance. Political correctness appeals to tolerance, which is sometimes elevated at the expense of truth. Truth and tolerance are therefore weighed up, along with their altered definitions in today's relativistic society.

The last part of the thesis looks at South Africa's unique brand of political correctness, along with Black Economic Empowerment, colonialism and white guilt, and the research concludes that political correctness is a distinct form of censorship which has developed in modern democracies. The new forms of justice and morality seen in political correctness are distortions of left-wing liberalism, which appeal to different values to those of traditional liberalism.

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Chapter 1

Different Interpretations of Political Correctness

Peter Coleman, an Australian writer and former parliamentarian, edited a book called *Double Take* in 1996 which contained contributions from journalists, editors, poets and artists who were all concerned about the decline of Western liberalism from the 1960's onwards. Coleman says that the various authors didn't plan to write specifically about political correctness but after they had finished their contributions it became clear that the ultimate target was political correctness (Coleman, 2000: 5). *'Double Take'* was well received after it was published but a persistent complaint about the book was that many people didn't know what was meant by political correctness, which is understandable as the term has different meanings in different countries and often has different meanings within the same country (Coleman, 2000:5).

An individual who hasn't thought too deeply about political correctness may think that its sole purpose is to prevent offense, and he or she might find some of its euphemisms mildly amusing such as *melanin enriched* (for black people), *vertically challenged* (for short people), *cerebrally, intellectually or educationally challenged* (for unintelligent people), *differently abled* (for disabled people) and *aesthetically challenged* (for unattractive people). Political correctness has changed the elderly into *senior citizens*, prostitutes into *sex workers*, homosexuals into *gays*, and pupils and teachers are deemed to be inegalitarian terms which smack of hierarchy and have been changed into *learners*, and *facilitators* or *educators* (Johnson, 2000: 34). This process of name changing is in order to take sensitivities into account and it constitutes a re-evaluation and reversal of the past which has come to be seen as morally wrong (Johnson, 2000: 34). There is no shortage of satirical jokes, epithets and cartoons directed towards political correctness, an example being James Finn Garner's book called *Politically Correct Bedtime Stories: Modern Tales for Our Life and Times (1994)*. Garner's book satirizes the censorship of children's stories by altering well-known stories to show how a parent might avoid prejudice and make the stories more ethical.

Those who look deeper into political correctness recognise that it is an attempt to correct discrimination and past injustice and they see affirmative action, speech codes in universities, changing academic syllabi and furthering laws against hate speech as an outworking of political correctness in order to make life fairer for all. Conservatives and traditional (classical) liberals tend to take a less benign view towards political correctness and some view it as an insidious plan to undermine Western culture. Strong conservatives such as the American commentator Paul Weyrich claim that political correctness is a form of 'Cultural Marxism', which is Marxism without the

economics, aimed at enforcing the 'correct values' by means of changing cultural institutions such as universities from within (Coleman, 2000: 6).

Marilyn Friedman (1995), an American philosopher and feminist, describes political correctness as comprising a host of social attitudes and reforms which are intended to rectify wrongs of the past, expand cultural diversity, revamp traditional academic practice and challenge European and American biases towards culture, race, sex and gender. Temba Nolutshungu, a South African pioneer of the black consciousness movement and director of the Free Market Foundation, says that political correctness uses the argument that oppression of marginalised or disempowered people is perpetuated in the language used to describe them, for instance, when an African American is described as a 'black man' his colour is being made into an issue instead of his origin and citizenship (Nolutshungu, 2000: 22). Choosing words to describe a person is linked to a subjective perception of reality, so calling a gardener a 'garden boy' or a domestic worker a 'girl' reinforces a perception that these particular types of people are not fully adult or capable and this influences the way other people see them (Nolutshungu, 2000: 22). It is understandable that some people try to change derogatory and patronising attitudes towards certain groups by altering words, which is arguably one way to change prevailing attitudes and institutionalise a norm of respect in society.

Nolutshungu asks why so many liberals are opposed to political correctness when they support individual liberty, see all people as individuals and want to prevent discrimination. He believes the reason is that the methods used in political correctness are sometimes coercive, and what began as an attempt to influence the use of language in public discourse turned into an attempt to impose certain forms of censorship on others in order to achieve verbal and written purification Nolutshungu, 2000: 23). The difference between attempting to change something and enforcing the change are like chalk and cheese to liberals because individual freedom can be undermined when the change is forced. For example, a married couple may both agree that one of them needs to change his or her attitude towards something, but if one spouse tries to force the change on the other the situation could 'blow up'. Nolutshungu says that political correctness resorts to using a type of moral pressure which calls the integrity and moral character of opponents into question; whereby it is implied that politically incorrect words and opinions flow from a hidden inner perversity, a desire to defend unequal power relations and a disregard for the oppressed and marginalised (Nolutshungu, 2000: 23).

Geoffrey Hughes is a retired professor of English Language at the University of the Witwatersrand and an author on historical semantics and sociolinguistics, who wrote *Political Correctness: A History of Semantics and Culture* (2010). When tackling the problem of what political correctness is, Hughes

says that some people think of it as refraining from using words that offend groups of people, whilst others say that it involves accepting and promoting diversity or showing respect to all. He maintains that political correctness derives from a wide-ranging public debate which began on United States campuses in the late 1980s as a well-intentioned, idealistic but slightly Puritanical intervention to bring equality, undo past injustice and improve social relations by suppressing prejudicial language and avoiding taboo topics (Hughes, 2010: 3). Hughes believes that although political correctness has had a big influence on behavioural norms, ideas and language, it has also created suspicion from the public since its aims are liberal but its methods of achieving them can be illiberal (Hughes, 2010: 4). People tend to be suspicious of new taboos, particularly ones which refer to personal features and traits, and those who live in liberal societies often react with satire and defiance when they are censored and their speech is suppressed (Hughes, 2010: 4). The author Christopher Hitchens notes a *liberal paradox* within political correctness, which entails calling "for an extension of rights whist at the same time calling for an abridgment of free speech" (Hughes, 2010: 5).

The Oxford Dictionary of New Words (1997) defines political correctness as "Conformity to a body of liberal or radical opinion on social matters, characterised by the advocacy of approved views and the rejection of language and behaviour considered discriminatory or offensive" (Hughes, 2010: 8). Like the term 'political correctness' the word 'liberal' can have different meanings. Liberalism is made up of two parts - individual liberty (freedom) and equality. There are two general camps of people who call themselves liberals and they can have very different beliefs depending on how they interpret 'freedom' and 'equality'. Classical liberalism focuses on negative freedom (negative or 'first order' rights), free market distribution of resources and equality under the rule of law, whereas left-wing liberalism focuses on positive freedom (positive or 'second order' rights), a more centrally planned distribution of resources and a wider definition of equality. Americans tend to assign the word 'liberal' to the latter definition and the British assign it to the former. In Britain the word 'liberal' is a favourable term which means 'open-minded', 'unprejudiced' and it incorporates free market ideals, whereas in the United States 'liberal' is often used as a critical term and refers to people who are more 'left-wing' on the political spectrum (Hughes, 2010: 69). The American modern definition of liberalism does not describe true liberalism, in the classical sense of the word. The two camps of liberals, their different philosophies, and what negative and positive rights are and how they relate to political correctness will be covered in Chapter 2.

Marilyn Friedman, responding to the critics of political correctness, warns that genuine dialogue which is honest, open, engaged and mutually respectful is a rare phenomenon when it comes to discussing political correctness. She thinks it is unfortunate that the alleged culprits of political

correctness, such as leftist academics, feminists, multiculturalists, Marxists and deconstructionists, are thought to have launched a full-scale attack on Western Civilisation, replaced classical works of Western culture with third world anti-Western literature and forsaken standards of truth, objectivity and merit (Friedman, 1995: 1). She says that the promotion and pursuit of diversity and multiculturalism is often ridiculed and given the label of being 'PC', and she regrets that some critics of political correctness concentrate their struggle against the requirement of not expressing racism, sexism and homophobia rather than admitting to the prevalence of such attitudes (Friedman, 1995: 3). Friedman points out that some campaigners for free speech insistently invoke the constitution and moral halo of the right to free expression but are not always consistent when it comes to defending all types of free speech. For example, the usual conservative defenders of free speech (anti-abortionists in this case) did not defend free speech when George Bush executed the 'gag rule' to prohibit employees in federally-funded medical clinics from discussing the option of abortion services with clients (Friedman, 1995: 4). Friedman therefore asks whether some defenders of free speech merely defend the right to certain types of speech, such as racist, sexist or homophobic language because of their underlying ideologies, and she says that if defending free speech is a great and high goal of morality then it should be done consistently in all cases (Friedman, 1995: 6).

Political correctness is a problematic semantic construct because there is no such thing as a correct political attitude in the same way that there is grammatical correctness. This is because politics involves a diverse spectrum of activities and no political party or system can claim to be correct because there are even differing views regarding what is correct amongst people who hold the same ideologies (Hughes, 2010: 17). Hughes explains that various things have a political nature, such as feminism and body politics, so the important question to ask is not whether political correctness is political but whether it is inappropriately political.

Jan Narveson is a Canadian libertarian philosopher and President of the Institute for Liberal Studies, who was made an Officer of the Order of Canada (OC) in 2003 for his work. He says that political correctness is so called because it is not just about being correct, in the sense of being 'proper' or 'decent', but is has to do with government or public policy. It is about power in social relationships, particularly hierarchies of power because it involves the goal of changing social conditions, practices and institutions (Narveson, 1995: 22). Narveson believes that political correctness has a central aim of forcing a rapid shift in the prevalent Western political system by bringing equality to race, sex, culture and gender, which is why politically correct proponents propose that sexual, racial and ethnic politics play a major part in academic syllabi (Narveson, 1995: 23).

The Fellow Travellers and the New Left

Coleman argues that liberalism has often been under siege from dogmatists from within who try to reduce liberal open-mindedness to a formal and rigid code of conduct, and that political correctness is a leftist distortion of liberalism that emerges where liberalism and leftism, or socialism, intersect (Coleman, 2000: 6). He gives a brief history of political correctness and liberalism, arguing that liberalism was distorted by left-wing liberals in what is called *The Age of the Fellow Travellers*. The Fellow Travellers were liberal admirers of the Soviet Union in the 1930's who viewed the Soviet social experiment as a means of avoiding capitalist depressions, wars and fascism. Fellow Travellers who made pilgrimages to the Soviet Union or its satellites tended to ignore the poverty and persecution of dissidents and they wrote literature on how the liberal world might adopt the Russian experiment in order to bring peace and equality to the West (Coleman, 2000: 7). There are various metaphors for this, one being George Bernard Shaw throwing his food from the train as he entered the Soviet Union because he 'knew' that the food shortage there didn't exist and was capitalist propaganda (Coleman, 2000: 7). The period of the Fellow Travellers ended at about the time of the Prague Spring of 1968, which was crushed by the Red Army itself (Coleman, 2000: 7).

In the 1960s Communism lost its legitimacy amongst left-wing liberals and the New Left and the Counterculture developed, which shunned Communist brutality but still accepted the Soviet Union on the basis that it was a socialist state which had abolished the free market and private property (Coleman, 2000:8).The New Left includes various left-wing movements and intellectual currents that arose in North America and Western Europe in the late 1950's and early 1960's (Encyclopaedia Britannica, 2016), and it is associated with the radicalism of left-wing agitators, at universities in particular, who campaigned for civil rights, gay rights, feminism, abortion, ecological issues, anti-nuclear policies, legalisation of drugs and anti-war policies; and it favoured confrontational tactics such as protesting and focused less on the older leftist ideologies such as labour unionisation, social class and Marxism (Merriman-Webster Dictionary, 2016 & Wikipedia, 2016).The Fellow Travellers (Old Left) who supported Communism thus morphed into the New Left, which maintained the left-wing liberal values of renouncing traditions, restraints and conventions and protesting against the authorities who maintained them (Coleman, 2000:8). The New Left used Antonio Gramsci's concept of hegemony and concentrated its energy on taking over key institutions from within, which became known as the "long march through the institutions", especially through the universities, civil service, quangos (semi-public administrative bodies i.e. the *Equality and Human Rights Commission*), the media and the churches; and the disdain for capitalism, objective truth and traditional family values

grew (Coleman, 2000:9). According to Coleman, the era of political correctness, as we know it, had begun.

Coleman thinks that political correctness' primary characteristic is that it calls for politicisation and transformation of life, with political direction of all departments from children's fiction to judicial judgments, and no profession is exempt (Coleman, 2000: 9). He says that political correctness encourages a 'soft' kind of totalitarianism regarding freedom of speech whilst stronger supporters of political correctness are self-righteous in a quasi-religious spirit. This is because they claim the high moral ground of enlightenment and do not accept the judgment of voters (who they deem to be unenlightened), or businesses and consumers (who they deem to be selfish), which makes them prepared to impose illiberal reforms against public will (Coleman, 2000: 10). Coleman demonstrates his point by referring to the unpopular speech codes imposed in universities and affirmative action policies; where academics, the media and NGOs have helped to make it possible for policy makers to establish an environment of political correctness without the consent of the majority. Coleman thinks that political correctness can thrive in any environment where the prevailing status quo is that of upliftment of oppressed groups, and it can prevail in institutions without being assisted by government policy. This is evidenced by the fact that political correctness occurs in liberal countries whose constitutions protect free speech but where various institutions use their own sets of rules to punish offenders who express themselves incorrectly.

Coleman says that unlike Marxism, political correctness is less interested in business, the economy and class interests and it is more interested in culture and guiding ideas. This shift has been necessary for political correctness to survive in the 20th century because the free market has clearly triumphed over the 'plan' (Coleman, 2000: 10). Political correctness therefore aims to exercise Gramscian hegemony which leaves the economy up to business and the free market whilst it tries to control the culture and guiding ideas of society. In Britain this is called the 'Third Way', which entails a free market economy which creates wealth, combined with the politically correct re-branding of Britain (Coleman, 2000: 10). Coleman believes that political correctness can be seen under all types of governments within liberal democracies, but left-leaning governments are more conducive for politically correct environments. He explains how the Australian Labour government under Keating ended after the public mood in Australia began to turn against political correctness: The country's most successful dramatist, David Williamson, produced a satire called Dead White Males (1995) which pilloried all the canons of political correctness from radical feminism and multiculturalism to social constructivism, post-structuralism, post-modernism and cultural materialism; and family reformers began to acknowledge that easy divorce damages the rights of children and that forced

egalitarian measures such as welfare dependency had demoralised the Aborigines to such an extent that even their leaders could no longer conceal it (Coleman,2000: 11). The new mood expressed by David Williamson's play found popular expression later on in 1996 when the Labour government, after 13 years in office, suffered defeat and John Howard, the Prime Minister of the newly elected Conservative party, called openly for an end to political correctness in Australia (Coleman, 2000: 11).

Temba Nolutshungu maintains that the term 'politically correct' is not often used by the politically correct themselves but rather by opponents of political correctness, and that the term 'PC' has critical connotations regarding being coerced to do or think the 'correct' thing (Nolutshungu, 2000: 21). Nolutshungu, along with Coleman, agrees that political correctness became prevalent in the 1980s on university campuses in liberal countries (particularly the United States) and he says that the general population understands it as encompassing "...a certain prissiness, a rigidity of mind, an unbending attitude, and especially an absence of a sense of humour" – a distinctively Communist attitude (Nolutshungu, 2000: 21).

Doris Lessing, a British writer who was awarded the Nobel Prize for Literature, regards political correctness as a powerful mental tyranny in the free world and argues that it is a heritage of Communism based on correcting mistaken ideological ideas. She does not suggest that the torch of Communism has been handed on to the political correctors but rather that similar habits of mind have been absorbed, often without knowing it (Ingersoll and Lessing, 1994: 208). Communism adopted a 'PC-like' vocabulary and according to a 1933 report written in *Izvestia,* the daily Russian newspaper and official organ of the Communist state, 65 000 Soviet citizens were investigated for "bad grammar...superficial and often politically incorrect information in civics and social sciences" (Hughes, 2010: 62). Political correctness and Communism both display a zeal for bringing rapid social equality by using varying degrees of illiberal coercion, and they show a certain amount of intolerance towards those who oppose their ideologies. According to some critics of political correctness, the Communist sympathisers (Fellow Travellers) passed this idealism on to the New Left in the 1960's, which then became part of the modern lexicon and mind-set in the late 1980s onwards.

Hughes believes that political correctness first emerged in the Chinese Soviet Republic and can be seen in the decrees of Mao Tse Tung, chairman of the Republic in the 1930s, which then mutated into the modern day version in the 1980s in order to fit the environment of an advanced secular capitalist society (Hughes, 2010: 5). He thinks that modern day political correctness can be compared to a natural continuum of following the party line, enforced largely by self-appointed groups of vigilantes (which also happened in Communist countries) but without the formal backing of the state (Hughes, 2010: 4). Political correctness has no specific ideology though, and focuses

mainly on equality and eliminating prejudice; and the language it produces is not spontaneously created by the speech community but is formulated by left-wing minority groups and remains mysteriously un-locatable (Hughes, 2010: 7). Furthermore, it has manifested itself on university campuses, in the media and general public rather than in political parties and spheres of government, as its name suggests (Hughes, 2010: 7).

In his book *Nineteen Eighty-Four (1949)*, George Orwell wrote about using mind control and speech control to re-educate the population and change public opinion. These tactics were used to weaken liberal democracy and further a political system called English Socialism (Ingsoc). Political correctness is often compared to Orwell's works because it changes language in order to avoid negative connotations and words often end up with new meanings, disguised or with opposite meanings (known as Orwellian 'New-speak' or 'Double-speak'). For example, the euphemism 'industrial action' (actually meaning 'inaction') has replaced the word 'strike', and political terms such as 'liberalism', 'freedom' and 'equality' have all changed their meanings from their classical political definitions. These changes, along with all the other language changes brought about by political correctness, force citizens to internalize new beliefs. Hughes explains that Double-speak and New-speak are a short step from what today might be called 'PC-speak', which has the purpose of making all other modes of thought impossible because as vocabulary is changed or diminished annually, narrowing the range of thought, this makes 'thought crime' harder to conceive (Hughes, 2010: 103). Political correctness tries to eliminate 'thought crimes' linked to discrimination and oppression.

The analogy can be taken further whereby political correctness has given rise to politically correct 'policemen' ('Big Brother watching you') who take offence on behalf of others when people say something politically incorrect. In *Nineteen Eight Four* (1949) omnipresent surveillance and public pressure force people to do or think the 'correct' things, and the main character in the novel, Winston Smith, works for the Ministry of Truth which creates propaganda and changes historical facts so that history always fits in with the Party's ideology. The Ministry of Truth makes 'un-persons' by blotting out historical evidence of people who are against the ideology of 'English Socialism'. The similarities between Orwell's book and political correctness are evident from the social censorship and altering of history seen in political correctness, where politically incorrect colonial history and the Western educational canon is altered and edited, literature is shunned, names of cities and roads are changed, and statues and paintings are removed because they are deemed to be 'un-PC'.

Feminism and Political Correctness

In 1949 the feminist thinker Simone de Beauvoir stated that "Language is inherited from a masculine society and contains many male prejudices...women simply have to steal the instrument; they don't have to break it or try a-priori to make it something totally different. Steal it and use it for their own good" (Hughes, 2010: 89). Women started acting on this statement in the 1960's and 1970's with feminist redefinitions of language in publications mainly or exclusively written by women, which redefined experience from a woman's perspective (Hughes, 2010: 89). Hughes gives examples of politically incorrect words relating to gender which have been altered, some of which become generally accepted and stick, such as *humankind* (mankind) and *chairperson* (chairman), and others which eventually lose traction such as *wimmin* or *womyn* (for woman), which is spelled in a way that does not spell men, or *herstory* (for history).

Although feminism and political correctness have some common goals such as standing up for marginalised groups, it is a mistake to equate feminism with political correctness because feminists vary widely, as do politically correct adherents. Doris Lessing was a feminist who was not against the family unit and she did not approve of political correctness either. Changing words with the intention of uplifting marginalised groups is a benign form of political correctness, and it is doubtful whether many people would be opposed to 'mankind' becoming 'humankind' or 'chairman' becoming 'chairperson'. Extending this line of thinking to changing names of roads, buildings, institutions, cities, removing politically incorrect history from syllabi and altering key political terminology relating to liberalism itself - this is where political correctness becomes problematic.

Multiculturalism and Egalitarianism

Much of the literature surrounding political correctness deals with the words 'multiculturalism' and 'egalitarianism', and when reading it one can easily think "But what is wrong with striving for those ideals?" Once again the issue involves semantics because these terms have been altered from their traditional meanings and appropriated into the politically correct lexicon. Sarah Song, writing for the Stanford Encyclopedia of Philosophy, describes *multiculturism* as an umbrella term used in contemporary political discourse which focuses on the context of Western liberal democratic societies (Song, 2016). Multiculturalism rejects the ideal of the 'melting pot', in which members of minority groups are expected to assimilate into the dominant culture, and it says that they should rather maintain their distinctive collective identities and practices (Song, 2016). Song (2016) says that multiculturalism is closely associated with 'the politics of difference', 'the politics of recognition' and 'identity politics', which are all committed to "revaluing disrespected identities and changing dominant patterns of representation and communication that marginalize certain groups" (Song,

2016). It involves group-differentiated rights which are held by the group rather than by its individual members and these collective rights are called 'group rights' which characterize the moral and political claims of a wide range of marginalized groups, including African Americans, women, LGBT persons, and the disabled (Song, 2016). The idea of multiculturalism played a large role in debates in the 1980s about how to go about diversifying curricula in order to recognize the achievements of historically marginalized groups (Song, 2016).

R. Arneston, writing for the Stanford Encylopedia of Philosophy, describes *egalitarianism* as a trend of thought in political philosophy whereby people should be treated as equals, should treat one another as equals, should relate as equals, or enjoy an equality of social status (Arneson, 2013). Egalitarian doctrines tend to rest on the background idea that all humans are equal in fundamental worth or moral status. Egalitarianism is a contested concept in modern democratic societies and the term 'egalitarian' is often used to refer to an expanded definition of equality which favours a *greater degree* of equality of *income* and *wealth* across persons than currently exists (Arneson, 2013). Egalitarianism thus encapsulates an expanded concept of the tradition liberal definition of 'equality'.

Political Correctness and Cultural Marxism

Bill Lind is an historian, author and one of the originators of *fourth-generation warfare* (4GW) theory, and the following three paragraphs summarise Lind's argument that political correctness is a form of Cultural Marxism. The argument put forward by Lind was first advanced by the *Schiller Institute* and is supported by conservative thinkers such as Pat Buchanan and Paul Weyrich. Lind (2000: internet resource) explains how political correctness is an offshoot of *Cultural Marxism*, which is Marxism translated from economic (class) to cultural terms. Whist economic Marxism views the history of oppression in terms of class distinction and the ownership of the means of production, Cultural Marxism asserts that the history of oppression is about power relations - which groups oppress others based on culture, race and gender (Lind, 2000). The problem with narrowing history to just one thing - economic exploitation of workers, or ethnic, racial or gender exploitation- creates a situation where the victims are deemed a-priori to be good whilst the bourgeoisie, capitalists, neoliberals or white males are a-priori bad, and all literature focuses on this (Lind, 2000).

Expropriation is a process used by the Communist state to take land from the bourgeoisie, whereas in Cultural Marxism the expropriation primarily takes place by using quotas for student admissions, teaching posts, quotas in government departments (Lind, 2000), and in South Africa a radical version of affirmative action called Black Economic Empowerment (BEE) goes as far as compelling private businesses to comply with quotas. Whenever someone less qualified gets a job or position through

affirmative action then a person of another race or sex is essentially expropriated, and companies with the wrong colour or gender statistics lose government business in this way and therefore become expropriated by other companies which are given that business (Lind, 2000). Lind (2000) says that whereas Marxism uses Marxist economic theory to give it the answers it wants Cultural Marxism uses deconstruction theory, which removes all meaning from literature and inserts the desired meaning. For instance, Shakespeare can be viewed as being about the suppression of women or the Bible can be viewed as a text about race and sex. By using deconstruction all history can be viewed through a lens demonstrating which groups have power over other groups (Lind, 2000).

Karl Marx's theory predicted that when a general European war came the workers would unite and overcome the bourgeoisie. This failed to happen during both World Wars when the workers in each country faithfully fought together along with their respective capitalist classes against fellow workers from other countries. This happened in every country in Europe, and when Marxist uprisings occurred in Europe, such as the Spartacist uprising in Berlin, the Bela Kun in Hungary and the Munich Soviet, the working class did not support them. Two Marxist theorists, Georg Lukacs in Hungary and Antonio Gramsci in Italy, realised that Marxism would not work until the workers were freed of Western culture and religion (Christianity in particular) which blinded them to their true class interests, and in 1923 a think-tank called the Frankfurt School was founded in Germany which furthered the notion of cultural hegemony (Lind, 2000). Gramsci's hegemony encourages the working class and socialist thinkers to infiltrate institutions such as universities and the media and use them as mouthpieces to present socialist principles to the world, with the intention that these principles will eventually become accepted by others as "common sense" (University of Washington, 2016). Cultural Marxism hopes that politicians and other classes will see the Gramscian set of egalitarian and socialist cultural norms as the only sensible way to do things, which will ultimately even out power relations and prevent discrimination based on culture, race and gender (Lind, 2000).

It should be noted that Lind's argument is a distinctly right-wing one against political correctness. Although there are a number of aspects of political correctness seen in Cultural Marxism it would be difficult to prove that original theorists of Cultural Marxism such as Gramsci, and the members of the Frankfurt School, would have approved of political correctness. There is a strong argument to be made that Karl Marx himself was an advocate of free expression and so one should be careful of linking any censorship seen in political correctness to Marxism itself (Thomas, 2013: online). Although there has been a great amount of censorship under Communism one cannot deduce that there would have been censorship in the Communist state Karl Marx envisioned. Marx would have

said that the Russian, Chinese and Eastern European Communist systems were premature because capitalism hadn't yet developed in those largely agrarian societies (Shapiro, 2010a). According to Marx capitalism must first thrive in a country and create a 'superabundance', which can then be used to sustain the socialist state, the final stage of this process being Communism, when the socialist state 'withers away', all government structures become unnecessary and the people control the means of production (Shapiro, 2010b).

Political Correctness and Religion

Hughes (2010) argues that intolerance seen amongst politically correct radicals is similar in nature to intolerance seen in religious extremism. The similarity is that both religious moralists and politically correct moralists are intolerant and have a tendency to force their ideals onto others. Hughes focuses on Puritanical Christianity in the 16th and 17th centuries, which began with the intent to purify the church but ended up imposing moral standards in a coercive manner. Puritanism can be compared to political correctness because it began as a worthy and well-intentioned doctrinal view in Christianity before becoming increasingly intolerant due to moral strictness and a Pharisaic "holier than thou" attitude, which led to judgment of nonconformity and eventually became regarded as un-Christian (Hughes, 2010: 25). Similarly, political correctness started off with the liberal intention to bring equality by removing racial, sexual and other biases encoded in language, but soon it became another dogma, taken over by the political ideologues who used it with the same rigour as the Victorians used "It isn't done!" for anything socially improper (Hughes, 2010: 14).

What is Political Correctness?

Views on what political correctness is vary widely. Some scholars believe that it incorporates social attitudes and reforms which are intended to rectify wrongs of the past, expand cultural diversity and challenge Western bias towards culture, race, sex and gender. Others think that although political correctness has well-meaning intentions to bring equality and end discrimination they are concerned that it is prepared to use illiberal and coercive means to do so. Attitudes seen in political correctness have been equated to Communism, totalitarianism, fascism, feminism, religious fundamentalism, socialism and Cultural Marxism. So what is political correctness and which of these views is legitimate? When dealing with this question it should be kept in mind what Temba Nolutshungu said - that the term 'political correctness' is not often used by the politically correct themselves but rather by opponents of political correctness who use it as a term to criticise a certain type of thinking.

Chapter 2

The Moral Foundations for Rights and Freedom of Expression

To understand political correctness properly one needs to look at rights - where rights come from, why they exist and what makes them legitimate. Political theory clarifies this by identifying what makes a government legitimate and what rights and freedoms should be protected by government. Ian Shapiro is a political theorist, author, Sterling Professor of Political Science and Director of the MacMillan Centre at Yale University, and he discusses in his lecture series, called *The Moral Foundations of Politics* (2010), the main philosophical arguments behind the creation of a legitimate state and what rights citizens have in such a state. The *social contract* argument proposes that a government is legitimate to the extent that it submits to the consent of society (the people who formed the government by their tacit agreement), whilst the philosophy of *utilitarianism* argues that a government is legitimate to the extent that it maximises general happiness in society. Shapiro shows how individual rights, which arise out of the social contract theory, can be combined with arguments for utilitarianism to form a 'rights-utility synthesis, which can be seen in John Stuart Mill's well-known argument for freedom of expression.

Although forms of the social contract theory go back as far as ancient Greek, Roman and Stoic philosophers and Canon Law, the social contract emerged as the leading doctrine of political legitimacy in the 18th century during the Enlightenment Era. It asserts that governments are created by general agreement amongst citizens who consent by explicit or tacit agreement to surrender some of their freedoms up to government in exchange for the protection of their basic rights. When appealing to the social contract political theorists have to deal with the fact that there was never an actual social contract, and so assumptions about what pre-political society would have looked like, or what pre-political, or 'natural', people would have chosen, tend to be loaded with assumptions about modern day society (Shapiro, 2010c). Some 20th century social contract theorists such as Robert Nozick and John Rawls work their way around this problem by supposing what current-day society would look like if it *were* created by consent. When viewed in this light the social contract theory performs a useful hypothetical exercise, or thought experiment, which allows one to imagine what type of state modern humans would choose, and by doing this it allows one to identify what a government should and should not do and creates a *standard* by which to compare existing institutions (Shapiro, 2010c).

The United States of America has come the closest out of any democracy to forming an actual social contract via its Constitution of 1787, after which a government was created by general agreement by all thirteen states. It took an additional two and a half years, however, for all the states to agree to

ratify the Constitution. The American Constitution and Declaration of Independence were influenced by the writings of the social contract theorist John Locke, a father of the Enlightenment, who based his theory of the social contract on *natural rights* and the *golden rule* to argue for the basic principles of classical liberalism. Shapiro explains that in many ways modern democratic theory is a footnote to John Locke, who he uses as a representative of the social contract and natural rights tradition. He then looks at Immanuel Kant's secularisation of natural rights, Jeremy Bentham's utilitarianism and its influence on rights, and finally at John Stuart Mill's synthesis of rights and utilitarianism as an argument for free speech in modern democracies.

Natural Law and the Enlightenment Way of Thinking

Early Enlightenment thinkers such as Hobbes, Locke, Kant and Bentham used a version of science which was steeped in *Cartesian Doubt.* This involves discovering certainty through facts that cannot be doubted and is expressed by Rene Descarte's classic example "I think therefore I am" - I cannot doubt that I am thinking so therefore I must exist (Shapiro, 2010d). Analytic propositions which cannot be doubted, for example, the sum of angles in a triangle equals 180 degrees, are called a-priori propositions and are used to form theorems. A-posteriori propositions, on the other hand, result from observations whereby no set theorem can be produced, for example observing and speculating how tectonic plates move under the earth (Shapiro, 2010d). Enlightenment thinkers founded theories of natural law and rights based on the Enlightenment understanding of scientific knowledge, which supposes that humans can acquire 'God-like' knowledge of things *they* create, such as geometry and political systems, but they can never fully understand a-posteriori knowledge involving complex and variable systems that are not man-made, such as the movement of tectonic plates under the earth (Shapiro, 2010d). Enlightenment thinking resulted in philosophers using different ways to search for natural (inalienable) rights which could not be doubted. John Locke used *the workmanship ideal* to do this, Immanuel Kant used *universilizability*, Jeremy Bentham used *act-utilitarianism*, and John Stuart Mill broke the mould of Enlightenment scientific thinking and used a modern understanding of science to inform his theory of rights and speech.

The Workmanship Ideal

Locke's theory of individual rights is rooted in the *workmanship ideal* (people come to own what they create), which underpins the liberal theory of rights (Shapiro, 2010d). In Locke's state of nature all people are at liberty, "...to order their actions, and dispose of their possessions and persons, as they think fit, within the bounds of the law of nature..." (Locke, 1690: Ch. 2, Sec. 4). Locke sets out his workmanship ideal as follows: "The state of nature has a law of nature to govern it, which obliges every one: and reason, which is that law, teaches all mankind, who will but consult it, that being all

equal and independent, no one ought to harm another in his life, health, liberty, or possessions: for men being all the workmanship of one omnipotent, and infinitely wise maker; all the servants of one sovereign master, sent into the world by his order, and about his business; they are his property, whose workmanship they are, made to last during his, not during one another's pleasure: and being furnished with faculties, sharing all in one community of nature, there cannot be supposed any such subordination among us, that may authorize us to destroy one another, as if we were made for one another's uses..."(Locke, 1690: Ch.2, Sec. 6).

Here Locke argues that God created humankind and therefore has authority over them, and because humans are made in God's image and are "miniature gods", they own what they create, including government, which has to submit to those who created it (Shapiro, 2010d). This argument protects private property, calls for a minimal government which is subject to the peoples' will, protects life and liberty and prevents people from harming each other or using each other for their own purposes. This makes Locke's workmanship ideal and protection of "lives, liberties and estates" (Locke, 1690: Ch. 9, Sec. 123) very appealing to believers in liberal democracy, and the US *Declaration of Independence* echoes Locke's words in its statement that "...all men are created equal, they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness..." (United States Declaration of Independence, 1776).The workmanship ideal ensures that people are equal under the law and can't kill, harm or restrict each other's freedom because they didn't create each other and thus don't own each other, and when people acquire property or possessions by means of exerting their labour (which they do own),they acquire rights to these possessions by mixing their labour with them and therefore joining the property or possessions to them by means of their labour and by the sweat of their brow (Locke, 1690: Ch. 5, Sec. 27).

Locke's argument appeals to God's natural laws and it is deceptively simple and easy to ridicule in a modern secular society, but philosophers have found that if they negate Locke's workmanship ideal for protecting life, liberty and property it is far harder than it seems to produce solid philosophical arguments as to why a democratic majority cannot just vote away basic rights to private property or individual freedom when it suits them (Shapiro, 2010d). One needs a number of natural, or inalienable, rights in a democracy to prevent democratically elected majorities from becoming tyrannical and oppressing certain groups. Although many philosophers such as Rawls, Nozick, Marx and Kant have continually tried to secularise Locke's workmanship ideal, it never goes away, and very few people want to give it up entirely (Shapiro, 2010d).

The Social Contract and Natural Rights

American legal theorist and author Roger Pilon has held senior posts in the US Administration (including State and Justice), he received the Benjamin Franklin Award for his excellence in writing on the U.S. Constitution and he testifies before the US Congress. Pilon (2016a) explains that in order to understand constitutional rights properly one needs to use the social contract to imagine what rights people would have had prior to the creation of the constitution. He says that law students study the state of nature theory and the social contract to help them dispel the misconception that constitutional law gains its legitimacy from a majority in legislature passing laws on basic rights involving life, liberty and property. If a country's legislature were to alter these basic rights it would lead to what is called the *'tyranny of the majority'*.

Early political theorists such as Hobbes, Locke and Rousseau imagined a state of affairs before there was any government and they decided what natural rights people would have had in the *state of nature*. They did this by using *reason*, which means that reasonable people would agree with the truth or falsity of certain rights claims (Pilon, 2016a). According to the social contract theory individuals in the state of nature (where there is no form of government yet) have certain basic, inalienable rights before any form of social contract is made and before any government is established. In Locke's state of nature these rights include the right to protect one's life and physical being from harm (the right to life and bodily integrity), the right to protect what one has laboured for or legitimately acquired in the form of property and possessions (estates), and basic liberties or freedoms such as the right to trade freely, associate with whom one wants to and the right to express oneself freely. These natural rights are worked out via reason, which generally leads to an agreement which encompasses the *golden rule* - "do to others what you would like them to do to you", and its negative form "don't do to others what you would not like them to do to you".

In all forms of the social contract argument a government is established in order to protect natural rights on behalf of the people. Pilon says that a central tenet of the social contract is that citizens may not give rights into the hands of government which they themselves would not have had in the state of nature, because this would cause a tyrannical and abusive government (Pilon, 2016a). For example, according to the *workmanship ideal*, in the state of nature a person would not have the right to hit someone else on the head, take away a bucket of fruit they picked, or force them not to express certain beliefs or use certain words. It follows from this that people cannot give government the power to arbitrarily harm other people, take away their property or prevent them from expressing themselves freely. Natural rights are thus said to be 'inalienable', meaning that people

are born with them and would have had them in the state of nature. These are rights which government didn't give to people and which they cannot legitimately interfere with.

The Social Contract and Constitutional Law

The United Nations Universal Declaration of Human Rights (1948) echoes the United States Declaration of Independence when it says that "…the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world…"(United Nations Universal Declaration of Human Rights, 1948). One such inalienable right is free speech, which is why the First Amendment in the US Constitution states that "Congress shall make no law abridging the freedom of speech" (United States Constitution, 1787). The building blocks of modern constitutional rights were derived from natural rights because the basic right in nature is the right to be free and can be reduced to life, liberty and estate between common law strangers, as seen in paragraph 123 in John Locke's Second Treatise of Government (Pilon, 2016a). Legally one cannot take something that belongs "free and clear" to another person – their life (physical wellbeing), their liberty (freedom) or their estate and possessions (property), and beyond property rights are the rights of contract whereby people come together voluntarily or by force for committing torts (accidents) or intentional torts (crimes)(Pilon, 2016a). Pilon explains that natural rights, which are derived from the social contract, are essentially *relationships* between people - the right holders and obligation holders -and these basic or natural rights are called 'negative rights' (not doings) because they can be reduced to being free, or being left alone (Pilon, 2016a).

The legal system is able to explain a vast range of institutions from giant corporations down to voluntary associations, religious associations and transactions just by using negative rights (Pilon, 2016a). It is important to remember that even though negative rights are the most fundamental rights even they are not absolute, which means that they have boundaries which sometimes overlap with each other so that citizens are not permitted to push a negative right to its limit if this undermines another negative right (Pilon, 2016a). For example, a person does not have the right to joke around and shout "fire!" in a crowded theatre because this would put others' lives in immediate danger because of panic and stampeding. A person may not lie and break a verbal contract because this could undermine someone else's property rights regarding money or another form of value related to the contract; nor is a person allowed to verbally harass, threaten, defame someone or prevent them from going about their business freely and unhindered, because this would undermine their individual liberty, or freedom.

Practical Legal Reasons for Forming a Social Contract

Pilon says that the law utilises reason, just as the early political theorists did, to settle the majority of legal cases, but sometimes it needs to turn to *values* in four areas, namely: nuisance, risk and endangerment, remedies, and enforcement (Pilon, 2016a). These four areas of law come into play when reasonable people can have reasonable differences as to what should be done regarding justice or compensation, for example, how much noise or pollution does someone have a right to make before it becomes a nuisance or endangers a neighbour's health, or the question of what remedy or compensation a person must give another person for hurting him or her in an accident (Pilon, 2016a). There is bound to be disagreement in such cases because victims usually place a higher value on their injuries than the people who injured them do. If, in the state of nature, a man has something stolen from him, his indignation might lead him to apprehend possible culprits in the vicinity to find out who stole his possession, but those whom he arbitrarily apprehends won't tolerate being detained and will demand due process in seeking justice. These areas of law therefore form a natural springboard to the formation of a state to arbitrate between parties in the areas of life, liberty and property which necessarily need to turn to values in order to settle disputes between reasonable parties (Pilon, 2016a). Hence it behooves people to come out of the state of nature into civil society where they can have a written constitution, public law and a means of arbitration between parties, which is a reason why governments originally formed according to the social contract theory (Pilon, 2016a).

Negative Rights

Roger Pilon says that negative rights, also called first-order rights, first-generation rights, or negative freedoms, are so deeply rooted in liberal democracies and their constitutions that a child on the playground can understand the underlying concepts behind these rights and obligations, which are as follows: do not harm someone else, do not take what is theirs (their property), keep your promises (contract), and if you fail in one of these then give back what you have taken or withheld (remedies) (Pilon, 2016b). Liberty involves freedoms such as giving other children on the playground the freedom to disagree with you without punishing them, letting them associate freely with each other and not restricting their movement. As previously mentioned, natural rights are said to be 'negative' because they involve leaving people alone and letting them have their freedom to go about their business unhindered. Pilon says that negative rights are balanced by another optional 'rule' which states that 'a person ought to do good as well'. For example, a child does not have to rescue another child on the playground who is in distress, but she *ought* to do so, nor does the child in distress have a *right* to be rescued. What one ought to do and what one is legally obligated to do

come from different domains of morality, and the legal theorist H.L.A. Hart explains that the idea of 'ought' comes from the domain of *values* and not the theory of *rights* (Pilon, 2016b). Everyone has different values and most people might hope that a child would rescue another child in distress, but some children will weigh up the costs and benefits before doing it whilst other children will jump in and do it. This is why Anglo-American law does not impose "good Samaritan" obligations on society, because virtue is rooted in liberty and the act of free choice (Pilon, 2016b). This is a very important distinction for political correctness because people ought not to use offensive words against others and they ought to respect each individual equally and not discriminate in any way, but they are not legally obligated to do so under the system of negative rights which has arisen out of the social contract theory and Anglo-American law.

Positive Rights

Positive rights are rights which did not exist in the state of nature (prior to the social contract), which means that they oblige *action* (obligate others to act and give the right-holder something i.e. amenities and goods related to a certain standard of living) as opposed to *inaction* (being left alone and having freedom of expression, freedom from violence, freedom of religion, freedom to buy and sell goods without restriction and being treated equally before the law). Politically correct debates often centre around positive rights, and Tony Leon, author and ex-leader of the Democratic Alliance in South Africa, explains that the politically correct community has adopted the beliefs of a series of early 20th century socialist philosophers who redefined the classical liberal meaning of *freedom* in order to justify the state in using coercion to improve the livelihoods of the marginalised and oppressed (Leon, 2000: 66). Leon says that they called this 'positive freedom', whereby a freedom-loving state could provide positive rights such as food, shelter, tertiary education, employment and a host of other debatable "rights" which people would not have had in the state of nature and some of which, when given by the state to particular groups, necessarily undermine negative rights (Leon, 2000: 67). Leon maintains that the politically correct sense of justice sees positive rights as more important and urgently required than negative rights, and when classical liberals defend negative rights they are frequently seen to be defending the free market, 'neo-liberalism', 'white privilege', and neglecting the needs of the poor and oppressed (Leon, 2000: 67).

Jan Narveson defines *equality* in the classical liberal sense - as the equal right for one to live as one chooses whereby one is given equal freedom to use one's resources to the best of one's ability; as opposed to having the positive right to have others provide one with as much of a good as others (Narveson, 1995: 103). Narveson explains that negative and positive rights are fundamental to explaining political correctness because negative rights oblige *inaction* and grant individuals, groups

and countries the right to be left alone, whereas positive rights involve *action* and give individuals and groups a right to attention such that others must maintain the right-holders in being (Narveson, 1995: 65). Embracing positive rights gives marginalised groups equal rights to inclusion and attention, instead of the equal right to be left alone, and once included in legislation positive rights can actively be enforced by institutions and government. This affects a range of issues relating to political correctness from universities granting certain groups attention by including multiculturalist and identity politics courses in the syllabus, to affirmative action policies.

Sir Isaiah Berlin argues in his book *Two Concepts of Liberty* (1958) that dividing liberty into two kinds – negative liberty and positive liberty (essentially negative and positive rights) - is a mask for governments to alter legislation and create policies which diverge from liberal values. As mentioned previously, the second tenet of liberalism, 'equality', has been changed by left-wing liberals from its original meaning of 'equality under the law' to a modern egalitarian definition of expanded equality. Nineteenth-century philosopher Frédéric Bastiat pointed out the inherent conflict in liberalism when the meaning of *equality* (under the rule of law) is expanded to *fraternity* (mutual "brotherly" support / treating people with equal respect, dignity and equalising wealth) when he said, "M. de Lamartine wrote me one day: 'Your doctrine is only the half of my program; you have stopped at liberty; I go on to fraternity'. I answered him: 'The second half of your program will destroy the first half. And, in fact, it is quite impossible for me to separate the word *fraternity* from the word *voluntary*. It is quite impossible for me to conceive of fraternity as legally enforced, without liberty being legally destroyed, and justice being legally trampled underfoot'" (Bastiat, 1848: Ch2 vs. 75). Sir Isaiah Berlin and Frédéric Bastiat were talking about the effects of positive rights on social policy, which later spread into the realm of liberal governments using positive rights to interfere with free expression.

Applying Bastiat's doctrine to speech, citizens should voluntarily refrain from saying hurtful things and offending people, but this is not legally obligated and is a "Good Samaritan" obligation because it falls outside the realm of negative rights and equality before the law. Political correctness therefore appeals to what should be *voluntary actions* and legally turns them into *rights* to force people to act 'virtuously' and in a dignified manner towards each other. This requires challenging the validity of negative rights (i.e. free expression) and manufacturing new rights, which are then made equally important as negative rights through the philosophy of *relativism* (there is no right and wrong /no rights are more important / all rights are equal). This is discussed later on in the thesis.

Occam's Razor and Rights

The US Declaration of Independence states that "all men are created equal, they are endowed by the creator with certain inalienable rights and among these are the pursuit of life, liberty and

happiness" and it holds "these truths to be self-evident", meaning that the truths are rooted in reason (Pilon, 2016a). This invokes 'Occam's razor' or 'the rule of parsimony' whereby if anyone wants to claim rights which are more extensive than negative rights then the burden of proof is upon them to do so, meaning that they need to prove clearly that the positive rights they are claiming don't undermine any negative rights (Pilon, 2016a). This means that there are some legitimate positive rights, but these are only legitimate if they don't undermine any negative rights. Take basic education, for example, which is a positive right because citizens would not have had the right to a basic education in the state of nature: but basic education can be argued for as a 'public good' because all taxpayers can potentially use it and the economic benefit of an educated voting base in society is seen to benefit both democracy and the economy, and it clearly outweighs the cost to the taxpayer. Basic public education is therefore seen as a legitimate positive right because it does not clearly undermine any negative rights. Tertiary education, for instance, is not a 'public good' because it is reserved for a small section of society and is funded by all classes of taxpayers who don't necessarily benefit from it. It can therefore be said to undermine the property rights of a large proportion of the country who pay tax towards an exclusive group which gets the privilege of a higher education, and then this exclusive group goes on to make more money in decent careers after that. So free tertiary education is a dubious, or distorted positive right, along with types of welfare, free housing and so on, where exclusive groups distinctly benefit at the expense of the negative rights (the property right of money, in this case) of the taxpayer.

The United States Bill of Rights says that, "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others *retained* by the people" (US Bill of Rights, 1789: Amendment IX). Pilon (2016b) explains that this clause means that the law cannot enumerate further rights which conflict with the negative rights already 'retained' by the people. Even if a majority in a legislature or a majority decision via a referendum agrees to allow a government to enforce a positive right which undermines a negative right, this is a decision made by the 'tyranny of the majority'. For instance, a majority in a legislature might expand the definition of 'dignity' above and beyond certain legal definitions such as 'defamation of character', and they might say that an element of 'dignity' now includes 'respecting all religious groups equally and not offending their followers by mocking their religious leaders'. This would undermine the negative right of freedom of expression, where one would have had freedom to express oneself and satirise things that bothered one in the state of nature. This point underlies the great speech debate regarding what forms of offensive expression should be allowed, because freedom of expression is a fundamental right and it is deemed to be highly beneficial for the flourishing of society.

Secularising the Principles of Natural Law

Immanuel Kant was a prominent philosopher who sought to secularise Locke's concepts of the workmanship ideal and natural rights, and he used *pure reason* to discover moral laws instead of appealing to 'self-evident' truths or God's laws. Kant came up with the concept of 'universalizability' which stands in for natural rights, and with universalizability a statement has the force of a moral law if the statement can be justified from every conceivable position (Shapiro, 2010c). Kant called this the 'categorical imperative' and he contrasted it with the 'hypothetical imperative'. A hypothetical imperative is dependent on an *if/then* statement, for example, "*if* citizens want a prosperous society *then* government power must be limited" (Shapiro, 2016c). A categorical imperative is a clear-cut moral principle which can be seen as morally beneficial to society when looked at from all possible angles and it is not dependent on an if/then statement; for example, the statement "Government power should be limited in all circumstances because moral reasoning from every angle shows that *unlimited* government is problematic" ought to be agreed upon by all reasonable people (Shapiro, 2010c). The categorical imperative calls individuals to "Act only according to that maxim whereby you can, at the same time, will that it should become a universal law", which means that it looks for universal propositions that rational people can confirm from all angles and these propositions then become moral laws which ought to be followed regardless of the consequences and effects they might have in the future (Shapiro, 2010c).

Kant's famous example of the categorical imperative is "Always treat others as ends in themselves, not merely as means to your own ends", which implies that one must respect other people's autonomy and not use people exclusively for one's own ends (Shapiro, 2010c). Modern social contract theorists such as Robert Nozick and John Rawls use Kant's idea of respecting principles that can be affirmed from every point of view as a means to replace natural rights, and Nozick's concept to replace natural law echoes Kant when he says: "There is no social entity with a good that undergoes some sacrifice for its own good. There are only individual people, different individual people, with their own individual lives. Using one of these people for the benefit of others, uses him and benefits the others. Nothing more" (Shapiro, 2010c).

Through the use of reason and the categorical imperative Kant arrives at the same classical liberal rights which Locke derived from natural law. Whereas Locke considered freedom of expression as a *natural right*, Kant considers it a *universalizable principle*, which can be justified from every conceivable position in moral philosophy. In his Essay "*What is Enlightenment*" (1784) Kant says that one should have "...the freedom to make public use of one's reason at every point...the public use of one's reason must always be free, and it alone can bring about enlightenment among men" (Kant,

1784: online). Kant believed that citizens should be free to cultivate public habits of thinking and speaking because these habits are of the highest importance for holding a government to account and furthering democracy. Kant's categorical imperative, of always treating others as ends in themselves and never as means to an end, is very important when it comes to dealing with a type of utilitarian reasoning sometimes seen in political correctness. Utilitarian reasoning is used to argue for implementing policies of counter-discrimination and it proposes that the good of upholding negative rights of certain groups can be outweighed by the greater good (end goal) of achieving a non-discriminatory, multiculturalist and egalitarian society. However, in order to get there certain groups must be used (have their rights undermined) as a means to achieving the end result.

Utilitarianism and its Effects on Rights

Up until the 20th century the classical liberal system did a good job of creating wealth for countries and securing people's rights via due process, but when countries started to flourish the inevitable happened and social engineers began to see government as an engine of good through which to solve all kinds of social and economic problems (Pilon, 2016b). The wealth brought to liberal governments led to a philosophy of ethics called *utilitarianism* which replaced *natural rights theory*, and laws and policies became justified with respect to whether they were deemed to produce "the greatest good for the greatest number" rather than whether they secured negative rights (Pilon, 2016b). Jeremy Bentham founded utilitarianism from Francis Hutcheson's idea that, 'an *action* is best if it secures the greatest happiness for the greatest numbers', which is why Bentham's version of utilitarianism is called *act*-utilitarianism.

Bentham proposed calculating utility (happiness) via a complex system of pleasure and pain gauges which he called the *felicific calculus*. He used this to produce utilitarian constitutions for various eastern European countries and was dismayed when his constitutions were rejected by all the countries he proposed them to (Shapiro, 2010e). Calculating whether an action is moral by simply weighing up pleasure vs. pain has its obvious setbacks because it reduces humans to merely sensing creatures and gives legislators a certain amount of omnipotence when weighing up the sum of pleasure (for example, pleasure caused by redistribution of resources) versus the long-term pain caused to society by undermining negative rights (for example, property and contract rights). Locke and Kant hold that humans cannot presume to know the future and must therefore stick to following certain moral laws in order for society to flourish, and that if these laws are undermined then government will gain illegitimate power and the future will look bad.

Utilitarianism challenges basic rights in society as it plays with concepts such as 'how much can a state extract from the wealthy before a revolution occurs?' or 'how much freedom of expression can

a government censor in order to maximise general utility?' Although Bentham scorned natural rights and called them "nonsense on stilts" he had no way of explaining how individual rights are preserved without reverting to a form of Locke's workmanship ideal (protecting private property/people own what they create) (Shapiro, 2010f). Shapiro explains that Bentham's dilemma is illustrated in his statement that "Law does not say to man, 'Work and I will reward you', but it says: 'Labour, and by stopping the hand that would take them from you, I will ensure you the fruits of your labour - its natural and sufficient reward, which without me you cannot preserve'. If industry creates, it is law which preserves. If at the first we owe everything to labour; at the second, and every succeeding moment, we owe everything to law" (Shapiro, 2010f). By this Bentham means that industry and labour create utility and the state must protect goods and property, which it can redistribute to the point of *practical equality*. Shapiro says that this is problematic because there can never be a definitive answer to what *practical equality* is, and so the state is given power to expand in order to create whatever it deems practical equality to be (Shapiro, 2010f). This takes us right back to Locke and Kant's initial theories of protecting negative rights, but Bentham uses a "but" in certain cases where utility is thought to be increased by undermining negative rights.

Pohlman (2015: online) explains that on a practical level act-utilitarianism falls into the *sorites paradox*, which arises from vague predicates. An example goes as such: 10 000 people could be cured from a painful terminal illness but one person has to die in order to provide his organs for this cure. Is it moral to kill this one person? Act utilitarianism would say "yes" by means of weighing up the total amount of pleasure gained vs. the total amount of pain created. What if two people have to die for the 10 000 terminally ill patients, though? What about three people, or four, and so on? There is no way of calculating the difference between three people dying or four people dying, or between four people and five people, and utilitarianism has no accurate way of weighing up the amount of suffering that must happen (Pohlman, 2015). Locke and Kant have a simple solution – never kill an individual because, according to Locke, this would violate an inalienable right, and according to Kant it would be using an individual exclusively as a means to an end. Utilitarianism can justify abortion at any stage by speculating on the future pain a mother might be caused, or the pain that an unwanted child might endure, but presuming a type of omnipotence to predict the future is risky because who is to say that the child won't be adopted and become a brilliant scientist who invents a cure for cancer which benefits millions of people? (Pohlman, 2015). Abortion is a tricky question though, and even classical liberals have to weigh up the mother's liberty, to do what she pleases with her body, with philosophical questions about whether, or at what stage, a foetus is a human being and has rights; but if act-utilitarian calculations are brought into the debate then the scale quickly tips in favour of late-stage abortion.

In the first few decades of the 20[th]century American courts were not willing to deviate from natural rights theory and accept utilitarian arguments, which had already started to change the European legal system (Pilon, 2016b). This took a U-turn in the 1930's after Franklin Roosevelt's New Deal (1933-1938), and by the 1950's, after a period of judicial restraint, American courts were routinely ignoring the Ninth Amendment and its protection of natural rights and courts began creating new rights out of 'whole cloth' (Pilon, 2016b). After downplaying negative rights the courts made some appalling decisions, based on newly-adopted utilitarian principles, such as prosecuting homosexual sodomy and forced sterilisation, which eventually saw about 70 000 sterilisations undertaken in the name of increasing the greater good in society and improving the genetic quality of Americans (Pilon, 2016b). The United States Supreme Court made a landmark decision in the case between Lawrence vs. Texas (2003) and finally struck down the last of the illiberal sodomy laws which undermined individual rights. The prevalence of an act-utilitarian mind-set within modern democracies is crucial for political correctness to thrive because it chips away at negative rights, essentially belittling them as "nonsense on stilts". Those who call for the state to ban certain types of offensive speech first of all need to devalue negative rights which protect speech, and when negative rights have lost their value the next step is for leftists to appeal to the harm and decreased utility caused by offensive and undignified speech, which then enables legislators to make distorted positive rights which ban forms of offensive speech.

Act-utilitarianism also undermines virtues such as honesty because it becomes okay to tell a lie if it will contribute to the 'greater good'. A society full of people who have no moral obligation not to lie would fall apart because citizens would stop trusting each other and contracts would continually be broken. Act-utilitarianism would allow censorship of debates if the censorship were deemed by those in power to bring the 'greatest good' to society, and in modern democracies the greatest good has shifted from protecting individual liberty to equal inclusion of all cultures and not offending marginalised groups. This makes it okay to censor debates around affirmative action policies, hate speech laws, low academic performance amongst previously disadvantaged groups, crime and rape statistics of certain groups, and other related topics.

John Stuart Mill and the Rights-Utility Synthesis

John Stuart Mill was a firm believer that being honest and arriving at the truth always brings the most utility to a society in the long-run, and he presented one of the most famous arguments for free speech in which he warned strongly against both government and social control of speech. Shapiro (2010g) explains that Bentham takes utilitarianism to an extreme whereas Mill looks at the complex nature of human existence and synthesizes natural rights and utilitarianism, and by

incorporating the two he makes a powerful argument for freedom of speech. Mill says that, "If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind" (Mill, 1859: 18). He also said that, "...there ought to exist the fullest liberty of professing and discussing, as a matter of ethical conviction, any doctrine, however immoral it may be considered" (Mill, 1859: 106).

Mill studied under Jeremy Bentham and he synthesized classical liberal rights with a utilitarian way of thinking to form what is known as *rule-utilitarianism*. Rule-utilitarianism does not weigh up each individual act like act-utilitarianism does but it instead proposes general moral rules which are arrived at by deciding what rules would create the most utility in society. These rules then have to be followed even if keeping to one of them causes less utility in a particular instance. Mill obtains his set of rights from utility rather than from Kant's universalizability or from John Locke's version of natural law, and he says, "To have a right, then, is, I conceive, to have something which society ought to defend me in the possession of. If the objector goes on to ask, why it ought? I can give him no other reason than general utility (Mill, 1863, 52)".

Mill's rule-utilitarianism has similarities to Locke's theory of natural law in that Mill reasons out what causes the greatest utility for society, he creates general rules to follow, and rights follow from these rules to protect utility; whereas Locke reasons out rules and rights by using the social contract, the golden rule and scripture. Locke, Kant and Mill all fall into the category of classical liberals because they uphold basic negative rights and equality under the law but arrive at their conclusions through different methods of thinking. Locke might have also agreed that rules and rights arise from general utility calculated by God for the benefit of society, which humans can also arrive at via reason. Even if scripture is God-inspired, humans still wrote it, and these individuals who wrote it must have done what Mill did and worked out general rules from reason and experience regarding what harms society, and these rules which they reasoned out are what helped Locke to derive his set of rights. Reasonable people naturally understand these basic rules which are followed to this day because they are based on the golden rule, for example: don't worship idols (material goods/money), take a day of rest from work, honour your parents (authority), don't take life or harm people, don't lie, don't steal and covet (implying work hard/you own what you create/protect private property), don't commit adultery (break up families) - which are all based on treating others as you would have them treat you (putting yourself into others' shoes).

The Harm Principle

Mill's doctrine, also called the 'harm principle', can be seen clearly in the following paragraph from *On Liberty*, "The object of this essay is to assert one very simple principle; as entitled to govern absolutely the dealings of society with the individual in the way of compulsion and control, whether the means used is physical force in the form of legal penalties or the moral coercion of public opinion. That principle is that the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number is self-protection. That the only purpose for which power can rightfully be exercised over any member of a civilized community, against his will, is to prevent harm to others. His own good, either physical or moral, is not a sufficient warrant. He cannot rightfully be compelled to do or to forbear because it will be better for him to do so, because it will make him happier, because, in the opinions of others, to do so would be wise or even right. These are good reasons for remonstrating with him, or reasoning with him, or persuading him, or entreating him, but not for compelling him or visiting him with any evil in case he do otherwise. To justify that (that is, to justify compelling him), the conduct from which it's desired to deter him must be calculated to produce evil to someone else. The only part of the conduct of anyone for which he's amenable to society is that which concerns others. In the part which merely concerns himself, his independence is, of right, absolute. Over himself, over his own body and mind, the individual is sovereign" (Mill, 1859: 13).

According to Mill "...the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others" (Mill, 1859: 13). This means that people are obliged to refrain from expressing themselves if, and only if, they will cause someone else harm by doing so. What sort of harm was Mill talking about though? David van Mill, an Australian author and political philosopher, explains in the Stanford Encyclopedia of Philosophy (2016) that John Stuart Mill meant that an action must "directly and in the first instance invade the rights of a person" if it is to be considered harmful, which leaves a narrow margin for prosecution of free speech because it is difficult to support the claim that speech causes harm in this manner (van Mill, 2016). Van Mill explains that John Stuart Mill himself uses the term "rights" even though he bases his arguments on the principle of utility (van Mill, 2016). John Stuart Mill's underlying message is that the state has a duty to make sure a person is left alone unless he or she harms someone, which means that people should not be compelled by government nor should they be coerced with the moral force of public opinion (Shapiro, 2010g). Mill believes that individuals know what they desire most and what makes them happy, and so maximum utility is gained within society when they are free to follow their desires and express themselves freely; and because freedom of expression causes a great amount of utility it is crucial for a democracy to flourish (Shapiro, 2010g).

Scientific Argument and Free Speech

In his book *On Liberty (1859)* Mill argues that freedom of expression is the path to the truth, and he does this by appealing to scientific argument. As mentioned previously, early Enlightenment thinkers such as Hobbes, Locke, Kant and Bentham believed that the purpose of science was to find certainty by using principles of *Cartesian doubt*. Mill, who was born in 1806 and died in 1873, was an extremely progressive thinker for his time and used a modern, fallibilist concept of science which people have come to use intuitively nowadays (Shapiro, 2010g). In Mill's view all knowledge is corrigible and capable of being corrected, and he moved away from the old scientific version of verifying a theory (proving it is true) to the modern version of science called falsificationism (proving that a theory hasn't been falsified *yet*), which has become associated with Karl Popper (Shapiro, 2010g). Falsificationism sees the discovery of truth as an ongoing process in which a hypothesis must be tested against all available evidence while a competing (or null) hypothesis may prove the first hypothesis to be false at some stage in the future (Shapiro, 2010g). Mill uses this scientific method to calculate the utility arising from free expression in a democracy, and he does it by examining two different models of speech: a) *'deliberation',* where people discuss a matter, come to an agreement and give a consensual answer, and b) *'non-deliberation'*, where each individual first forms his or her own judgment about a matter and expresses his or her opinion, which involves ongoing argument and criticism (Shapiro, 2010g).

Deliberation and *non-deliberation* are two very different models of speech in politics, and social psychologists have done scientific experiments on these competing methods to see which gets closest to the truth (Shapiro, 2010g). One notable experiment involves placing a group of people on the side of a field and allowing them to guess the weight of a cow. The *deliberative* approach allows the group to discuss the weight of the cow and come to a general agreement as to what it weighs, whereas the *non-deliberative* method forces each person to make his or her own best judgment regarding the weight of the cow without talking to anyone else. In the *non-deliberative* method each person gives his or her own answer and the sum of the individual answers is added up and divided by the total number of people to get the final answer. Evidence shows that the *non-deliberative* method is by far the most accurate of the two and gets astonishingly close to the actual weight of the cow; possibly because people are forced to think for themselves and can't be swayed by dominant personalities or people who think that they know best (Shapiro, 2010g). The conclusion from this experiment mirrors Mill's argument that the sum of free speech in a society, where each person freely expresses his or her views, will represent the truth more closely than if some people are swayed and overridden by social pressure. Reaching a general consensus tends to ignore many opinions which may be correct but which are deemed as erroneous by the crowd. Creating informed

opinions and continually criticising and arguing a point without giving in to strong personalities, leaders and know-it-alls, is more likely to bring a society closer to the truth. If each person's opinion is given credence and weighed up, no matter how far out or absurd it seems, the crowd will get closer to the truth on any matter than it would by censoring certain opinions in favour of others.

The Competition of Ideas

Mill gives four reasons why free speech is crucial in a democracy. He says, "First, if any opinion is compelled to silence, that opinion may, for aught we can certainly know, be true. To deny this is to assume our own infallibility. Secondly, though the silenced opinion be an error, it may, and very commonly does, contain a portion of truth; and since the general or prevailing opinion on any subject is rarely or never the whole truth, it is only by the collision of adverse opinions that the remainder of the truth has any chance of being supplied. Thirdly, even if the received opinion be not only true, but the whole truth; unless it is suffered to be, and actually is, vigorously and earnestly contested, it will, by most of those who receive it, be held in the manner of a prejudice, with little comprehension or feeling of its rational grounds. And not only this, but, fourthly, the meaning of the doctrine itself will be in danger of being lost, or enfeebled, and deprived of its vital effect on the character and conduct: the dogma becoming a mere formal profession, inefficacious for good, but cumbering the ground, and preventing the growth of any real and heartfelt conviction, from reason or personal experience" (Mill, 1859: 50). These four reasons show why Mill is responsible for the metaphor of "the competition of ideas" where the full flourishing of each individual and society as a whole gains its utility by means of the constant clash of ideas which results in the truth coming out as a by-product (Shapiro, 2010g).

Adam Smith and Freidrich Hayek present similar reasoning in their theories of markets whereby many individual transactions resulting from individual knowledge about a certain commodity create the most accurate market price for that commodity. Any central planner who tries to adjust market prices artificially will most likely set a price which is out of kilter with the actual supply and demand. This is because central planners cannot have a fraction of the combined information and research of millions of individual buyers and sellers, and hence the most utility and fairest prices are created through free trade. In a similar manner if central planners (governments or institutions) put values on certain types of speech and restrict speech arbitrarily, truth will not be reached. Mill's harm principle of the marketplace of ideas mirrors economic free market transactions whereby negative rights maximise individual freedom which in turn maximises general utility in the long run (Shapiro, 2010g).

Democratic Decision-Making and Social Disapprobation

In politics and economics there are many activities where harm is inevitable to some party, for example, free trade harms US cotton producers whereas US trade barriers and protectionism harms African cotton producers. The opposite goes for South Africa protecting its poultry industry from cheaper American chicken imports. Apartheid excluded black civil servants and BEE excludes white civil servants. In political decisions where some party will inevitably be harmed, Mill says that a utilitarian calculation must be made to see what is the best for society (Shapiro, 2010g). In order to do this a democracy needs informed citizens who are at liberty to express themselves freely so that society can arrive at decisions which are closest to the truth (Shapiro, 2010g). Shapiro says that freedom of speech is thus used as a pathway from liberty (individual rights) to utilitarian efficiency in a democracy; and for this reason it should only be limited when it prevents direct harm to other negative rights. Mill therefore opposes any legal penalties for offensive speech and he also opposes social disapprobation which suppresses free expression because, "everyone lives as under the eye of a hostile and dreaded censorship...it does not occur to them to have any inclination except what is customary" (van Mill, 2016). John Stuart Mill would only have condoned social disapprobation if it were used in the form of a spontaneous critical response to the offending person's faults and not as a prolonged form of disapproval or social punishment (van Mill, 2016).

In South Africa, for example, social disapprobation has been used to side-line opinions on the inefficiencies of quotas in Black Economic Empowerment (BEE) and to silence people who point out any benefits from colonialism, Western literature, free market trade, and to disapprove of people who want to get rid of the minimum wage. This, according to Mill, causes suboptimal political decisions to be made which brings less utility to society as a whole. What if BEE is, in fact, preventing foreign businesses and capital from entering South Africa, siphoning money off to the political elite, strangling jobs and decreasing the utility of the poor who are steadily becoming poorer? Regarding free market trade and job protection, what if buying cheap clothing and chicken imports from abroad benefits 55 million citizens, most of whom are poor, who can then save money on clothing and chicken purchases and spend it on other necessities; and what if the utility gained outweighs saving a few thousand jobs in the South African chicken industry? If the commonly supported rhetoric in a country revolves around reversing discrimination via BEE or raising the minimum wage and protecting marginalised workers (instead of focussing on those who have no jobs at all), and if those who advocate a system of merit or the free market are shown social disapproval and silenced, then how will the truth ever be reached? The same principle would apply if socialist thinkers were silenced in a predominantly capitalist society. As Mill said, the only way to get to the truth on these

matters is to consider utility (of the whole population and not just a segment of it), to uphold set rules and rights and have sustained rigorous debate without hindrance.

Social Disapprobation on an Individual Level

Some people grow up in racist or fundamentalist religious households and naturally become bigoted, believing wrong things about other races or religions. They then talk about these beliefs as if they were true, which can land them in "hot water" in certain environments. In politically correct environments people are not free to talk about their beliefs which prevents them from hearing counter arguments and debates from others. If a person happens to bring up beliefs and gets rejected as someone who is immoral or bigoted then she will keep these views to herself in the future and only share them with people who agree, and in doing so she will choose groups of friends accordingly and remain in a state of un-enlightenment, along with others in the group.

Democracy cherishes freedom of expression because liberalism allows for all kinds of religions (bigoted and otherwise), cultures and sexual persuasions in society; so democracy has to tolerate all the inevitable prejudices inherent in this 'weird and wonderful' array of beliefs and upbringings. Mill said that when citizens are silenced by social disapprobation debate is suppressed and the whole of society loses out because firstly, erroneous statements won't be corrected, and secondly, if the suppressed statement happens to contain a portion of the truth society won't obtain this bit of truth, and thirdly, if a statement has openly been debated and shown to be wrong then the truth will be more clearly illuminated after the debate. In his book *On Liberty* John Stuart Mill (1859: 19) elucidates this argument when he says, "But the peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error."

When Should Free Speech Be Restricted?

Mill's harm principle involves clear and direct harms as opposed to indirect harms or vices. Alcohol consumption, violent movies and smoking may cause harm, and diseases caused by alcohol and smoking may harm the taxpayer in social democracies where medical health is the burden of the public, but these vices are distinct from crimes in that they do not directly and clearly violate others' rights (van Mill, 2016). The only negative rights which are arguably violated are those of the taxpayer, who has to pay more tax to support others who are reckless with their own health. But this argument can be expanded to other cases of recklessness such as impatient drivers who cause

collisions and waste taxpayers' money. Is impatient driving more reckless and does it cause more harm to taxpayers' rights than chain smoking? As one can see, pursuing harm further than *clear and direct harm* to others' rights leads down a rabbit hole of philosophical debates.

Mill believes that the utility gained from free speech in a democracy far outweighs any potential harm or offense it might cause, which is why speech should be unrestricted except in cases where it causes clear and direct harm to negative rights in cases such as nuisance, molestation (harassment), defamation or where speech can lead to physical harm. He refers to the Corn Laws (1815 - 1846) in England which imposed heavy tariffs on foreign grain and favoured domestic corn dealers who raised the price of corn, and he gives the following examples to show when speech should be restricted: "An opinion that corn-dealers are starvers of the poor, or that private property is robbery, ought to be unmolested when simply circulated through the press, but may justly incur punishment when delivered orally to an excited mob assembled before the house of a corn-dealer, or when handed about among the same mob in the form of a placard. Acts of whatever kind, which, without justifiable cause, do harm to others, may be, and in the more important cases absolutely require to be, controlled by the unfavourable sentiments, and, when needful, by the active interference of mankind. The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people. But if he refrains from molesting others in what concerns them, and merely acts according to his own inclination and judgment in things which concern himself, the same reasons which show that opinion should be free, prove also that he should be allowed, without molestation, to carry his opinions into practice at his own cost" (Mill, 1859: 52).

When Mill says that "The liberty of the individual must be thus far limited; he must not make himself a nuisance to other people", the word "nuisance" refers to harassing, bothering or pestering, and implies a continuation of offense which restricts people's ability to pursue liberties such as the right to work, to go where they want and to associate with whom they want. Mill argues that it is acceptable to claim publically that a corn dealer starves the poor (if the corn dealer himself isn't directly threatened) or to write about it in newspapers. Even though the corn dealer may be financially harmed by the claims, and the poor may be harmed by the high price of corn, neither of these harms constitutes a direct and clear violation of rights of the negative type John Locke talked about in his Second Treatise (van Mill, 2016). It is unacceptable, however, to make similar claims in front of an angry mob outside the corn dealer's house, "such as to constitute...a positive instigation to some mischievous act", which might place the corn dealer's right to life in danger (Mill, 1859: 52). This is why the harm principle is to be applied very sparingly and utilised in serious cases such as libel laws, blackmail, advertising blatant untruths and broken contracts (van Mill, 2016).

The Era of Political Correctness

Free speech in liberal democracies has traditionally been underpinned by Mill's harm principle in conjunction with negative rights. With the advent of the New Left and the birth of modern-day political correctness at the end of the 20th century, democracies drifted away from the classical liberal idea of free speech when Mill's harm principle was edged out of legislation and replaced by the *offense principle,* which gave citizens a new right not to subjected to certain types of offense. The process began in Britain when the Public Order Act of 1986 stated that "... the U.K. does not require such a stringent barrier as the *harm principle* to prohibit speech ... A person is guilty of an offence if he ...displays any writing, sign or other visible representation which is threatening, abusive or insulting, within the hearing or sight of a person likely to be caused harassment, alarm or distress" (van Mill, 2016). An explosion of lawsuits resulted in Britain, with the financial burden being placed on the legal system and taxpayer, a prominent case involving the prosecution and six-month suspended sentence of Harry Taylor. Taylor left anti-religious cartoons in the prayer room of an airport which "insulted, offended and alarmed" an airport chaplain who then reported the matter to the police (van Mill, 2016). Another lawsuit involved the football star Paul Gascoyne, who was charged with racially aggravated abuse after commenting, whilst on stage, that he could only make out a black man standing in a dark corner of the room when he smiled (van Mill, 2016).

Australia departed from Mill's harm principle when the Racial Discrimination Act of 1975 made it "...unlawful for a person to do an act, otherwise than in private, If: (a) the act is reasonably likely in all the circumstances to offend, insult, humiliate or intimidate another person or group of people, and (b) the act is done because of race, colour or national or ethnic origin" (van Mill, 2016). A notable legal case under this Act involved the commentator Andrew Bolt, who was prosecuted for suggesting that nine people who had white skin but identified themselves as Aboriginal were merely doing it to advance their careers under affirmative action policies (van Mill, 2016). After this case the Australian government tried to reverse the 1975 Discrimination Act but failed to do so (van Mill, 2016). The United States remains an outlier amongst modern liberal democracies because its First Amendment strongly protects free speech. Certain institutions in the United States, such as universities, have created their own rules regarding what constitutes discrimination and hate speech, which has led to a clash between these institutions and the American legal system.

Chapter 3

Hate Speech in Modern Democracies

Free speech is a highly contested topic in democracies because they place great value on it, and hate speech in particular has become a hot topic in modern democracies. Hughes (2010: 173) explains that hate speech has become central to debates on political correctness because of its ambiguous constitutional status, the key notion being the category called *fighting words*. In addition, there is no universally accepted definition of hate speech and there are discrepancies between what different liberal countries define as hate speech, so acceptable limits of hate speech are not clear-cut. In recent years some European countries have changed their legislation and expanded categories of hate speech to include criminalising anti-Semitic talk and types of racist or sexist language.

Although the First Amendment in the USA establishes the fundamental freedom for all, in 1942 the Supreme Court ruled that *fighting words* should not be protected by the First Amendment (Hughes, 2010: 173). The Supreme Court defined *fighting words* as, "The lewd and obscene, the profane, the libellous, and the insulting or 'fighting' words – those which by their very utterance inflict injury or tend to incite an immediate breach of the peace" (Hughes, 2010: 174). Marilyn Friedman (1995:3) explains that in the USA fighting words can be penalised if they pose the "clear and present danger" of a breach of the peace, for example, if a person insults someone in a manner which can warrant a violent reaction. For fighting words to be prosecuted an *imminent danger* must be demonstrated in each case and no particular hate speech or type of language can be deemed as punishable before the particular case is assessed (Friedman, 1995: 3). This eliminates 'blanket bans' involving certain types of hate speech because each case must be looked at separately. These laws do not apply to Europe, however.

Some liberal countries have widened the definition of hate speech to include 'blanket-bans' on certain types of speech against minority groups, for example, 13 out of the 18 EU member countries have criminalised anti-Semitic talk and Holocaust denial (Rose, 2016: online). Along with hate speech, hate crime emerged in the media and was first recorded in the USA in 1984 with the Washington Post (July 14) defining it as "violence against racial or religious minorities" and later on the Chicago Tribune (June 19, 1993) gave it a wider definition of "victims targeted because of race, religion, ethnicity, sexual orientation or disability" (Hughes, 2010: 175). The targets of hate crime gradually expanded and were added to existing legislation, and by 2001 the Independent (August 17) reported on a new refinement of hate crime whereby "Scotland Yard is creating a category of hate crime, 'transphobic crime', to cover offenses against transgender people" (Hughes, 2010:175).

Modern definitions of hate speech are generally defined as speech which targets a person or group based on something the person or group can't change, like being of Jewish descent, being gay, Muslim or having brown skin; but the relatively new definitions of hate speech are problematic because of their vagueness. Depending on the country, hate speech might involve inciting violence, intimidation, causing prejudice and even using gestures. Narveson (1995: 40) says that there are many ways of verbally intimidating, harassing, needling or wounding a person, but it is not clear why some ways are applicable to hate speech and others are not. What if someone belongs to the subsection of humans with big ears or long noses and he gets insulted or harassed about those features? He can't change these either but that is not deemed to be hate speech. Banning all the ways we could insult someone based on traits they can't escape would be intolerable, and so the question of why we ban some ways and not others is unanswerable (Narveson, 1995: 140).

Downplaying Speech to Just Another "Good"

As discussed briefly in Chapter 2, some critics of free speech argue for more censorship by appealing to an altered definition of *equality.* For example, a person may not label someone as inferior because of his race, culture, gender, sexual orientation, physical appearance or religion, because this is said to conflict with the underlying values of democracy where everyone is *equal,* in more ways than just equal before the law. This argument calls for liberal democracies to balance individual liberty (freedom to express oneself) with the egalitarian principle of respecting citizens equally, which involves weighing up the 'good' of free speech with another 'good', namely, *equality.* The right for everyone to be treated equally by everyone else moves the free speech debate from the realm of individual virtue into the realm of positive rights and policy-making. Instead of it being virtuous to respect people and treat them equally it becomes a legal obligation for everyone to be respected and treated equally by everyone else. Altering the definition involves semantics, as politically correct arguments often do, because the whole meaning of liberal democracy has to be changed for equality to be expanded and individual liberty to be downplayed.

Altering language and meanings of words is a well-known tactic which is used to confuse debates and shut down arguments. For example, if contesters' definitions of *liberal democracy* are poles apart then people will be arguing about rights until the cows come home. If person X believes that the word "equality" means "equality before the law", and persons Y and Z have their own definitions of equality which also differ, then there will be an ongoing mix-up as to what liberalism is and what speech should be protected due to various definitions of equality, and hence, various definitions of rights.

Other examples of altered definitions of terminology relating to political correctness are multiculturalism and egalitarianism (as defined in Chapter 1). When the average person hears the words 'multiculturalism' and 'egalitarianism' in a debate they cannot be blamed for siding with the speaker who espouses these terms, because they might think to themselves, "What kind of liberal would not want cultures to integrate and people not to be treated equally?" What the average person doesn't know though is that these terms have been captured and given ideological connotations, and because of this they are agreeing with words which have changed their meanings, which confuses the debate. Another example is the word "neoliberal", a term often used to denigrate free market capitalists, which has different meanings in different countries and is brandished around to describe a type of person who leftists don't agree with. "Googling" the word gives one different definitions and there is little consensus as to what it means, but what is clear is that it is politically incorrect to be a *neoliberal* nowadays, and *neoliberals* ironically include a subset of people who espouse traditional liberal values regarding the free market, free speech, individual rights and minimal government. The irony is that left-wing liberals have usurped the term "liberal" for themselves and they use "neoliberal" as a blanket term, in a similar manner to how they use other fashionable and unclear accusations, such as "racist", to confuse and shut down debates.

Altered Definitions of Harm

David van Mill (2016) discusses Jeremy Waldron's arguments for hate speech laws, whereby Waldron argues for the harm principle to be defined less stringently on the basis of people's dignity being compromised, members of society feeling unwelcome, and certain speech causing harm to the social standing of groups. These claims necessitate using the new, revised definition of liberalism, which lowers the threshold of harm and expands its definition from John Stuart Mill's forms of clear and direct harm such as defamation, harassment and nuisance to advanced psychological realms of offence. The minute one wanders outside the realm of "equality before the law" and of inquiring whether speech undermines other negative rights, it becomes hard to disagree with Waldron's appeals to "dignity", "feeling unwelcome" and "social standing". Dignity can be harmed in many ways by friends, teachers, parents and work colleagues, which makes it difficult to prove an attack on dignity as a sufficient harm (van Mill, 2016).

The call for all values (including speech) to be weighed up is expressed by Stanley Fish (1994), a critic of free speech, in his book called *There's No Such Thing as Free Speech: and it's a Good Thing, Too*, when he says that, "we must consider in every case what is at stake and what are the risks and gains of alternative courses of action" (Fish, 1994: 111). Fish argues that even if hate speech does not cause harm that can be clearly proven it still has to be limited because it is not compatible with

democracy (van Mill, 2016). If someone could prove Fish's argument that certain speech does limit the capacity of sections of the community to perform their democratic right to exercise their goals, talents and abilities, then Fish would have a good argument based on the same argument which is used for allowing free speech (van Mill, 2016). It is much easier to prove though, as John Stuart Mill does, that free speech *is* compatible with democracy and helps communities to exercise their goals.

The Anti-Absolutist Argument

Eric Heinze, a professor of Law and Humanities at the University of London and an author specialising in human rights, looks at various arguments for restricting speech in what he calls "Longstanding, Stable and Prosperous Democracies" (LSPDs), and responds to each of the arguments.

The 'anti-absolutist' argument calls for speech bans on the basis that 'no right is absolute'. It claims that because the right to free speech sometimes conflicts with values such as human dignity and respect, free speech should be limited because of others' rights to respect and dignity (Heinze, 2016: online). Heinze points out that the 'anti-absolutist argument' is a straw-man thesis because all modern democracies ban some forms of speech so speech is not absolute in the first place. Stanley Fish (1994) states that "speech, in short, is never a value in and of itself but is always produced within the precincts of some assumed conception of the good" (Fish, 1994: 104). David van Mill (2016) explains that the right to speak anywhere and at any time is not absolute and must be weighed up with the competing value of democracy, for example a member of parliament who speaks out of turn and wilfully disrupts debate should be prohibited from doing so on the grounds that he or she is undermining the value of democracy. As mentioned previously, there are a number of cases where speech can be legitimately curtailed or penalised because, as Roger Pilon said, even negative "inalienable" rights come with boundaries and society changes these boundaries from time to time as conditions change.

The Offense Principle

Joel Feinberg (1985) proposed an 'offense principle' (used in Britain's aforementioned Public Order Act of 1986) which asserts that the state should punish offensive speech, and he says, "...it is always a good reason in support of a proposed criminal prohibition that it would probably be an effective way of preventing serious offense...to persons other than the actor, and that it is probably a necessary means to that end...The principle asserts, in effect, that the prevention of offensive conduct is properly the state's business" (van Mill, 2016). Feinberg acknowledges though that offensive language should carry less severe legal penalties than harmful speech (in the Millian sense)

because history shows that the state has been overly severe in punishing offensive speech, for example people have been imprisoned and given the death penalty in cases where the political elite take exception to a particular type of speech (van Mill, 2016). History repeats itself though, which can be seen by the new legislation surrounding South Africa's proposed hate speech laws which will be discussed further in chapter 7.

Feinberg's 'offense principle' runs into problems because everyone has a different tolerance towards offense, for example some people are more sensitive whilst others are 'thick-skinned', and some people find certain jokes amusing whist others find the same jokes offensive (van Mill, 2016). Joel Feinberg works around this problem by using an almost Bentham-like system of rules for calculating whether something is offensive or not, which includes, "the extent, duration and social value of the speech, the ease with which it can be avoided, the motives of the speaker, the number of people offended, the intensity of the offense, and the general interest of the community" (van Mill, 2016). Law courts have a difficult time assessing such 'motives', 'intensity' and 'general interest', which involves an insubstantial analysis bordering on Orwellian 'thought crime'- what Temba Nolutshungu described earlier as the "suspect moral stance" which is thought to lie behind politically incorrect speech (Nolutshungu, 2000: 23).

Censoring Speech May Also Cause Harm

Heinze says that evidence points to the fact that banning speech psychologically harms people because it violates a basic democratic right to free speech, and people become inflamed, indignant and merely tailor their responses accordingly to the existing bans and penalties (Heinze, 2014). If this is so then utility would decrease in countries which have hate speech bans due to the fact that the majority of citizens would be harmed by suppressing their views and beliefs, which would cause great frustration. Hate speech bans could therefore lead to latent anger which could cause hate and violence. For example, the psychological suppression caused by politically correct censorship in Britain, Europe and the USA for the last thirty or so years is thought to have contributed to the growth of nationalistic, right-wing backlashes seen recently. The USA is currently experiencing increased numbers of people challenging the expansion of political correctness by supporting Donald Trump (Slavoj Zizek, 2016), Britain has left the EU, and both Britain and Europe are experiencing shifts in the opposite direction to which leftist multiculturalism has been heading since the 1980's. Note that there is a difference between voluntary cultural integration (which brings diversity and is generally thought to be advantageous) and 'egalitarian multiculturalism' (which has a political agenda to reverse discrimination by means of coercion). Political shifts have been likened to pendulum movements - if there is a swing too far in one direction, and people who have grown

accustomed to liberty feel constricted, then there is a high possibility of an overcorrection in the opposite direction.

The Not Speech Argument

The 'not speech' argument is used to ban hate speech and is illustrated by US Supreme Court Justice Anthony Kennedy who claims that crude hate speech is "inarticulate" (not speech at all), and it makes up "no essential part of any exposition of ideas" (Heinze, 2014). Heinze says that this type of objection undoes itself because in order for a state to ban an expression it must first identify some meaningful content in the expression, and so expressions which do not convey any underlying meaning or ideas can neither be hateful nor loving, but must be devoid of any meaning and cannot be banned on a rational basis (Heinze, 2016).

The Globalisation Argument

The 'globalisation' argument says that hate speech can be electronically communicated and can cause violence abroad, an example being the 2005 Danish cartoons of Mohammed which caused violent protests in other countries. Heinze says that it is illegitimate to expect a society to change its deeply-rooted democratic norms just because another country doesn't like them. Images of scantily clad women can be viewed over the internet and provoke hostility in countries which hold different values, but liberal democracies are not obliged to change their values by restricting women's liberty and controlling the way they dress (Heinze, 2014).

The Snowball and Indirect Harm Arguments

The 'Weimar' or 'snowball' argument says that offensive speech has a snowball effect which can potentially reach a Nazi-like extreme and cause atrocities. This argument is similar to the 'indirect harm' or 'cultural transmission theory' argument, which says that even though there is no materially evident impact of hate speech, cultures can pass the cumulative effects of hate speech on to each other and to succeeding generations, which makes intolerance the norm (Heinze, 2014). Heinze responds to these arguments by saying that stable democracies have developed buffers to intolerance which the Weimar Republic (which was on the verge of economic collapse) and other countries such as former Yugoslavia did not have. Social scientists have not yet been able to trace hate speech to group mobilisation in modern democracies even though hate speech has proliferated because of electronic and social media, and violent content is widely available on the internet, media and television (Heinze, 2014). Sociologists have in fact shown the reverse – that violence has decreased in stable democracies regardless of widely available offensive content (Heinze, 2014). Secondly, preventing culturally transmitted harm would necessitate delving into all realms of public

expression such as film, art, speech and literature, and public expression could become wholly subordinated to government censorship (Heinze, 2014). Various types of expression would then need to be assessed, ranked, and corresponding penalties imposed on the basis of hypothetical danger, which is unacceptable under the rule of law and the democratic process of justice. Some advocates for freedom of expression use the opposite version of the 'Weimar' or 'snowball' argument, and they claim that restricting speech leads countries down the 'slippery slope' towards totalitarianism. It is hard to prove the 'slippery slope' argument either way, which is why it is important to use moral philosophy and clear concepts of harm such as John Stuart Mill did.

The Incitement Argument

The 'hate crime' or 'incitement' argument states that hate speech is threatening and can lead to murder, assault, theft and property damage because hateful utterances incite individuals to violence and discrimination. Heinze responds that modern democratic states can already legitimately punish hate crimes whenever they occur. Democracies have *speech-act distinctions* for a reason, the reason being that they do not need to waste the court's time and taxpayers' money to delve into all the potential harms done by speech (Heinze, 2014). Heinze says that appeals to *incitement* should be kept to an absolute minimum in democracies because they are necessarily subjective and give the state a 'dragnet device' to sweet up undesirables who express ideas that have not actually harmed anyone (Heinze, 2014). This is why John Stuart Mill was so careful when dealing with incitement and gave the example of the corn dealer, who was undoubtedly exposed to clear and present danger regarding his physical wellbeing.

David van Mill discusses David Boonin's book *Should Race Matter? Unusual Answers to the Usual Questions* (2011), where Boonin argues that placing a blanket ban on hate speech on the grounds that it is 'threatening' and can 'incite violence' is problematic because circumstances surrounding threatening speech all differ and should be considered individually (van Mill, 2016). He explains that an elderly woman saying something racially abusive to a group of black men would be deemed as hate speech under a blanket ban even though it is far from physically threatening, which is why the concept of hate speech sits on the horns of a dilemma – either not all forms of hate speech are threatening, or if they are they are already prohibited because 'fighting words' are already banned (van Mill, 2016). Speech which causes an immediate threat via *fighting words* is prohibited anyway in modern democracies, along with speech which causes repeated intimidation and harasses victims. Backing up hate speech bans by appealing to 'threatening words' or 'incitement of violence' is therefore a meaningless concept, which is why hate speech laws are sometimes seen as Orwellian types of control without any rational basis. The only logical reason for these bans is an ideological

one: for the purpose of limiting thought and argument, and reversing privilege by giving previously oppressed groups privileges which other groups do not have. For instance, creating Holocaust-denial laws gives one group the privilege of having laws which protect what is sacred to it whilst excluding other marginalised groups which demand equivalent laws protecting what is sacred to them. Arbitrarily dealing out these privileges via various hate speech laws ironically comes at the expense of treating all groups equally, as well as at the expense of individual liberty and freedom of expression.

David van Mill examines George Kateb's argument from his essay *The Freedom of Worthless and Harmful Speech (1996)*, which posits that if there is such a thing as hate speech which causes harm, the harm caused would be far more extensive than some leftists would like to admit (van Mill, 2016). Kateb uses political and religious speech to prove this point because political speech is often deceitful, aims at discrediting specific groups, stirs up nationalism, jingoism and undermines democratic citizenship; and religious speech is often hateful, dishonest, foments bigotry, creates guilt, a bad self-image and stimulates fundamentalism and potential conflict (van Mill, 2016). So why just pick and choose harm according to the politically correct pet-issues surrounding race, culture, gender and sexual preference, and why not ban certain political and religious speech? Kateb makes an interesting point because a number of politically correct adherents try to censor offensive religious speech but without much success because freedom of religion is at the heart of liberal democracy. The politically correct call to ban 'intolerant' religious speech tends to expose the illiberal mask of political correctness and uncover its totalitarian tendencies. Opponents of Kateb's argument might say that there is no need to ban religious speech because people can freely avoid churches, religious fanatics and religious television programs; and that allowing political speech constitutes a greater good for democracy than banning it. But can people actually avoid religious zealots who preach on street corners, phone in on radio programs, and are found in a variety of social settings, including social media, any more than they can avoid racists and bigots who use offensive speech?

No one can escape offensive speech in a democracy, which is why hate speech laws which prosecute offenders for 'once-off' speech (as opposed to persistent speech constituting harassment) are so worrying. If people who advocate hate speech laws allow offensive political speech because they deem the democratic benefits to outweigh the harm, then classical liberals can extend this argument, as John Stuart Mill did, and argue that allowing all speech, except that which breaks the harm principle and undermines negative rights, constitutes a greater benefit for democracy than banning it. The whole argument must then revert to going around in circles once again, with various groups to the left and right of classical liberalism arguing about what is important in a democracy

and then redefining equality, freedom, rights and harm. The only way to quell the "game of ping pong" and clarify the debate surrounding free speech would be to re-adopt the classical liberal definition of liberalism, rights and harm. If definitions of harm and rights are expanded then the left will inevitably be able to suppress more and more speech, until people become too frustrated and suppressed, and then a counter-swing involving xenophobic, racist and nationalistic rhetoric becomes more likely.

The Disproportionate Impact Argument

Another argument is the 'disproportionate impact' argument which appeals to *privilege* and argues that people in privileged positions can afford to uphold individual liberty and oppose speech bans because they don't bear the brunt of hatred (Heinze, 2014). It claims that individual 'freedom' looks different from the perspective of someone who is poor, marginalised or oppressed. Heinze says that this argument assumes that side-lined groups naturally support speech bans, which is a conjecture usually made by people in privileged positions who call for speech bans on behalf of these groups. Marginalised groups by no means support speech bans and history shows that these groups benefit most from critical, rigorous and uncensored discussion (Heinze, 2014). Modern democracies have far more efficient means of creating egalitarianism than banning speech. They obtain more tax money from the privileged than from the less privileged, which naturally evens out inequality and discrimination in material ways, and democracies bring non-discrimination laws into the workplace, pluralist education into schools and awareness initiatives through government, NGOs, the private sector and the media (Heinze, 2014).

The Morals and Symbols Argument

The 'morals and symbols' argument says that governments need to be principled and take a moral stance against hatred and intolerance. In his book *The Harm of Hate Speech* (2012) Jeremy Waldron argues that states should not be 'value-neutral' and he says people who assume that vulnerable groups should "just learn to live with" hate speech are callous and need to be countered (Heinze, 2014). Heinze responds by saying that the only *value-neural* state that could exist would be a classical liberal or libertarian one, and that modern democracies have shifted to the left of classical liberalism and all of them have non-discrimination laws, pluralist education systems and ban threatening speech such as *fighting words* (Heinze, 2014). Therefore no modern democracy is value-neutral, as Waldron supposes, and Heinze thinks that further regulation of speech creates tokenism rather than genuine equality (Heinze, 2014). Henry Louis Gates Jnr. explains that discrimination does not disappear when speech is banned but morphs into more covert forms, when he says that, "The real power commanded by the racist is likely to vary inversely with the vulgarity with which it is

expressed"; by which he means that the most powerful statements made by racists are sly and cutting but not overtly vulgar (Heinze, 2014). Martin Luther King Jr. said that "Lukewarm acceptance is much more bewildering than outright rejection", whilst Randall Kennedy (2003) warned that in politically correct societies "the damaging but polite polemic is protected, while the rude but impotent epithet is not" (Heinze, 2014). These statements explain why African Americans have fared badly under an environment of political correctness, which limits the blunt speech which they can respond to and which helps them make more sense of what people really feel towards them (Heinze, 2014).

The Positive Law and Majoritarian Arguments

Finally, the 'positive law' and 'majoritarian' arguments are similar and they claim that modern democracies have generally approved some form of hate speech censorship which should remain in place because 'the law has spoken'. David van Mill notes that Stanley Fish is one of the authors who maintains that the existing political realm should dictate what can and cannot be said and that boundaries for speech should not be guided by abstract philosophies such as Mill's harm principle (van Mill, 2016). Heinze (2014) warns that confusing democracy and 'the law' with a straightforward majority is a perennial mistake because a majority vote in the legislature is only one way of decision-making in a democracy, and majority rule can only begin after certain inviolable principles and rights have been instituted. It is important to note that liberals have historically been united in opposing moralistic justifications for banning speech because they are not impressed by majorities, forceful groups or paternalistic states trying to mould the moral character of individuals (van Mill, 2016). Heinze (2014) notes the fact that speech bans in weak democracies and non-democracies have systematically been used against vulnerable groups, which is why they can never claim a legitimate role in a fully-fledged democracy.

The Newly Proposed Hate Speech Laws in South Africa

The Office of the African National Congress (ANC) Chief Whip issued a statement on 5 January 2016 declaring that the time had come for a bill to be created by Parliament to criminalise any act that perpetuates racism or glorifies apartheid: "In context of our painful past, racial bigotry and apartheid must be considered serious human rights violations punishable by imprisonment" (ANC Parliamentary Caucus Meeting, 2016). This piece of legislation was at first intended to prevent hate crimes only but after a number of instances of racist speech on social media in 2016 it was expanded to include hate speech.

In October 2016 this bill, called the *Prevention and Combating of Hate Crimes and Hate Speech Bill*, was given the go-ahead by Cabinet to be published for public comment. There has been a great amount of public opposition to the inclusion of hate speech in the Bill as well as to the 'broad net' of potential offences, and the Department of Justice and Constitutional Development therefore extended the submission of public inputs from 1st December 2016 to 31st January 2017. The Department describes the Bill thus: "The Bill creates the offences of hate crimes and hate speech and seeks to put in place measures to prevent and combat these offences. A hate crime is committed if a person commits any recognised offence, that is a common law or statutory offence (referred to as the "base crime or offence") and the commission of that offence is motivated by unlawful bias, prejudice or intolerance (Department of Justice and Constitutional Development, 2016).

According to the arguments discussed in this chapter, longstanding, stable and prosperous democracies (LSPDs) do not require speech restrictions embodied in *hate speech bans* protecting specific groups. Protection on an individual basis is sufficient because other speech laws already protect fundamental rights of individual citizens. The only potentially valid argument for banning hate speech can be made in a weak democracy which is not capable of protecting minority groups from abuse (Heinz, 2014). Examples of weak democracies might include Northern Ireland, Israel or South Africa, and in the case of South Africa the only legitimate hate speech ban would be to protect the white minority (8.25 percent of the population) against potential violence. Therefore, the newly proposed hate speech laws in South Africa are illegitimate from a liberal perspective.

Chapter 4

Political Correctness in Universities

The University Curriculum

One area of contention involving political correctness is the Western canon of traditional literary works in universities. Stan Gaede (1993), a professor of sociology, author, and President of the Christian College Consortium (made up of 13 universities), explains that proponents of political correctness would like to see sexual, racial and ethnic politics playing a larger role in academic syllabi because these groups have previously been excluded from the curriculum. Another objective of political correctness is to cultivate ways of seeing the world as a woman, a gay person, a Hispanic, a black person and so on, which makes the goal of political correctness substantially metaphysical in the sense that it builds a new worldview for people (Gaede, 1993: 32). Gaede believes that understanding American history from the perspective of Native Americans, or including women's perspectives in the social sciences, for example, will lead to a more inclusive set of data, different research conclusions and different theories (Gaede, 1993: 33).

Marilyn Friedman (1995) says that some critics of political correctness believe that altering educational syllabi transforms a concern with literature into a concern with identity politics. For example, Roger Kimball, the author of *Tenured Radicals*, believes that cultural leftist academics "exhibit a pervasive animus against the achievements and values of Western culture; all systematically subjugate the teaching and study of literature to political imperatives" (Friedman, 1995: 7). By "political imperatives", Kimball means that these academics obsess with race, sex, sexual preference and ethnic origin and are politically motivated instead of having a disinterested appreciation of universal values (Friedman, 1995: 7). Kimball describes how Stanford University dropped a course called *Western Civilisation* and replaced it with a multicultural course called *Culture, Ideas and Values* which confronts class, ethnicity, race, religion, gender and sexual orientation.

Marilyn Friedman (1995) says that altering the canon has happened in order to challenge the assumption that Western culture and European-centred perspectives are the greatest. She says that anyone who claims that the Western canon is universal and speaks to all cultures around the world needs to provide evidence for this (Friedman, 1995: 9). Friedman looks at classical theorists such as Thomas Hobbes, John Locke and John Stuart Mill, who claim in their theories of representative government that humans are primarily self-interested and inclined to be biased in their own favour, and she concludes that any claims about the universality of the Western canon based on judgments

and evaluations by Westerners themselves are likely to be self-serving (Friedman, 1995: 9). The Western view of human nature seen in the canon is just one viewpoint, and establishing the canon's universality needs to be substantiated by a diversity of individuals around the globe and should arise out of a sustained intercultural and cross-cultural dialogue (Friedman, 1995: 9). Different values apply to different cultures and different groups of people have varied understandings of beauty, justice, liberty and equality. Friedman argues that the Western canon offers little insight into modern contexts of ethnic pluralism, feminism, gender-based social practices and sexual identity, all of which have increased dramatically in modern times and need more attention (Friedman, 1995:12).

Jan Narveson finds it interesting that multiculturalists want to incorporate studies of other cultures into universities when many of these cultures are distinctly male dominated, anti-gay, they violate human rights and are essentially illiberal (Narveson, 1995: 65). Narveson says that the claim cannot be made, from a liberal perspective, that all cultures are equally good, worthy of study and valuable. Liberal principles include individual rights, private property, freedom of expression, disinterested criticism, equality before the law for people of all classes, races and persuasions, and advancement according to merit and not according to sex, race or ethnic origin. These principles form the glue that binds liberal societies around the world together, and these societies depend upon educated citizens who are acquainted with the most profound ideas from tried and tested literature around the world (Narveson, 1995: 66). The vast majority of canonical literature happens to be European and Euro-American, and this literature dwarfs multiculturalist and identity politics literature in a quantitative sense (Narveson, 1995: 66).

Rights vs. Responsibility

Marilyn Friedman says that people have a responsibility to study other groups even if these groups don't have a right to be studied, and because of historical exploitation and domination, even by unwitting participants, works from marginalised groups such as females need to be studied in order to get other points of view and prevent future exploitation (Friedman, 1995: 111). Political correctness is important in the sense that it expands the curriculum and is a means for achieving something that is a moral responsibility - which is the respectful treatment of other persons (Friedman, 1995: 111). Narveson disagrees and says that appealing to moral responsibility to study multiculturalist literature brings the debate back to negative and positive rights. This is because negative rights oblige *inaction* and grant individuals, groups, cultures and countries the right to be left alone whereas positive rights involve *action* and give these parties an equal right to people's attention (to be studied and included in the canon, in this case) (Narveson, 1995:65).

To recap, regarding rights and responsibilities, a child on the playground who has got himself into trouble doesn't have a right to attention (to be rescued) by other children, and they don't have a legal obligation to rescue him even though they might have moral responsibility to rescue him. Classical liberals use this same principle for a range of moral decisions ranging from whether to include marginalised groups in university syllabi to deciding whether to intervene and rescue an ailing country. The liberal theory of foreign policy uses negative rights to argue that liberal countries are not obliged to help other countries in any way, particularly if the ailing countries are not liberal democracies. Liberal foreign policy also states that liberal countries should not dabble and take sides in illiberal countries' politics, or unnecessarily go to war with them.

Narveson says that even if there were a moral reason to study other cultures and marginalised groups the task of choosing what to study, along with suitably-skilled teachers and financial constraints, would be impossible. He says that a liberal education should acquaint students with sample ideas from different cultures in order to make them aware of the differences that exist between other cultures and their own so that they can make a contrast between them, and he thinks that a few well-chosen examples must suffice because academic constraints make it impossible to provide a thoroughly diverse multiculturalist syllabus or find the staff to teach them (Narveson, 1995: 63). He points out that, "endless grants to fund endless conferences on the subject await the happy proponents of multiculturalism. But once we return to sober reality, we will accept the obvious impossibility of fulfilling any such program as reason to reject it, even if there were no other" (Narveson, 1995: 64). Narveson says that a solution to the multiculturalist debate would be for those wanting to learn about identity politics or other cultures to study politics, cultural anthropology or other subjects which cover these areas. Interested students could also do postgraduate degrees and specialise in identity politics or multiculturalism.

Relevant Voices to Represent Groups

Marilyn Friedman claims that, "relevant voices must adequately represent the variety of all human viewpoints: female no less than male, black no less than white, poor no less than rich"; and Narveson comments on this statement by saying that politically correct claims such as this contain jargon with no real meaning because it is possible for a person to represent things accurately from the point of view of a group to which he or she does not belong (Narveson, 1995: 141). Van Gogh's depiction of the 'Potato Eaters' depicts poverty and tells volumes about the plight of the poor, and Charles Dickens does the same; and it is these authors who do the depicting rather than the poor themselves (Narveson, 1995: 141). Even though groups such as women and non-whites are underrepresented in the Western canon, there is still a great amount of universally used Western

literature which criticises capitalism (for instance, Karl Marx) or the masculine-dominated society (for instance, John Stuart Mill criticises this in his 1869 essay called *The Subjection of Women*). Christian theology teaches that Jesus understood and supported the poor, oppressed, women (the 'woman at the well') and those from other cultures (the parable of the good Samaritan), and his teachings resonate all around the world. It is therefore incorrect to say that one needs to be from a specific culture, class, race, sex or group to understand and advocate for other people from one's own group. Any author who writes with insight is able to represent the plight of other people, which is why we should not insist on having x amount of people from each group as "relevant voices" to "adequately represent"; and adopting authors based on culture, colour or gender counts for nothing insofar as the purposes are literary or academic (Narveson, 1995: 142).

Dinesh D'Souza argues in his book *Illiberal Education* (1991) that some authors, such as Rigoberta Menchu from Guatemala, who are incorporated into the canon by multiculturalists do not represent the majority of people in their native countries and are instead a mouthpiece for a sophisticated left-wing critique of Western society (Friedman, 1995: 15). What multiculturalists refer to as "Western culture" is actually a mixture of cultures from around the world. It is more or less a combination of cultures such as Egyptian, Babylonian, Jewish, Arabic, Greek, Roman, Phoenician, French, Germanic, British, Scandinavian and American culture and has amalgamated philosophies, learnings and findings from other cultures and is not just "one thing". "The West" is a misnomer because it is a word which embraces all these cultures. Western lettering comes from the Egyptians, the Phoenicians, the Greeks and finally the Roman form which is used now. The number system is derived from the Arabs; and Islam and Christianity are both assimilated into Western culture, which is a polyglot of cultures. The Judeo-Christian culture provided much of the moral foundation in so-called Western culture, the Romans brought the law system, which they refined from the Greeks and Solon's laws. "The West", however, in politically correct jargon, conjures up an image of imperialism, slave trading, colonisation, oppression and free market capitalism.

Political Correctness at Publishing Houses

In Dianne Ravitch's book *The Language Police: How Pressure Groups Restrict What Students Learn* (2003) she looks at the roots of censorship in the production of textbooks in the USA, where history, roles and stereotypes have been policed by 'bias and sensitivity panels' since 1981 (Hughes, 2010: 54). She explains that censorship starts with publishers' guidelines and intensifies in pressure with textbook production and educational institutions' demands. The panels do not speak of censorship, but rather of 'avoiding' subject matter, which is essentially the same, and this distorts the literature curriculum and substitutes political judgments for historical or aesthetic ones (Hughes, 2010: 55).

Because of industry mergers educational publishing was dominated in the 1990's by four major publishing houses (Pearson, Vivendi, Reed Elsevier and McGraw Hill), and these four companies have a remarkably consistent notion of bias which one company defined as, "anything in a test item that might cause any student to be distracted or upset" (Hughes, 2010: 55). This has led to the censorship of history and politically incorrect topics, and objective truth has taken a back seat where any group is deemed to take offense.

The Metonymic Principle - Substituting a Part for the Whole

Hughes explains that a marked trait of political correctness is that "a person may lead a life of complete probity and intellectual rigor, but be destroyed socially and professionally by being denounced for simply using 'politically incorrect' language and thus labelled as a racist, sexist, homophobe, or fascist, despite the fact that these terms are problematic both in definition and specific application" (Hughes, 2010: 295). Political correctness does not have a sense of historical perspective, so if someone from a different era says something which is seen as politically incorrect nowadays then he or she can be labelled a bigot without further analysis. Charles Dickens, for example, has been reviewed by politically correct literary critics and called a racist and xenophobe, and comparing the latest politically correct assessment of Dickens to a trial, Mary McCarthy commented that the politically correct critics present themselves as posthumous inquisitors (Hughes, 2010: 218). McCarthy says that, "Here, as in most inquisitions, the *metonymic principle* is at work – the part is substituted for the whole, and a single 'incriminating' utterance is produced in court to lay bare the man in his totality" (Hughes, 2010: 296).

It is absurd to judge a writer's content, theories or political views based on snippets of what he or she said, especially when this is done without any regard for the time and environment in which he or she lived. Political correctness looks for a flaw in a person and then undermines their whole philosophy because of it. Of course, this is also an underhand method of deflating any ideology one doesn't agree with. It is not too difficult to search for something politically incorrect about an author – something he said or did wrong in his 20 or 30 years of writing - and then campaign for others not to study his material or follow his reasoning because he was "immoral". Political correctness uses the metonymic principle to challenge counter ideologies, and one hears the common belittling of an author who was "a racist", "a colonist", who "owned slaves", "had shares in a company which oppressed people" or was "sexist", "a capitalist", "a neoliberal", "a xenophobe", "a bigot" and so on and so forth. Using the politically correct ammunition of undermining a person as "immoral" due to something he or she said could also be used against well-known opponents of capitalism and oppression such as Karl Marx. Marx wrote a letter (July 30, 1862) to Friedrich Engels, the co-author

of the Communist Manifesto (1848) in which he referred to the politician Ferdinand Lassalle as, "The Jewish nigger Lassalle who, I'm glad to say, is leaving at the end of this week, has happily lost another 5,000 *talers* in an ill-judged speculation...It is now quite plain to me - as the shape of his head and the way his hair grows also testify - that he is descended from the negroes who accompanied Moses' flight from Egypt (unless his mother or his paternal grandmother interbred with a nigger). Now, this blend of Jewishness and Germanness, on the one hand, and basic negroid stock, on the other, must inevitably give rise to a peculiar product. The fellow's importunity is also niggerlike" (Hughes, 2010: 167). If political correctness is going to judge and dismiss ideas of thinkers in past eras because they said "incorrect" things then it might as well be consistent and take a look at leftist thinkers too, because most people who lived in different eras were politically incorrect by today's standards.

Doris Lessing warns about the dangers of the politically correct attitude of intolerance and needing to control literature to uphold a specific ideology and she says, "...the interesting thing is the people who are politically correct don't seem to recognise this. It's all the same attitude! And they haven't, as far as I can make out, taken the trouble to find out what terrible results it's had in the past, like destroying literature all over the Communist world..." (Ingersoll and Lessing, 1994:227). Lessing believes that like other movements which rise and disappear over the horizon, political correctness will too, but she says that "In the meantime I think it's doing a lot of damage, because literature shouldn't be treated as a kind of blueprint for a better way of correct thinking. This isn't what literature is about" (Ingersoll and Lessing, 1994:232).

Another Possible Reason for a Multiculturalist Syllabus

Gaede (1993) believes that it is not only political correctness which favours a multiculturalist approach to education and that the free market itself generates a multiculturalist approach to education. Big businesses and college courses tend to embrace multiculturalism nowadays because of pragmatic reasons rather than idealistic ones. The globalised world has become diverse and if people cannot learn to get along well together and feel valued, included and communicate properly then efficiency and productivity will plummet and organisational objectives won't be realised (Gaede, 1993: 37). Multicultural workshops and syllabuses can also be seen as a means of fostering good relations in the workplace and strengthening the 'bottom line', and the focus of this sort of tolerance is on pragmatism rather than doing it for ideological reasons (Gaede, 1993: 36).

Both critics and supporters of the canon seem to have deeply rooted political commitments. Critics are committed to identity politics and multiculturalism whilst supporters appeal to liberal democracy

itself to protect the canon. One thing is for sure though, that ongoing critical debate about the canon would be commended by John Stuart Mill.

Speech Codes on Campuses

Marilyn Friedman explains that political correctness involves the promotion and pursuit of diversity, multiculturalism and tolerance, which has led a number of academic institutions to implement speech codes that penalize students or academics who use racist, sexist or homophobic language (Friedman, 1995: 3). Although Friedman supports a multiculturalist syllabus she remains unconvinced about the validity of speech codes which, although they have a salutary intent, have been widely challenged as unjustified infringements of the constitutional right to freedom of speech (Friedman, 1995: 3). Many of the challenges surrounding such speech have taken legal form, and university speech codes have not fared well in courts, the cases admitted to court having been repeatedly overturned because much of what is deemed offensive or hateful speech in universities does not match up to legal definitions of hate speech (Friedman, 1995: 3).

Geoffrey Hughes explains how Nat Hentoff, an American historian, novelist and columnist, visited over twenty colleges and universities and wrote an essay called *Speech Codes on the Campus and Problems of Free Speech (1991),* where Hentoff noted "reverse expectations – with liberals fiercely advocating censorship of 'offensive' speech and conservatives taking the moral high ground as champions of free expression" (Hughes, 2010: 174). Dinesh D'Souza writes about the dramatic increase of work for university administrators who have to deal with discrimination and insults; for instance, the University of Michigan punishes "any behaviour, verbal or physical, that stigmatizes or victimizes an individual on the basis of race, ethnicity, religion, sex, sexual orientation, creed, national origin, ancestry, age, marital status, handicap, or Vietnam-era veteran status" (Hughes, 2010: 174).

A change in the definition of *harassment* has been a key victory for political correctness in the quest to prevent offensive speech on campuses. Ontario University defines harassment as, *"one or a series* of vexatious comments or conduct related to one or more of the prohibited grounds...", and examples include "gestures, remarks, jokes, taunting, innuendo..." (Narveson, 1995: 100). The legal term *'harassment'* means wearing down a victim with repeated incursions or remarks, but it has become customary for universities to change the definition at will because of the pressure from politically correct policies of "zero harassment or discrimination" (Narveson, 1995: 100). The traditional way to deal with harassment has been that the hearer must have the same liberty as the speaker, which means that the hearer, or audience, must be free to avoid the offensive speech. If the hearer is unable to avoid offensive speech then the speaker must desist from speaking as soon

as he or she realises his or her speech is unwanted. On top of this, individual speech interactions and different spaces where harassment happens are taken into account. The logic behind harassment is that if a speaker violates these principles and the hearer is unable to escape the offensive words - for instance, if the speaker continues speaking loudly, follows the person around or keeps on phoning him or her - then this is deemed harassment (Narveson, 1995: 101). If something is said on a once-off basis it cannot be deemed harassment because the alleged harasser has 'nothing to go on' (he might not even have known that he offended anyone), and it is he who then becomes trapped by the speech "police" because he can't escape their unfounded accusations and is therefore being harassed by them (Narveson, 1995: 101).

Expanding the definition of harassment and turning it into "one or a series of vexatious comments..." shows how arbitrary power has flowed to those claiming to be victims and to the university administrators, which is why Jonathan Rauch likens some political correctors, with their new-given powers, to 'kindly inquisitors' in his study *Kindly Inquisitors: The New Attacks on Free Thought (1993)*. In his article called *There's Such a Thing as Free Speech: And it's a Good Thing Too (1995)*, Stephen A. Smith, the American TV sports presenter, journalist and actor, surveyed the legal outcomes of cases of hate speech in a variety of universities, particularly those in which speech codes had been challenged, and his conclusion was clear: "In every case in which a campus hate speech code at a public institution has been tested against the commands of the First Amendment, the courts have rejected virtually every defence and found them to be unconstitutional" (Hughes, 2010: 175).

Privatisation (Property Rights) and Speech

What is deemed derogatory nowadays wasn't necessarily considered derogatory before, and verbal damage is hard to define legally as opposed to damage of property, including that of persons, and so it becomes necessary to distinguish between attacks on individuals and their doctrines. Narveson (1995: 98) says that it is okay to attack someone's doctrines or ideas even though attacking these may be seen as undermining their cognitive apparatus, but it is not okay to accost an individual with personal invective. Aristotle said that it is important to "value the truth above our friends", which means that students should be encouraged to listen and respond to arguments even if they are painful (Narveson, 1995: 96). Thresholds for assessing hurt have been lowered dramatically since the advent of political correctness and although hurtful words were at times exchanged for blows in high schools and universities, taking fellow students to court was almost unheard of. Narveson says there has never been any mechanism for assessing the proper exchange rate for words versus blows, and so an aggressor who punches a person is usually deemed to be the culprit. Such problems have

traditionally been managed by *privatisation,* which means that property rights are established over areas of possible conflict, such as rules applying to conduct in bars, churches, work environments and universities (Narveson, 1995: 97). A brawler who visits a rough bar knows he will get away with more than he could in a genteel establishment because *privatisation* (property rights) and *established rules* in various environments show people their boundaries. Necessity and common sense have designated different public areas with different rules for speech; for example, libraries are speech free zones and students may not speak in lecture halls unless questions are asked or discussions are held with the lecturer as the chairperson (Narveson, 1995: 102). In class a lecturer may silence a student who monopolises discussion time by expounding on irrelevant or demonstrably silly theories because there is limited time and the purpose of class is to expand knowledge, but people who talk nonsense outside of a classroom may not be silenced (Narveson, 1995: 140).

The above-mentioned speech issues surrounding privatisation remind one that there is no such thing as unrestricted free speech. A current example of political correctness which is used to undermine traditional privatization rules involves a group of "concerned" staff and students at Rhodes University in Grahamstown. Members of this group tend to believe that the current colonial education system, the Western canon and a white, male-dominated society disrupts the very concept of education itself, and members of the group can be seen wearing T-shirts around campus with a slogan which says "#Educationdisrupts". What this means is that the current system of education disrupts genuine learning by maintaining the oppressive status quo in place. Some of these lecturers and students have called for lectures to be disrupted and have recommended that students put up their hands during lectures to disrupt the so-called "disruptive" lectures by asking questions about rape, colonisation and other topics relating to identity politics. Ideological views surrounding oppression and domination are deemed to be more important than what is currently being taught in lectures. Act-utilitarian reasoning, along with a disdain for others' rights to education which they paid for and facilities which they paid to attend, excuses protestors and encourages them to ignore privatisation rules and Rhodes University property rights. Rhodes owns the venues and can set rules accordingly regarding disruption, and politically correct thinking ignores this system of rights in order to educate people about its ideology, which is deemed to be the 'greater good'. The 'means' to reach the 'end' include protesting, ignoring property rights, ignoring other students' rights to education they purchased (contract rights); and these are deemed to justify the end result of reversing discrimination and oppression.

Offensive Speech and the Golden Rule

Roger Scruton, a retired Reader in philosophy at the University of London, explains that John Stuart Mill's words used to be the received opinion of educated people and for centuries public open-minded opinion in Western liberal countries has been on the side of the law, ready to shame those who assumed the right to silence their opponents however absurd the views expressed (Scruton, 2015: online). The liberal response to offensive words has traditionally been to ignore them or to answer them with a rebuke, and if the law needs to be invoked at all it is to protect the one who gives offence (the potential truth teller or whistle-blower) and not the one who takes offence (Scruton, 2015). For this reason, international law not only protects the expression of opinions which are uncontroversial but also those that 'offend, shock or disturb' (Equality and Human Rights Commission, 2015).

When someone says something unnecessarily hurtful to a person or when someone abuses speech, the offender owes something to the hurt individual, and in many cases an apology will do. Narveson says it is possible for a person on the receiving end of offensive words to use the golden rule as a guide to determine what punishment the offender should get, but unfortunately university speech codes don't consider the golden rule or the fact that arguments can get heated, people make mistakes and can genuinely apologise afterwards (Narveson, 1995: 102). Using the golden rule would involve putting oneself in the shoes of the person who offended one and looking at the situation from both positions; imagining what punishment it would be fair for one to receive if one had spoken those words to someone else. Would one be happy about being dismissed from university, losing one's job or spending thousands in legal fees if one had said some offensive words to someone else and apologised afterwards? (Narveson, 1995: 102). Treating a person as though she has committed a crime for abusing words on a once off basis is quite the opposite of being tolerant and having mercy towards her. Throughout history people weren't allowed to say things against the gods, the king or the Pope, and they were censored for saying things against certain ideologies or religions, but never before have they been censored for saying offensive things to their neighbour. Being punished for offending your neighbour is a new form of censorship which is driven by a new type of morality seen in political correctness - upholding what has come to be known as "tolerance" (not offending others) as the highest virtue. This runs contrary to the tried and tested liberal way to deal with offensive speech, which is essentially "turn the other cheek".

An Atmosphere of Fear in Universities

There was a talk at the Rhodes University Politics Department in April 2016, where a radical left-wing guest speaker focussed on the harm that colonists, and missionaries in particular, had done to South

Africa. During question time a student stood up and mentioned that some missionaries had done a lot of good for the country, and to prove his point he tried to quote the end of *Izibongo,* a praise poem by the renowned Thembu poet (imbongi) D.L.P. Yali-Manisi.

The English translation of the last six lines of the poem (line 42-47), found in Jeff Opland's *Oral Tradition* (1988), go as such:

We're thankful, we of the Xhosa,

For the arrival of men like Ross and Bennie

Who ignited the mind of the Xhosa

On the day they first wrote down the language

The unshakable language of the Xhosa.

I disappear! [End]

The student was unable to get through the first few lines of the poem without being jeered at by the speaker and a vociferous portion of the class (probably about a third of the class). The Chairperson sided with the noise-makers and silenced the student by saying, "Okay, okay we get the picture...". This happened in the presence of a number of lecturers, none of whom said anything. The poetry reading did not go down well because it has become very politically incorrect for the *colonised* to be *thankful* for anything that colonists or missionaries brought to Africa. Maybe the class protested because it is thought to be demeaning for the Xhosa to have had their language transcribed, or their minds ignited, by missionaries. Anyhow, a part of history, and the way the poet (and possibly many other people) viewed the missionaries' contribution to South Africa, is silenced because it has become politically incorrect to mention such things nowadays.

In academia the politically incorrect get vilified as racists, sexists and bigots, and this produces a climate of fear in universities which stifles intellectual life and causes self-censorship which has moved from the margins of academia to mainstream intellectual life and into the public realm (Nolutshungu, 2000: 23). Roger Scruton (2016:3) warns that political correctness has become so prevalent on some American campuses that professors are required to issue 'trigger warnings' if they are about to enter into contentious subject matter which could trigger memories of a traumatic event in the life of a student. He suggests that the attack on free speech in universities is closing the route to many debates and maintaining the student mind in a coddled state, unpractised in argument and reason. In his research Nat Hentoff found that faculty members who were against speech codes only spoke out on condition of anonymity (Hughes, 2010: 174), and Doris Lessing

explains how male faculty members in prestigious American universities preferred to meet her off-campus in order to be interviewed, which used to happen in Communist countries, because they were afraid of losing their jobs due to their politically incorrect views (Hughes, 2010: 50). This kind of fear, driven by political correctness, happens even though universities and colleges have an obligation under education law to protect and promote freedom of speech on campuses because open debating and challenging of ideas is expected (Equality and Human Rights Commission, 2015).

R.W. Johnson talks about how some individuals at South African universities have been unduly penalised for racism. He explains that when an individual has been charged with racism a tribunal or inquiry is set up, and if he or she is found 'not guilty' the charges are not necessarily immediately dropped because universities are scared of further charges being laid against them for having a racist inquiry committee (Johnson, 2000: 48). Johnson gives the case of Professor Charles Simkins at Wits University in 1998, where Simkins was charged with racism and the charges were found by the tribunal to be groundless. The committee report concluded, however, that whilst Simkins was not a racist, the fact that charges had been laid in the first place constituted evidence that he had been insensitive towards certain people so he should therefore have to pay the price of having a facilitator to instruct him on how to relate to people within his department (Johnson, 2000: 48). This subtle means of prosecution was a scarring experience and Simkins was not reappointed as the departmental head when his term expired because the committee report recommended that his chief accuser be given an enhanced role in the department in the future (Johnson, 2000: 48). Johnson gives other cases (from pgs. 45-51) which show the dangers that political correctness bears for ordinary concepts of justice, and how politically correct reasoning can lead to Orwellian justice where the truth is reversed. He says that tribunals of this type have become commonplace on university campuses in South Africa and the accused stands at a distinct disadvantage because the committee a) has pressure placed on it to placate the accusers (who often become offended if the verdict does not go their way), and b) it is politically incorrect to take into account the fact that people sometimes make accusations of racism motivated by personal advantage or because they have scores to settle (Johnson, 2000: 49).

A Recent Wave of Political Correctness in the United States

Robby Soave, Reason Magazine's online editor, did investigative journalism on censorship on American college campuses and his investigations at the University of Virginia won him the 2015 Southern California Journalism Award. Soave says that since 2011 there has been a major upswing of censorship on university campuses in the United States, and Greg Lukianoff, President of the *Foundation for Individual Rights and Education* (FIRE), has findings which concur with Soave's

research (Soave, 2016). Soave blames the recent trend in censorship on revised government legislation which gives offended parties expanded rights and increased institutional power. For example, in 2011 the Education Department and Office for Civil Rights (OCR) reinterpreted Title Nine legislation (gender discrimination and sexual harassment legislation) where 'severe and pervasive' (ongoing) harassment was expanded to include more subjective forms of harassment such as 'micro-aggressions' (Soave, 2016).

Robby Soave relates a story about Laura Kipnis, a prominent feminist intellectual, author and professor from North Western University, who wrote an article for the Chronicle of Higher Education complaining about how the revised Title Nine legislation disrupts normal relations between students and faculty members. In her article Kipnis mentioned a few Title Nine cases (which in her view involved some very illiberal sexual harassment investigations), and certain students at North Western University were outraged by the article and filed a Title Nine complaint against Kipnis for questioning Title Nine, being offensive and having a chilling effect by potentially hindering students from reporting sexual misconduct (Soave, 2016). Even though the students' claims were absurd the university had to appear as if it was taking the claim seriously because Title Nine rules state that any allegation of harassment, even if absurd, must be taken seriously (Soave, 2016). For Kipnis' investigation the university flew in a team of lawyers whilst she was only allowed one support person and no lawyer. Kipnis' support person ended up having Title Nine complaints filed against him for his advocacy on Kipnis' behalf, and he was removed. This might sound like a story from George Orwell's book *Nineteen Eighty-Four*, but it is a widely publicised case which demonstrates the modern catch-22 of politically correct legislation where people are punished, not according to whether they are right or wrong, but merely because they have been accused, and people will also go on trial and be punished for standing up for the right of someone else to express themselves freely.

Well known South African personality and deejay Gareth Cliff went through a similar ordeal when he was fired from the popular TV show *'Idols'.* Penny Sparrow, an estate agent, made racist remarks on twitter and said that a litter-strewn beach in KwaZulu-Natal had been visited by "a lot of monkeys". Following the public uproar caused by Sparrow's tweet, Gareth Cliff responded to a *survey* on freedom of speech and said that, "People really don't understand free speech at all", and "You don't have a right NOT to be insulted" (Twitter.com, 2016). His tweets were in response to others' comments and were not directly related to what Sparrow had said. Cliff's comments were taken out of context and the ANC Youth League called for a march to remove Cliff, who was consequently fired from his job. He took this case to law and won the lawsuit, but a clear message was sent out that

one cannot even join in discussions and debate matters when the issue at hand involves a politically incorrect topic such as racism.

Like Gareth Cliff, Laura Kipnis was eventually cleared, which was bound to happen all along, but these processes of investigation give people a clear warning to keep their opinions to themselves unless they want a whole lot of unnecessary trouble. Soave explains that in universities a number of administrators are employed to uncover discrimination and deal with issues such as censorship. Some have ceremonious titles such as *'The Dean of the Office of Inclusive Excellence and Diverse Sustainability',* and these people need to find work to do which gives them an incentive to take all accusations seriously even if the accusations are absurd and should be dismissed forthwith (Soave, 2016).

Laura Kipnis says in her 2015 journal article *"My Title IX Inquisition"* (in *The Chronicle of Higher Education*) that *"...*any Title IX charge that's filed has to be investigated, which effectively empowers anyone on campus to individually decide, and expand, what Title IX covers. Anyone with a grudge, a political agenda, or a desire for attention can quite easily leverage the system" (Kipnis, 2015, 6). Title Nine was enacted by Congress in 1972 to deal with gender discrimination in public education, and institutions receiving federal funds were required to comply, but over time the legislation was amended and came to include sexual harassment and assault as forms of discrimination (Kipnis, 2015: 2). Title Nine expansion has broadened definitions of what constitutes sexual assault and rape, where ambivalent sex becomes coerced sex and charges are brought months or even years after the events in question; and Title Nine rests on the thorniest of philosophical and psychological issues such as "What is power?" and "Should power differentials between romantic partners be proscribed?" (Kipnis, 2015: 9).

Sexual harassment is a very serious issue and the intention of this example was not to focus on what makes a person guilty or not of gender discrimination or sexual harassment but rather to expose the politically correct concept of shutting down debate for ideological reasons. When people get punished for merely bringing up politically incorrect topics surrounding discrimination against certain groups, or for questioning the legitimacy of anti-discrimination legislation, or for supporting the right of others to express themselves freely, we are able get a glimpse of how a liberal democracy can slide towards totalitarianism. Kipnis made this point clearly when she said, "I don't believe discussing Title IX cases should be *verboten* [forbidden] in the first place - the secrecy of the process invites McCarthyist abuses and overreach" (Kipnis, 2015: 12).

Soave says that universities have deviated from constitutional law because they are big institutions which are risk-averse and they are afraid for their brand, of losing government funding and public

relations disasters (Soave, 2016). The government is presently investigating nearly 200 universities for violating Title Nine and the list of universities under investigation is open to the public; but even though universities are afraid of losing federal funding they hardly ever lose this funding (Soave, 2016).

Political Correctness and a New Type of Justice

Part of the Title Nine legislation from the Office for Civil Rights (OCR) involves using the *balance of probabilities* standard (instead of the previously used *clear and convincing evidence*) for sexual assault disputes, and the *balance of probabilities* standard requires a mere 51 percent of evidence in order for someone to be found guilty (Soave, 2016). Civil procedures (lawsuits between private individuals or organisations) usually use the *balance of probabilities* standard whereas *clear and convincing* evidence is used in more serious civil cases and in criminal procedures. *Beyond reasonable doubt* is used in criminal procedures only. A major difference between universities using the *balance of probabilities* standard and law courts using this standard is that universities don't mandate other aspects required in civil procedures such as cross examination rights (Soave, 2016).

Soave explains that in several university cases cross-examining is not allowed because it is seen to be traumatising to potential victims of sexual harassment; but this reasoning is legally problematic because it implies that the alleged victim has already been assaulted. For the legal process of cross-examining to be blocked due to presumed trauma one must assume that the complainant has actually been harassed and the harasser is already guilty. Soave says that the language used in the procedure, such as "survivors" and "victims" assumes the outcome of the case i.e. that the case is already concluded and that the accused is guilty. Once again, this is tactical language used to win an ideological battle against an historical system of oppression and domination. Soave says that a person who has been accused of breaching Title Nine is not necessarily guaranteed a hearing because the Office for Civil Rights prefers a *'single investigator model'* whereby the dispute is handled by one investigator who decides which witnesses to interview (if any at all), whom to talk to, and determines any findings of guilt or responsibility and what the suitable punishment is (Soave, 2016). The traditional panel of three investigators has been cut down to one investigator who can, to a large degree, choose to do what he or she likes (Soave, 2016).

Robby Soave uses a case of sexual harassment at Colorado State University (CSU) to demonstrate this new type of justice. At Colorado State University a third party reported an athlete, Grant Neal, for allegedly raping his (Grant Neal's) girlfriend, Jane Doe. Both Neal and Doe denied anything had happened and Doe stated, "I'm fine and I wasn't raped". Nonetheless, the administrators took it upon themselves to investigate the matter and the couple wasn't allowed to see each other whilst

the case was proceeding. Neither Grant Neal nor Jane Doe were cross-examined and Neal's witnesses were not allowed a hearing to bring forward their evidence on behalf of Neal. Mixing hearsay evidence with third party statements, along with multiple due process violations caused Neal to be found responsible and suspended for two years. Neal filed a lawsuit against CSU in April 2016, and Soave says that in recent months there have been a number of external law cases in favour of students who have been wrongfully disciplined at universities because of farcical evidence and violation of due process. The US Education Department is currently having cases filed against it for bringing in Title Nine legislation, which forces universities to violate due process. When the Office for Civil Rights instituted the 2011 Title Nine guidance it did not use the proper channels and did not even circulated the proposals to get public feedback (Soave, 2016).

If the standard of evidence for a serious offence like sexual assault is dropped from "clear and convincing" evidence to a mere 51 percent of evidence, then universities need to make sure of whether accused persons are guilty or not by having a number of investigators to adjudicate, a number of witnesses and a cross examination process. American universities have been moving in the opposite direction to the traditional justice system and creating their own justice systems based on a new form of justice. The new form of justice concentrates its attention on the politically correct ideal of tipping the scales of justice in favour of groups which have been, or are currently thought to be, disadvantaged. The standard liberal justice system makes sure that all individual rights are upheld and due process is followed, but political correctness seems to campaign for a quicker and more 'loose' form of justice. This hastened form of justice uses most unfortunate circumstances such as sexism, racism, sexual harassment and rape to press for a deviation from classical liberal justice towards a model of liberal justice intermixed with an act-utilitarian narrative whereby the *end* (rectifying discrimination) justifies the *means* of getting there (twisting liberal justice and undermining some individual rights in the process).

The Rhodes University Rape Protests

Vicky Heideman, a lecturer in the Rhodes University Law Department in Grahamstown, wrote an article in the Daily Maverick (6 June 2016) which pointed out an illiberal type of justice seen during the April 2016 rape protests on the Rhodes University campus. Rhodes University, being a progressive institution, already has the *balance of probabilities* standard in place, but unlike US universities after the 2011 Title Nine guidance, procedures at Rhodes are much fairer because they allow for a number of investigators to adjudicate, any number of witnesses to give evidence and for cross examination of both the accused and accuser (complainant) to take place (Rhodes University Student Disciplinary Code, 2015). Due to an alleged deficiency within the university's sexual

harassment procedures, a group of Rhodes students took it upon themselves to seek justice. Certain students drew up a list of eleven male students who were accused of sexual harassment on campus, and the list was called the *#RUReferenceList,* which was distributed and posted anonymously. The initial group gathered a following which eventually took the law into their own hands and evicted three of the accused from their residences one evening, 'frog-marched' them around campus and held them captive (Heideman, 2016). Two of the detainees were able to escape and one was held captive until the next morning. Not one of the eleven alleged sexual abuse offenders had ever had a formal complaint laid against them and so what was called a "deficiency" in the university's justice system actually turned out to be a societal problem relating to the reluctance of victims to lay charges against perpetrators.

The whole affair became a hot topic on campus and, as Heideman explains, there followed a toxic "you are either with us or against us" narrative expressed by the *#RUReferenceList* supporters (Heideman, 2016). This silenced debate, and lecturers and students who wished to uphold the rule of law and oppose mob justice were threatened and labelled as 'rape apologists' (Heideman, 2016). The rights of the accused were violated due to kidnapping, trespassing and *crimen injuria,* and they had their characters defamed when their names were publicly displayed. Surprisingly, quite a number of protesting students and lecturers believed that what the accused men had suffered was justified because the men were not *physically harmed*. This belief was illustrated by Dr Deborah Seddon, an English lecturer at Rhodes, in her article in the Daily Maverick (1 June 2016) called "'*We will not be Silenced': Rape Culture, #RUReferencelist, and the University Currently Known as Rhodes*", which is the reason why Heideman responded with her article.

The *#RUReferenceList movement* demanded that university management summarily suspend all eleven students on the list, which the university could not possibly do without going against the liberal justice system and the Constitution of the country. Heideman says that the University management met the protesting students half-way by establishing a task team and issuing a statement on 17 April 2016, which implied preconceived guilt of the people on the list and therefore implicitly legitimised the list (Heideman, 2016). The problematic statement said: "All students who have been sexually assaulted or raped by people whose names appear on the *#RUReferenceList* are requested to report the matter and provide a statement to … so that prosecution can be expedited. Once statements have been received pre-suspension hearings will be held, with a view to suspending the accused pending finalisation of the case" (Heideman, 2016). This statement, like Robby Soave's examples, uses language which assumes the outcome of the case. At the time of Heideman's article, which was written a month and a half after the protest, only one formal complaint had been laid against someone on the list (Heideman, 2016).

Heideman points out that the general response of the *#RUReferenceList movement* arose from an act utilitarian narrative that the 'end' (preventing future sexual abuse) justified the 'means' (making an example of potentially innocent people) (Heideman, 2016). The rhetoric of "if you are not for us you are against us" is used because political correctness tends to see protecting oppressed groups as the only moral goal no matter how it happens, even if it is at the expense of some individual rights. Those who back up classical liberal principles of individual liberty and equality before the law are often not appreciated by the politically correct. It should be noted that mob justice ("Kangaroo court" justice and the like) and politically correct justice are not one and the same thing. Political correctness merely appeals to the seriousness of anything it might see as "discriminatory" and "oppressive" to call for the tweaking of the liberal justice system, which can end up condoning or vindicating forms of illiberal justice. "Kangaroo court" justice within an illiberal system where there is no rule of law, or where the state has failed, can either be legitimate or illegitimate; but mob justice within a functioning democracy is entirely illegitimate, which is why political correctness pushes the liberal justice system dangerously down the wrong path.

Blackstone's Ratio Turned Upside Down

Sir William Blackstone, an eighteenth century English jurist, wrote *Commentaries on the Laws of England (1765),* which became so popular that it ultimately led other English-speaking countries to adopt common law. Blackstone is frequently cited in court decisions and "Blackstone's Ratio" has become a maxim of English law which states that, "It is better that ten guilty persons escape than that one innocent suffer". John Adams, a political theorist and founding father of the United States, clarifies the age-old reasoning behind Blackstone's *Commentaries* by explaining that, "We are to look upon it as more beneficial that many guilty persons should escape unpunished, than one innocent person should suffer. The reason is, because it's of more importance to community, that innocence should be protected, than it is, that guilt should be punished; for guilt and crimes are so frequent in the world that all of them cannot be punished; and many times they happen in such a manner, that it is not of much consequence to the public whether they are punished or not. But when innocence itself is brought to the bar and condemned, especially to die, the subject will exclaim, 'it is immaterial to me whether I behave well or ill; for virtue itself, is no security'. And if such a sentiment as this should take place in the mind of the subject, there would be an end to all security what so ever" (Adams, 1770: para. 2).

The logic behind the Rhodes University rape protests is quite the opposite of Blackstone's justice, where all eleven people were made an example of just in case one or more might have been found guilty. Political correctness flips Blackstone's law on its head and argues, in the spirit of Title Nine

legislation, that the burden of proof be reduced in certain matters because it is better that some persons are erroneously convicted as long as fundamental institutions and the status quo are changed to align with politically correct agendas. Soave says that he finds it shocking how many liberal commentators and activists display double standards by condemning forms of torture at Guantanamo Bay or condemning others for presuming certain people as terrorists; but then they throw these same liberal principles out of the window when it comes to harassment disputes where people are presumed guilty and proceedings follow this line of thinking (Soave, 2016).

Free Speech and the "Punching Up, Punching Down" Debate

Political correctness opposes Mill's argument regarding the *marketplace of ideas* by claiming that free speech only works when all sides - rich, poor, men, women, black, white - have a certain amount of equality in power. Powerful voices from privileged groups are said to be significantly weightier than voices from groups which have been marginalised, and so the way to correct this is for activists to put a 'thumb on the scale of justice' and tip the scale in favour of speech which benefits the marginalised (Soave, 2016). Soave says that this kind of argument has become very popular amongst leftists and is derived from the 'punching up, punching down' dichotomy whereby punching up, in the social justice sense, is criticising, undermining or satirising the existing power structures (i.e. free market capitalism, white privilege, male domination); whilst punching down involves supporting the existing power structures and status quo which is said to oppress the helpless (Soave, 2016).

The 'punching up, punching down' dichotomy supposes that free speech for all does not necessarily equate to *equal* free speech because some people have more institutional power, wealth, status and privilege and so their speech counts for more. This type of argument asserts that whilst certain forms of politically correct interventions, such as speech codes, do silence some views, it is not as if the absence of these interventions would mean that everyone would be equally free to air their views and have them considered. Those who appeal to the punching up, punching down dichotomy believe that protecting free speech legally does little to guarantee that all people have a similar chance to air their views and have them heard. It is much easier for a lecturer to make herself heard, for example, than for a person with no internet access and no money living in the rural former Transkei in South Africa. Political correctness makes use of this argument to correct existing imbalances and to make it easier for marginalised groups to be heard and to gain influence; and the reason why freedom of expression is not celebrated by those who adhere to this view is because it is thought to give more power to people who already have too much power (Soave, 2016). This, once again, deviates from classical liberal justice because it puts a thumb on the scale of some people's

individual liberty (i.e. censoring the speech of those who are considered privileged) in order to bring about more egalitarianism.

The 'punching up, punching down' argument neglects the fact that maximum free speech has historically tipped the scale of justice in favour of the less privileged (Soave, 2016). This is because privileged groups don't always need formal freedom to speak because they can get themselves heard due to having friends in the right places, education and money (Soave, 2016). Although free speech gives privileged people the right to offend and bother people, it is still the best tool that the disadvantaged have to enable them to be heard (Soave, 2016).

Straining Out the "Gnats" - Eschewing Controversial Guest Speakers

Students attend university to get a good education and some like to take advantage of the opportunity to hear interesting and controversial speakers. By hearing different viewpoints students can make up their minds on matters and get closer to the truth, and it is also in the interests of the taxpayer, who contributes towards students' fees, that students become as open-minded and versed in liberal democracy as possible. A minority of people, from time to time, take it upon themselves to block this freedom and shut down debates surrounding politically incorrect topics. Once again, it is possible to apply the golden rule to this situation. Imagine that you want to discover as much truth as possible, and you consider your time at university a key opportunity to hear interesting and controversial speakers, and then a group of people complain about being offended and manage to get the university to cancel a speech you wanted to attend. Keep in mind that the politically correct person who is putting himself into the other person's shoes wouldn't have to attend the lecture in the first place. Would you like someone else to call for a lecture to be cancelled if you wanted to attend it, and they didn't even have to go to it?

Milton Shain, a South African author and Emeritus Professor in the Department of Historical Studies at the University of Cape Town (UCT), discusses a 2016 incident when Flemming Rose, the former editor of the Danish newspaper Jyllands Posten, had his invitation to deliver the annual T.B. Davie Academic Freedom Lecture rescinded. Rose is the author of *The Tyranny of Silence (2010)*, an internationally renowned book on freedom of expression, and as the editor of the Danish newspaper Jyllands Posten he was principally responsible for the September 2005 publication of the cartoons of the Prophet Muhammad. UCT withdrew Rose's invitation more than a year after he had been invited and UCT Vice Chancellor Dr Max Price and the executive rescinded the invitation because, as Price said, Rose's lecture could "spark conflict on campus, create security risks and retard rather than advance academic freedom at the university" (Shain, 2016: online). A member of the Academic Freedom Committee (AFC) and professor of Philosophy, David Benatar, raised two problems with

the Vice Chancellor's argument: firstly, no evidence had been provided of possible violence and secondly, "if a lecture results in violence it does not follow that the lecture itself exceeds the moral or legal limits of freedom of expression" and if it did follow, "then those willing to respond violently will have a de facto veto on any ideas they dislike" (Shain, 2016). Rose maintains that the arguments UCT used to disinvite him would make it possible to ban any speech in the future (Shain, 2016).

Albie Sachs, a South African anti-apartheid activist and retired Constitutional Court judge, offered a politically correct response to the dilemma when he said that it was not actually "the threat of violence" that obligated the UCT administration to disinvite Flemming Rose but a "threat to the dignity of all on the campus" (Shain, 2016). "The dignity of which group in particular?", one might ask, especially after Dr. Michael Cardo, a member of Parliament and member of the UCT Council, noted that after UCT rescinded Rose's invitation it didn't cancel its invitation to host Hamza Tzortzis to teach a course on "Dawah Power" (Cardo, 2016: online). Tzortzis, a controversial Islamic lecturer who propagates a radical version of Islam, was identified last year by former Prime Minister David Cameron's Extremism Analysis Unit as someone who had used rhetoric on university campuses that undermined the values of "democracy, the rule of law, individual liberty and mutual respect and tolerance of those with different faiths and beliefs" (Cardo, 2016). Flemming Rose, on the other hand, is world-renowned as a classical liberal and even after publishing the cartoons he won the *Danish Free Press Society's* journalist award (the Sappho Prize) in 2007, the *National Press Club of Denmark* award in 2015 and the Swedish *Fritt Ord Honorary Award* in 2015. These double standards make it clear that UCT errs on the side of political correctness, taking sides with those seen as *marginalised* whilst appealing to an expanded definition of rights which demand ethereal forms of "dignity" to be recognised. As discussed in Chapter 2, the right to have one's dignity protected from offensive speech is viewed as a 'good', which relativism places on the same level as free speech, which it merely deems to be another 'good'. John Stuart Mill argued that the 'good' of free speech brings a great deal more utility to society than the 'good' of protecting unclearly defined forms of dignity.

The Future of Universities

Soave (2016) believes that another reason why censorship is so prevalent on university campuses is that college students demand the same sort of coddling and protection that they had during 12 years of public schooling. He says there is a close link between censorship, coddling and the explosion of health and safety regulations. Children are heavily policed in elementary schools in the United States, there are police officers in half the public schools and disciplinary matters routinely become police matters; for instance, if a kid punches someone during holiday time he is liable to go

to a juvenile centre instead of getting school detention (Soave, 2016). The expansion of health and safety regulations in the workplace, sometimes taken to extremes, is an extension of the "safety first" attitude in elementary schools which places safety above freedom. Soave says that because children grow up thinking that the purpose of education is to protect them, a number of students end up wanting to remain in universities because the real world, where there is capitalist competition and people can say what they like, terrifies them (Soave, 2016). School children who have been coddled in the school system also find it hard to accept that they are at university to grow by being exposed to arguments which challenge them. This is an interesting speculation of Soave's and although it seems likely that coddling does lead to increased political correctness, it could be hard to prove that it contributes substantially to political correctness.

Soave says that groups of conservatives who oppose leftist censorship have started forming and have tended to take on a pro-Donald Trump bent which involves fighting fire with fire. He says that the conservative groups which fight for free speech unfortunately also seem to be doing it in an illiberal fashion which borders on xenophobia. The US legal regime is approaching some serious challenges because the revised Title Nine legislation is finally being scrutinised after the legal uproar it has caused, and if national legislation and local legislation in institutions does not come into alignment the battles are going to rage out of control with lawsuits and counter lawsuits (Soave, 2016). Soave believes that protecting and furthering legislation such as Title Nine could result in the end of centre-line liberal American education, but he says that the world is unpredictable and full of "black swans", and while illiberal laws and political correctness could undermine universities there could be other factors which undermine universities from another angle such as high fees (Soave, 2016). With fees going up students have already started taking online courses as they wake up to the fact that a university education doesn't always guarantee one a job, and if students have to borrow a lot of money and their options are narrowed down to courses such as multiculturalist, gender or oppression studies, then they might decide that there is no point in enrolling at university (Soave, 2016).

Chapter 5

Humour, Satire and Political Correctness

Marginalised groups can use humour as a tool to gain a form of power over their oppressors. This can border on the taboo and ironic, such as Archbishop Desmond Tutu jokingly referring to himself in the belittling phrase of former times as "a cheeky kaffir", or Chaim Weizmann, the first president of Israel, referring to himself as "A Yid from Pinsk" (Hughes, 2010: 271). 'Reclaiming' humour is known to be most daringly practiced by Jews, and Egon Larsen's collection and Leo Rosten's *The Joys of Being Yiddish* (1968) contains a cornucopia of examples (Hughes, 2010: 271). Steve Lipman has an extensive collection of Jewish humour in his book called *Laughter in Hell: The Use of Humour During the Holocaust* (1991), which exemplifies Gogol's dictum that "He who fears nothing fears laughter", and it shows how Nazi Germany, in common with other repressive regimes, went to considerable lengths to suppress critical humour which they feared (Hughes, 2010: 271). Werner Finck was an example of a bold cabaret artist who performed and joked in theatre with members of the Nazi secret police sitting visibly in the audience, and he was sent to a concentration camp where he continued to entertain the inmates and guards (Hughes, 2010: 271). The jokes told were mainly of the riddle genre, for example, "What is the difference between Christianity and National Socialism? In Christianity, one man died for everyone. In National Socialism everyone has to die for one man"; or "Before the Nazi takeover a judge would think: 'He is a Jew, but he's innocent.' Afterwards he would think: 'He's innocent, but he's a Jew.'" (Hughes, 2010: 271).

Charlie Chaplin encountered censorship from the Hays Office, a film regulation organisation, whilst making *The Great Dictator* in 1940. Chaplin was undeterred by the censorship and said, "I was determined to go ahead, for Hitler must be laughed at" (Hughes, 2010: 272). Sigmund Freud observed that, "By making our enemy small, inferior, despicable or comic, we achieve in a roundabout way the enjoyment of overcoming him" (Hughes, 2010: 272). Comedy in the form of satirical cartoons, comics and caricatures is known to be one of the oldest weapons used to bring the establishment into line when it becomes tyrannical or controlling, and satirists often have to be politically incorrect in order to cut "close to the bone" and get to the truth (Hughes, 2010: 272). Hughes points out that religious extremism, like all forms of extremism, has historically been kept in check by comedy; for example, Puritanism was more powerfully ridiculed by grotesque comic characterizations, such as the hypocritical Malvolio in Shakespeare's Twelfth Night (1600) and the hysterical Zeal-of-the-Land Busy in Ben Jonson's Bartholomew Fair (1614), than by church sermons and by pamphleteering (Hughes, 2010: 190). Although humour is difficult to police because irony cannot be legislated against, any type of humour which can potentially offend the 'wrong' groups is

condemned through the politically correct formula of "inappropriately directed laughter" or *laughism* (Hughes, 2010: 262). Political correctness therefore poses a danger to democracy because it tends to target satire, humour and free expression within liberal democracies - the very institutions which acquired their ability to flourish in the first place from liberties such as freedom of expression.

The British have a ruthless tradition of satirising their leaders, which can be seen in Peter Brooks' and Martin Rowlands' representations of Tony Blair and Gordon Brown as grotesque, facially deformed idiots and George W. Bush with his obvious affinities to an ape (Hughes, 2010: 273). These caricatures fly in the face of the politically correct notion of *lookism* (mocking how people look); and even though *lookism* blatantly transgresses the taboos of political correctness it still enjoys a significant public following (Hughes, 2010: 274). In his study *Wit as a Weapon: The Political Joke in History* (1980), Egon Larsen shows how satire of many sorts has been used against dictatorial or authoritarian regimes, and he quotes Henri Bergson who wrote *Le Rire* in 1900 and who talks about "the conspiratorial power of laughter by which society avenges itself for the liberties taken against it" (Hughes, 2010: 263). Laughter is also a safety valve for people in situations of suffering, and Larson talks of political jokes "circulating in countries where authoritarian regimes suppress freedom of speech ... ridiculing the professed aims of the establishment" (Hughes, 2010: 263). Hughes points out that a quarter of a century after Larson's book was published, the constrained atmosphere of political correctness has created the atmosphere for many whispered jokes and parodies (Hughes, 2010: 265). Suppressing humour suppresses free expression, because who is to say that the humour isn't being used to point out something illiberal or erroneous in society, even if it is directed at a previously disadvantaged group.

Political Correctness and Its Impact on Humour

If someone expresses something which causes emotional discomfort he or she can potentially be accused of a whole range of "isms" such as ageism, sexism, heightism, racism, weightism and lookism on a growing list of politically incorrect transgressions. John Cleese says in a2014 interview with Bill Maher, who used to name his TV show *Politically Incorrect*, that political correctness starts out as a half-way decent idea and then it goes completely wrong and is taken to an absurd length. Cleese recalls that when he joked about Mexicans during one of his shows someone chided him and said he should not have done this because Mexicans have been treated badly and can't stand up for themselves. Whilst reflecting on the incident Cleese realised that the underlying attitude behind political correctness is actually condescending towards certain groups because it belittles them by

comparing them to children or helpless people rather than to adults who are equal to others and can stand up for themselves (Cleese, 2014).

Cleese says on a You Tube clip (2016) called *Political Correctness Can Lead to an Orwellian Nightmare,* that he is offended every day by British newspapers with their laziness, nastiness and inaccuracy but he doesn't expect someone to stop that happening. He says that if he wants to correct any untruthful and offensive statements he has a duty to form counterarguments and speak out about whatever he believes is said in error. The idea that people have to be protected from any uncomfortable emotions is an idea that Cleese does not subscribe to at all, and a renowned psychiatrist in London called Robin Skinner once said something very interesting to him. He said that "If people can't control their own emotions then they have to start trying to control other people's behaviour, and when you are around supersensitive people you cannot relax or be spontaneous because you have no idea what is going to upset them next" (Cleese, 2016).

Cleese says that he has been warned not to talk at university campuses because political correctness has gone from being a virtuous idea which says "let's not be mean to people" to the point where any kind of criticism of any individual or group can be labelled as "cruel" and people are forced to keep silent. He believes that some people genuinely should be offended such as fundamentalists, who need to be ridiculed because they take everything, like the Bible or the Koran, literally, and intelligent people are not literally minded according to Cleese (Cleese, 2014). A foundational motive behind humour and comedy is that it is meant to be critical, and after giving political correctness much thought Cleese came to the conclusion that, "If you start to think 'we must not criticize or offend them', then humour is gone and with humour goes a sense of proportion, and then as far as I am concerned you are living in 1984" (Cleese, 2016).

Slavoj Zizek (2015), a Slovenian psychoanalytic philosopher and Hegelian Marxist, explains in a YouTube talk how political correctness serves as a killjoy which prevents people from expressing how they feel and which puts a stop to fun and laughter. Zizek looks at how jokes about race and culture can establish proximity between groups and he gives an example of Serbs, Bosnians and Croats whose 'racist' and 'discriminatory' jokes about each other helped to create a form of solidarity and had the reverse effect of hatred; but when political tensions started the politically incorrect joking disappeared almost immediately (Zizek, 2015: online). Zizek examines how political correctness can solidify hatred and points out that some politically correct people display hatred when attacking others. He describes how he once stopped a meeting at which he was giving a talk and pointed out that the sign language interpreter was using gestures which looked rude. The crowd laughed but someone reported him for making fun of deaf people. He explains how political

correctness takes the life out of society and how it can encourage camaraderie and strengthen bonds between different groups of people (Zizek, 2015). Social psychologist Sam Sommers says that, "political correctness is not without problems. In research in my own lab, we've found that bending over backwards to avoid offending others often backfires, creating a negative impression as a distracted and disingenuous person. We've also found that when you free individuals from their concerns about making a good impression and not saying anything offensive, they actually enjoy interracial interactions more. It turns out that it's liberating to speak your mind and be yourself" (Somers, 2010).

The Danish Cartoons

The tradition of tolerating satire has become compromised as political correctness has grown, and it has become taboo to satirise certain groups even if they act in illiberal ways or have beliefs which don't fit democratic thinking and are easily ridiculed. This change in attitude can be seen clearly from the uproar following 12 cartoons of the Prophet Muhammad published in 2005 by Jyllans-Posten (Jutland Post) in Denmark (Hughes, 2010: 277). The depiction of the Prophet is generally forbidden in Islam and most of the cartoons emphasized a terrorist association with the Prophet, which led to death threats being issued to some of the cartoonists and some Muslim nations boycotting Danish goods (Hughes, 2010: 277).

Flemming Rose, the former editor at Jyllans-Posten and author of *The Tyranny of Silence* (2010), was principally responsible for the September 2005 publication of the cartoons of the Prophet Muhammad. The Danish cartoons were republished a number of times, notably in France in 2015 which led to the Charlie Hebdo saga where 12 people were murdered at the Charlie Hebdo media offices in Paris. Flemming Rose explains that the cartoons were well within the limits of French law and the French publishing tradition, and he says that there are thousands of religions in the world and cartoonists in a liberal society cannot possibly be expected to adhere to every taboo in every religion in order not to offend minorities (Rose, 2015). He says that being offended from time to time is the price one has to pay for living in a liberal society and enjoying all of its benefits, and he points to the irony that it is politically incorrect to challenge taboos in Islam whereas it is acceptable to challenge taboos in Christianity (Rose, 2015). God's name gets used in vain, Jesus is called "gay" and the Pope is mocked and satirised without left-wing liberals rising up and supporting conservative Christian groups who are offended. The total sum of offense caused in society, therefore, is evidently not an issue for the politically correct. The issue is not offence itself, but offence given to *protected* groups.

Rose has noticed that some people actively seek out offense by searching for offensive comments on social media and republishing them in order to shock others and generate more offence; then they use the offensive material to prove that offensive speech is prevalent and needs to be restricted by law (Rose, 2016). Danish politician Mogens Camre from the Danish People's Party was taken to court and convicted of racist speech after he tweeted a comment involving a terrorist attack by Islamic radicals. When he tweeted the comment he had 61 followers, but it was re-tweeted, published in Danish newspapers, broadcast on TV and then went worldwide (Rose, 2016). Rose asks why people re-tweet and re-publish offensive comments if they are sincere about not wanting others to be offended. The prevalence of sharing such offensive material shows that it is likely that they want as many people as possible to become offended in order to create support for the ideological goal of legislating harsher hate speech laws.

How Humour Helps to Integrate Minority Groups into Society

Flemming Rose (2016) says that there is no agreed-upon rule within Islamic law nor is there anything written in the Koran which forbids pictures of the prophet Muhammad, and that prohibiting images of the prophet is a recent phenomenon which is due to social pressure and a lack of knowledge of the Koran. More importantly though, when compared to other satirical cartoons in Western Europe, the cartoons of the Prophet do not transgress the standard limits of satire; and by publishing them the publishers were asking for the same amount of tolerance from Muslims as they usually ask from any other religious group (Rose, 2016). Religious satire has existed in Europe for several centuries and, by treating Islam the same as they treat other religions, satirists are in fact recognising the Muslim community as an integrated part of Western liberal society (Rose, 2016). This gives followers of Islam an opportunity to respond with critical debate and argument if they want to. Rose believes that consistently applying the principle "do not offend" leads to a tyranny of silence. He lived in the Soviet Union and explains how censorship of speech causes a "fear society" where people are suspicious of each other in public and only speak their minds in safe circles at home (Rose, 2016).

If One Group Has Special Protection Then Other Groups Demand It Too

There are currently criminal laws against Holocaust denial in 13 out of 28 European Union member states and the EU is pushing for the implementation of these laws in all states because of stricter legislation regarding hate speech (Rose, 2016). Regarding freedom of expression, there is a distinction between criticising ideas and criticising individuals or groups of people, but Rose thinks that this distinction should be a moral one rather than a legal one because it alienates different groups when it is enforced. What he means is that if a country criminalises holocaust deniers, for example, then it automatically alienates other groups which don't have equivalent laws protecting

what is sacred to them. The more globalised and diverse the world becomes the more frequently minority groups will come forward and demand equal treatment and similar protection to other groups. Some Eastern Europeans have already asked for a law criminalising people who deny the crimes of Communism, and affected groups in Ukraine have appealed for a law criminalising offensive commentators who don't recognise the struggle for Ukrainian independence in the 20th Century, i.e. people who deny that Ukraine fought for independence in the 20th Century (Rose, 2016). It is unjustified for governments to pass laws about certain versions of history, especially since authoritarian regimes are known to make these kinds of laws to suit their needs when they want to silence critical voices (Rose, 2016). Rose's argument echoes Eric Heinze, whose LSPD model was discussed in Chapter 3, when he says that hate speech laws are unnecessary in stable democracies and create a double standard, because legitimate legal distinctions between what to protect and what to penalise are impossible to find.

Political Correctness Can Backfire on Minorities

History shows that censorship speech is not effective in preventing racism. Hitler rose to power despite the prevalence of very modern hate speech laws in Weimar Germany (1918 -1933) protecting Jewish people, and laws in the Soviet Union and former Yugoslavia criminalising incitement to ethnic hatred, whereby you could go to jail for telling an ethnic joke in public, didn't prevent ethnic wars and tens of thousands of deaths (Rose, 2016). Leading Nazis such as Joseph Goebbels, Theodor Fritsch, and Julius Streicher were prosecuted for anti-Semitic speech, and instead of countering anti-Semitism these court cases served as effective public-relations machinery for the Nazi Party's anti-Jewish propaganda campaign (Cato Institute Policy Report, 2015). Rose explains that laws intended to protect minorities against hate speech can actually be turned against these minorities by political majorities (Rose, 2016). For example, in the Netherlands the right wing populist politician Geert Wilders, leader of the Party for Freedom, the second biggest party in the Netherlands, is currently applying to use hate speech laws to ban the Koran, which is deemed to be politically incorrect, offensive and contain hate speech (Rose, 2016). Wilders is appealing to the very same legislation which is intended to protect Muslim minorities in the Netherlands from hate speech. This exemplifies what classical liberals have always argued - that it is in the interest of minority groups to have as free a society as possible with the full protection of negative rights such as speech. If one looks at history one can see that legislation has frequently been used to silence social movements for change such as women's rights, gay rights and black rights; which is why liberal democracies have historically restrained themselves from passing laws to silence people (Rose, 2016).

How Politically Correct Debates Can Benefit Liberalism

Rose thinks that the outcries caused by political correctness and the debates which followed the publishing of the cartoons were beneficial for liberalism because they got people thinking. Recent surveys show that political correctness has rapidly lost ground in Denmark. In 2006, after the publishing crisis, surveys in Denmark showed that less than 50 percent of Danes thought that publishing the cartoons was acceptable, but after the 10th publication of the cartoons in 2016 (even after the Charlie Hebdo saga) surveys showed that since 2006 there has been an increase of 25 percent of Danes who believe that publishing the cartoons was acceptable (Rose, 2016). This is a vast change of opinion in ten years.

How Free Expression Strengthens Religion

Satire and free expression help to keep religion in check, and Flemming Rose believes that the fight against intolerance, which has largely been through satire and free expression, has created the conditions for stronger religious convictions and for a relationship with God based on free choice (Rose, 2016). Being allowed to question and satirise religious dogma gives people the choice to accept God freely instead of being told what to think and say about God (Rose, 2016). This is at the heart of religion, and indeed any relationship, because how can people love God if they have conflict in their minds and see something irrational in the scriptures yet they are unable to expose, question or ridicule it? The benefits of free expression and criticism can be seen in liberal societies where confident believers are able to tolerate and laugh at jokes about their religion because the freedom to choose has given them more confidence in their choice.

Difficult Decisions Arising from Globalisation

Discussions people used to have around the kitchen table can easily get out into the public realm nowadays because of globalisation, interconnectedness and social media, and this has led to more regulation of speech (Rose, 2016). Communication technology and increased migration have caused societies to grow more diverse which has led to clashes between different ideas, different ways of living, different religions and cultures. The new melting pot of diversity has created some hard political decisions, and one mistake many politicians have made is believing that in order to keep the peace and prevent conflict citizens need to sacrifice certain negative freedoms such as free expression (Rose, 2016). This line of thinking is illogical because diverse societies need to have diverse ways of expressing themselves and they should be free to question openly and satirise others' beliefs if they don't agree with the way others are behaving (Rose, 2016). Silencing people is

not a legitimate way to keep the peace because what is silenced bubbles and festers under the surface and does not go away.

Tolerance Has Changed Its Meaning

Rose believes that it is necessary to re-educate the Western world about liberal democratic rights such as the freedom of expression, freedom of religion, freedom to vote for different candidates, freedom of assembly and freedom of movement, but there is no such thing, and has never been such a thing as the right not to be offended (Rose, 2016). In saying this Rose echoes John Stuart Mill, who defined harm in such a way that it could not possibly include offensive speech or hate speech laws protecting certain groups. Rose says that political correctness has created a genuine belief in many people that they actually have a right not to be offended, and furthermore, these people believe that they are acting in the name of "tolerance" whist assuming that people who say politically incorrect things are "intolerant" (Rose, 2016). Rose explains that the politically correct notion of tolerance is exactly the opposite to the traditional concept of tolerance, which means *the ability to live with things that one does not like* (Rose, 2016). The original definition implies that one does not use coercion or violence to silence speech which offends one; but nowadays people are doing exactly this in the name of tolerance.

Chapter 6

Truth, Tolerance and Psychology

The Paradox of Being Intolerant of Intolerance

Gaede (1993:21) believes that the debate surrounding political correctness is not political but is rather about attitude – the core requirement being that one should keep silent about one's convictions if they might be deemed offensive to other groups; which ends up allowing each group to define offense and tolerance for itself. In this scenario Gaede questions how each group chooses its authorities to represent its interests, who defines the norms and what constitutes offensiveness? (Gaede, 1993:9). In light of these tough questions Gaede deduces that the politically correct version of tolerance must necessarily be an undemocratic process which leads to the privatisation of conviction.

Privatisation of conviction was displayed when Brown University (Rhode Island, USA) made the decision to prevent a group of students from flying an American flag outside their window in support of the US troops in the Persian Gulf. Brown University's decision was based on concerns that the flag might have offended students who did not support the USA's policy on the war (Gaede, 1993:22). Brown University only has a right to enforce this if one assumes that people have a right not to be offended, which is why Gaede believes the political correctness debate revolves around *the right not to be offended*. When people are prohibited from invading others' attitudinal spaces the only public display of passion deemed worthy and legitimate is the conviction of uniform tolerance (which, of course, does not exist) (Gaede, 1993:22). If anyone steps out of line from the politically correct definition of *uniform tolerance*, they are likely to receive a display of politically correct 'passion' for the transgression.

Some groups, such as conservative religious people, will be offended by rainbow-coloured "gay" flags though, and so should these flags not be displayed? Every group has different convictions and is going to be offended by something, so the real question is, "do these groups have a right not to be offended?" Gaede says that in every era there are certain ideas and attitudes which are deemed illegitimate and *politically incorrect*, in the traditional sense of the words, but the difference with modern day political correctness, which is quite unusual, is that it involves *intolerance* of those who are assumed to be *intolerant* (Gaede, 1993:23). The Victorian prudishness about sex, the American intolerance of Communism during the Cold War, and Communist intolerance of not towing the party line all had substance to them because there was an intolerance of *something*, whereas nowadays political correctness is intolerant, not of substance, but of intolerance itself (Gaede, 1993:23). This

makes political correctness paradoxical in character because it is inconsistent and violates its own principle of tolerance.

The History of Tolerance

Historically if a person belonged to a group, the people in that group would most likely speak one language, they would be from the same ethnic background and would have the same worldview. This made them prone to intolerance because doing things the community's way would have been seen as the correct and moral way and this made them intolerant of diversity (Gaede, 1993:24). Gaede (1993: 24) explains that not all places were culturally homogenous, and that one can see in the book of Acts how Paul the Apostle is able to travel extensively to different communities to preach the gospel because the Romans dominated those regions and imposed tolerance from above. This was in the interest of maintaining order amongst the plurality of religions and ethnic groups within its domains (Gaede, 1993:24). Although tolerance was imposed from above to keep order in the Roman Empire, seaports and trading centres in other countries were naturally tolerant zones because trading requires interaction with people of diverse backgrounds and beliefs, and tolerance is economically advantageous (Gaede, 1993:25).

In the modern, globalised world, people have more individual freedom and make their own choices, which makes it difficult for them to have confidence in the truth of any particular belief, especially when it is different from a belief they might have held before and different from the belief of their neighbour (Gaede, 1993:27). Globalisation has forced nations to become more tolerant, and tolerance has therefore become a value in and of itself because it conforms nicely to the world we live in where truth is seen as unattainable, diversity is the norm and detachment is an economic necessity (Gaede, 1993:28). If there is no truth worth defending then non-defensiveness becomes a mark of distinction, and G.K. Chesterton observed that, "tolerance is the virtue of the man without convictions", which describes the modern world and the increase of political correctness (Gaede, 1993:27). If there is no right or wrong then people become opposed to anyone else's passionate concern about substantive values such as truth and justice (Gaede, 1993:28). By altering the original meaning of *tolerance* political correctness requires people to be silent about certain convictions- the very convictions that commit these people to truth and justice and compel them to uphold the value and worth of all human beings (Gaede, 1993:30).

The original definition of tolerance - the ability to live with things that one does not necessarily like - which was seen at sea ports and further developed in the Enlightenment Era, would have allowed the students to fly the American flag at Brown university. Holding deep convictions and being

tolerant are not necessarily mutually exclusive, and Gaede points to times in history when convictions were deeply held but when tolerance was practiced nonetheless. He follows the thread of tolerance from the story in Exodus where the Hebrews were exhorted, "Do not oppress the alien; you yourselves know how it feels to be aliens, because you were aliens in Egypt" (Exodus, 23:9), through to the Roman Empire where political authority stretched far beyond the borders of Rome and where tolerance was a method of political expediency, to the American experience of tolerance (Gaede, 1993: 108). He uses America as an example to show how tolerance and deeply held convictions of truth coexisted from the period of the republic's founders and became almost universally established in America at the time of the framers of the Constitution. An unusual degree of tolerance emerged in the new republic, which is a relative statement and must be interpreted in the light of history that preceded it. This is because we cannot impute modern notions of tolerance to early colonists even though some were certainly progressive for their time.

Gaede attributes the unusual degree of American tolerance to the well-known separation of church and state, which became a key component of American religious consciousness. The thinking of the founding fathers was a product of European intellectual developments such as the ideas of John Locke, who was instrumental in arguing for the separation of church and state; but the real difference between Europe and North America was that the minority opinion on the separation of church and state in Europe became the majority opinion in America (Gaede, 1993: 101). The early American culture did not allow tolerance to undermine what it held to be true. This only started happening in the second half of the twentieth century when tolerance "lost all sense of modesty" and began exerting itself above conviction and truth (Gaede, 1993: 105).

Cultural Relativism and Political Correctness

Political correctness is based on cultural relativism, which holds that all cultures are equal and judgment between them is absurd, and it also appeals to moral relativism, which claims that all beliefs have equal value; so if one person believes that Zippy the Clown created the universe and another believes that God created it then the two claims would be just as true (Gaede, 1993: 45). Because of the acceptance of moral relativism, it is increasingly considered inappropriate to try and change someone else's mind or to suggest that their ideas may be wrong, which is where political correctness gets its power from (Gaede, 1993: 45). Many people are afraid to express their beliefs nowadays because they can be viewed as "heretics" if they do, and this has caused the way people say things to become more important than what they say, for example, if people speak in a polite and self-effacing manner they are well received because relativism and political correctness have caused style to take precedence over content (Gaede, 1993: 46). Relativism therefore undermines

the credibility of the established belief system because it says, "You have your beliefs and I have mine, and that is just splendid" whereas the traditionally accepted opinion says, "Truth exists, whether we believe it or not, and believing anything but the truth is not splendid" (Gaede, 1993: 47). In a relativistic culture the accepted opinion therefore appears intolerant and there is great pressure for people with religious or conservative beliefs to "be nice" and bend their beliefs to modern relativism in order to be acceptable, which is why religious people in Western society have a great internal conflict going on because they try to be nice at the expense of compromising their deepest values (Gaede, 1993: 47).

Where each individual has his or her own ideas, and all ideas are deemed to be equally right and legitimate, then whoever has the most votes, or the most influence, or the greatest military power decides what is right because 'might makes right' in situations where there is no standard of right and wrong (Gaede, 1993: 47). Therefore, relativism makes the 'good society' impossible because its end result is not genuine tolerance but rule by power (Gaede, 1993: 48). People cannot agree on a set moral code and at the same time affirm relativism. If everyone has a different definition of what *harm* towards others means then a few legislators at the top are able to turn their definitions of harm into legislation (Gaede, 1993: 45). What Gaede means is that if all beliefs are equally true and all offenses to groups are equally wrong, then the powers-that-be can decide which offences to ban and which ones to 'let slide'. This leads to the tyranny of the majority, where a majority in power can push through rules which undermine negative rights, as happened the case where Brown University decided to ban people from expressing themselves and displaying an American flag. What relativism ultimately leads to is not tolerance or inclusion or justice, but a few people with power (an oligarchy) deciding what is best for all and executing their will (Gaede, 1993: 49).

When looked at from the perspective of rights, the flag flying incident at Brown University shows how Mill's harm principle can be changed by authorities to the extent that the negative right to be left alone and not harmed becomes a distorted form of a positive right which grants individuals and groups the right to attention. For example, students A and B might be going about their business and enjoying their rights to be left alone, but then student C might become offended when student A flies a flag or when student B does research on rape statistics and comes up with offensive conclusions. If one applies the fact that positive rights involve action and dictate that the world owes the right holders something, the university students are actively obliged to watch their step so that they don't offend sensitive students. This interferes with their private lives and with their negative freedom to go about their business unhindered. As Flemming Rose explained, it is impossible and illiberal to expect satirists to learn all the possible ways they could offend all the religions in the

world. That would be a massive burden placed on the satirists and an illegitimate positive right given to all the people who demand not to be offended. The same principle applies to expecting people to learn about everything that offends others and then go about their daily lives treading on eggshells, which is tantamount to owing or giving the "right-holders" something.

The Attraction of Political Correctness and Revolutionary Politics

Doris Lessing, who went through the process of being a left-wing socialist sympathiser before becoming more of a centre-line liberal in her old age, believes that ever since the rug of Communism was pulled out from under the feet of Western thought "...millions of people have been searching frantically, perhaps without even knowing it, for another dogma", and some have found this dogma in left-wing politics (Ingersoll and Lessing, 1994: 209). The politically correct can be found in institutions such as town councils and academic councils and are behind the calls to censor headmistresses, headmasters, teachers and lecturers who they deem to be bigoted or racist in some way; but time and time again an appeal to higher authorities shows that the so-called racists have been unfairly accused and that the campaign tactics have been dirty (Ingersoll and Lessing, 1994: 209). Lessing looks at an important aspect underlies political correctness, which is the emotion of excitement and the pleasure gained from being involved in revolutionary politics. Lessing explains that being part of a minority group which believes that it possesses the sole truth is exciting, and particularly so when the campaign involves vigilantism, slogans and marches. Lessing notes that demonstrations in Western liberal countries seem to have little point nowadays, from the view of achieving things, and that the means and not the end is the point - the means being the protests themselves and the buzz, high, thrill or fix of participating in revolutionary politics (Ingersoll and Lessing, 1994: 209).

There is an unrecognised need in humans to experience suffering for what they deem to be noble and right, and the lack of persecution in liberal countries causes people with this need to seek out opportunities for being oppressed and persecuted (Ingersoll and Lessing, 1994: 210). This is why some people (younger people in particular) turn to political correctness which gives them the opportunity to exaggerate oppression in Western countries and allows them the only taste of revolutionary politics they will get in a liberal democracy (Ingersoll and Lessing, 1994: 210). Not understanding genuine persecution in illiberal countries, "the secret minds of these Walter Mittys of revolution" fantasize about being persecuted and enduring it with heroism and fortitude, but in reality they would have to work really hard to fulfil their fantasies of being political prisoners or revolutionary heroes in the liberal democracies in which they live (Ingersoll and Lessing, 1994: 210). Lessing says that when people are high on ideas revolution is seen to be nobler than the ballot box

and violence becomes acceptable when it is sanctified by a high motive. Sociologists have discovered a phenomenon whereby groups of people who might be classified as "tender-hearted" - meaning they oppose capital punishment, flogging, bad prison sentences and the suffering of the underprivileged – often paradoxically accept terrorism if it is for a good cause (Ingersoll and Lessing, 1994: 211). Lessing believes that millions of left-wing liberals have a type of schizophrenia because they keep silent about acts of terrorism from organisations such as the IRA or the Red Brigades in Italy and they support repressive dictatorial leaders. She thinks that any romanticising about political violence and revolution can turn a "tender-hearted" person into a potential brute (Lessing, 1994: 210). This is why the "tender-hearted" *Fellow Travellers* from the left, who longed for better things, defended the failed Soviet experience with "a thousand mind-wriggling ways of defending failure" whilst ignoring the mass murder, show trials, logic-chopping, idiotic rhetoric, brutality and concentration camps (Ingersoll and Lessing, 1994: 212).

Disapproval of the Establishment and Status Quo

Lessing believes that one reason why some liberals dabble in illiberal values is because they are dissatisfied with the society they live in, or they have some sort of loathing and contempt for their country or current political system. They therefore become preoccupied with an ideal of a much better society than that which they live under and the grass is seen to be greener on the other side. They sometimes leave relatively privileged lifestyles to go and work in Third World countries, but soon they see the appalling conditions created by illiberal regimes (Ingersoll and Lessing, 1994: 213).

Hughes (2010: 81) suggests that those who display anger towards politically incorrect people are likely to be individuals who hold anger towards the establishment itself, which they see as the preserve of male and bourgeois dominance; and political correctness is a tool they use to undermine the orthodox beliefs and traditions that their parents and grandparents held. Howard Schwartz (2010: 12) echoes this view in his book *Society Against Itself: Political Correctness and Organizational Self-Destruction* when he uses Freudian and pre-Oedipal psychology to explain why some politically correct people display extremist tendencies. In pre-Oedipal psychology the father plays the role of averting the child from narcissistic inclinations and unhealthy bonding with the mother by being stern, using his authority and exposing the child to a different side of reality. Children often respond towards the father with rage when this first takes place. Schwartz posits that attacks on the patriarch, traditional society and authority represent a carrying forward of pre-Oedipal orientation into adult life, where affected people reject the father figure and try to destroy all his works (Schwartz, 2010: 15).

This can be seen in certain feminist and multiculturalist publications such as the American feminist organization WITCH's publication for February, 1969 which contained a "WITCH Un-Wedding Ceremony" (Hughes, 2010: 269). The "WITCHES" declared that, "We are gathered together here in the spirit of our passion to affirm, love, and initiate our freedom from the unholy state of American patriarchal oppression. We promise to love, cherish and groove on each other and on all living things. We promise to smash the alienated family unit. We promise not to obey." (Hughes, 2010: 269). Feminism and political correctness overlap and have some common goals such as opposing oppression, the status quo and standing up for marginalised groups, but one cannot equate feminism with political correctness because feminists vary widely, as do politically correct adherents. Doris Lessing, for example, was a feminist who was not against the family unit and she did not approve of political correctness. Although Lessing never married she admits that learning to become single and self-sufficient implies "a great loneliness because the majority of men, naturally, don't like this attitude; it's not needing them...Men need to be taken care of, to have their egos treated tenderly" (Ingersoll and Lessing, 1994:68). Lessing believes that certain forms of women's liberation movements have hardened masculine attitudes towards women and she talks about what she calls the "terribly misdirected feminist notion of attacking the nuclear family as an institution" (Ingersoll and Lessing, 1994:69).

Religious Radicalism and Intolerance

As mentioned in chapter 1, when Doris Lessing compared Communism to political correctness she made it clear that she was not suggesting that the torch of Communism had been handed on to the political correctors but rather that the habits of mind had been absorbed, often without knowing it (Ingersoll and Lessing, 1994: 208). The parts of this chapter involving psychology, religious radicalism and intolerance should be looked at in the same light as Lessing described - where intolerance of different opinions, whilst being a large subset of political correctness, is not synonymous with political correctness; but rather, similar habits of mind, such as intolerance, which are an integral part of fundamentalist religion, are to be found in political correctness as well.

The Emotional Frustration of Keeping Silent

People laugh spontaneously, sometimes without even knowing why, at comedians who tell jokes about race, sex and religion, which allows thoughts and feelings in their subconscious minds to emerge. With an increase in inappropriately directed laughter (laughism), along with censorship of expression and other inappropriate 'isms', the conscious mind is forced to police "incorrect" thoughts and prevent emotions attached to those thoughts from surfacing. Suppressing emotions causes anxiety, anger and depression, and people become frustrated when they cannot get answers

to their questions, express their feelings or convey what they believe to be true. People in liberal democracies who have their speech unnecessarily suppressed become especially indignant because they have grown up knowing what liberty is and are aware that they are having their liberty removed from them.

Why Fundamentalists Are Prone to Mockery

The more radical political correctors, who can be almost puritanically religious regarding the manner in which they try to control people's behaviour and the ease in which they take offense, are naturally prone to mockery, just like any other fundamentalist humans who take themselves seriously enough to want to take away other people's freedom. Children sometimes use funny quips and laugh at teachers and parents who try to control them in ways that the children can sense are illegitimate. The laughter may be seen by the parent or teacher as "cheeky" and worthy of punishment, whereas the other kids love it and laugh along because they see all too clearly the controlling nature of the adult who is being mocked. In the adult's eyes he is perfectly justified by whatever he has said or done and he gets angrier because he sees himself as being ridiculed. There are often good reasons why people mock other people, and it is usually when they notice arrogance that produces a tendency to become offended and anger easily. This is legitimately mock-able, which is why fundamentalist religious people, who think they are exclusively "God's people" and who look down at others and become offended when people don't take them seriously, are so mock-able.

Political Correctness - a New Religion

Political correctness is sometimes compared to religion (Puritanism in particular) because its more radical adherents follow the central moral tenets of political correctness, such as multiculturalism, egalitarianism and reversing oppression, in a dogmatic and coercive manner. In this way political correctness can be seen as a *secular* religion. When religious zealots say "do this" or "don't do that" one can feel the anger and judgment behind the command should one dare to break their rules. This is so because these zealots have tied themselves to following sets of rules and are proud of their "morality" as they strive to follow these rules. They get offended and become indignant when others break these rules which they hold dear to them because they think, "Why should I painfully strive to follow onerous laws when others seem to lead happy and fulfilled lives and break these laws? It's unfair!" Even though rules dictated by zealots may be correct and moral, the pressure for them to keep the rules is often self-imposed and comes from an internal struggle rather than from a love of keeping the laws and from free choice.

Those who understand that the laws benefit them will gladly follow them and will not force others to do the same but will give them free choice, whereas those who "self-flagellate" obviously feel obliged to keep the law and when they have succeeded in keeping the law they get an unhealthy "moral" kick from their struggles. The unhealthy "moral" kick is not genuinely satisfying, which is why fundamentalists or extremists want to coerce others into following their practices. As they say, "misery loves company".

When someone who cares for you says, "do this" or "don't do that" they do it out of a selfless motive, purely for your own good. When a person is acting selflessly and tries to correct you for your own good you feel at peace and it gives you space to decide to follow what they have recommended without being pushed. One gets the opposite feeling from a controlling and pushy person because one feels threatened by their irritation, judgment and lack of respect. This can cause a person to want to do the opposite of what she is told, even if she knows that the intolerant person is correct.

Politically correct radicals are controlling in a similar manner to religious radicals because they have built up a secular morality of fighting oppression by the laws of multiculturalism and egalitarianism, and when they tell you to follow their well-meaning, and often universally acceptable moral rules, they do it forcefully and do not respect your free choice. A point to note is that these radicals are not necessarily following the tenets of political correctness willingly; they may be following these rules because of the way they have been brought up or because it is beneficial for them to do so in their current surroundings. This is not unlike religious people - some of whom keep the laws gladly whilst others feel compelled and compel others to keep them. Flemming Rose said that if politically correct people truly wanted to prevent offence to others they would not re-tweet or publish racist comments in the public realm where they cause thousands of times more offence. The fact that they 'go public' so frequently makes one wonder if they are motivated to prevent offence or if their primarily goal is a "moral" kick to the ego and being seen as a righteous person who fights for the oppressed.

Some religious people feel obliged to "save" others and they tell people what to do and how to behave in a coercive manner. Other religious people quietly help people, lead fulfilled lives, set an example and allow those who would like to be "saved" to make up their own minds about it. It is the same with political correctness where the more fundamentalist types tell others what to say and do, interfere with people, use threats of punishment, censor speech and basically express the same type of fundamentalist religious mind-set, ranging from being mildly annoying to displaying great self-righteous wrath. Similar to the Pharisees in the Bible who said their prayers loudly on street corners and in public squares, the radical political correctors follow their own religion and like to be seen to

be following a set of moral rules, which elevates their pride and gives their brains a 'hit' of endorphins. These 'hits' of endorphins are rare compared to the daily grind of following sets of rules, and so they cherish the opportunity to attack others whom they deem racist, sexist or homophobic. The fight against "immorality" and the "righteous" anger they experience relieves tension and briefly causes them to feel better about themselves. The rest of the time they are failing to live up to impossible standards, which they feel obliged to keep and which locks them into a state of condemnation and guilt.

Gaede (1993: 60) explains that Jesus lived in times which were full of bigotry and injustice, and he often did culturally "incorrect" things such as approaching a Samaritan woman at the well, talking with her and crossing all sorts of cultural boundaries to include her in his world. Culturally, a man shouldn't have been talking to a woman in that scenario. Jesus was a Jew who should not have been engaging with a Samaritan, and he was a religious teacher (a Rabbi) who shouldn't have been seen with a "sinner" who had five different boyfriends and was currently with someone who was not her husband (Gaede, 1993: 60). Jesus mixed with all types of people including "unclean" people, tax collectors and prostitutes, but the people he had the most conflict with were the religious people of the time - Pharisees and teachers of the law who tried to impose their way of living on others (and on him); and these fundamentalists who took the Jewish law seriously, or literally, were the intolerant and angry ones who campaigned for Jesus' crucifixion. Pharisees were the Jewish *academics* back then because they were the educated few who knew the law and the scriptures, and because they were learned, some of them became 'puffed up' with pride and thought they knew the correct morality. This made them controlling and angry when people didn't follow all the unnecessary laws they created and the morals they proposed.

One sometimes wonders how somebody can rush to secure minorities' rights of not being offended when millions of people are dying and obviously have no rights due to broken political systems. What causes people to "shout from the rooftops" in their relatively opulent communities about minority groups who are being referred to by the wrong terminology or people who already have rights to marry people of the same sex but demand more recognition from society? Those might all be good causes to campaign for, and they are certainly causes which bring high acclaim and prestige in a leftist society. Going out and helping truly impoverished people or spending time in degraded conditions to get to know and support indigent people generally does not bring a fraction of the acclaim that campaigning for politically correct rights does. Melanie Phillips described it thus: "It seems to me that the main purpose of today's bowdlerism (Victorian-style censorship of offensive material) is less to protect the ostensible targets of prejudice – Black people, women or whomever –

than to demonstrate the moral purity of the expurgators, their sensitivity to the evils of prejudice and discrimination" (Hughes, 2010: 29).

Chapter 7

South Africa – A Perfect Petri-dish for Political Correctness

Oliver Reginald Tambo was honoured with a state funeral where friends, supporters, colleagues and heads of state bade him farewell, and his epitaph, written in his own words, reads, "It is our responsibility to break down barriers of division and create a country where there will be neither Whites nor Blacks, just South Africans, free and united in diversity" (South African History Online, 2012).

Hermann Giliomee (2000: 94), a South African author, former Professor of Political Studies at UCT and President of the South African Institute of Race Relations, regards political correctness as a distortion of liberalism and prefers to call this new variant of left-wing liberalism "liberationalism" because it embraces the struggle for redress and restitution and it insists on questionable policies which will affirm and liberate previously disadvantaged people. True liberalism is different from *liberationism* in that it sticks firmly to equality of opportunity, merit, individual rights, colour blind non-racialism and a belief in the civilising and equalising power of the free market (Giliomee, 2000: 94). Political correctness in South Africa seems to have deviated considerably from Oliver Tambo's wish on his epitaph to "create a country where there are neither Whites nor Blacks, just South Africans". This is because political correctness envisions black-white harmony in the future, *but* with a condition, namely, that future harmony will occur if, and only if, an egalitarianism of present outcomes happens by means of whites abandoning part of their wealth, privilege and representivity in all structures of society (Giliomee, 2000: 94).

Giliomee believes that political correctness follows a general pattern where history is depicted largely in terms of dispossession and degradation, and achievements such as South Africa's modern economy, the sophisticated transport system, education, medicine, infrastructure and the free press are left uncelebrated as if they were a coincidental outcome of South Africa's history (Giliomee, 2000: 97). He maintains that the ANC leadership's basic approach to analysing politics is still to a considerable extent Marxist and that this is played out as the tendency to see a power struggle between two sides, with race replacing class as the basic organising principle (Giliomee, 2000: 107).

ANC Hegemony

R.W. Johnson maintains that political correctness in South Africa is different from political correctness in other countries because it is part of the government's hegemonic project to dominate the social, cultural and institutional life of the country and its politics (Johnson, 2000:42). This is somewhat different from left-wing hegemonic projects within other liberal countries aimed at

dominating various institutions, which the social democratic and labour-oriented governments only partially support. South Africa's Universities and NGOs started pushing for multiculturalism and affirmative action in the 1980's in line with the rest of the Western world's adoption of political correctness, which occurred long before the ANC arrived in power and enforced these practices (Johnson, 2000: 43). The ANC wanted the moral monopoly of exclusive rights to anti-racism and it didn't give credit to other agencies for anti-racism. It was not willing to accept the historical role white liberals, such as the Progressive Party, Liberal Party (and not to mention all the pressure from overseas) played in ending apartheid, and hence a part of history was altered (Johnson: 2000: 43).

The Progressive Party (PP), for example, was spear-headed by Helen Suzman and was non-racial from the word go (1959). The Nationalist government was concerned about the non-racial nature of parties such as the Progressive Party and Liberal Party and it enacted the *Prevention of Political Interference Act* in 1968 which prevented interracial participation in politics. This caused a big debate amongst multiracial parties about what would happen and between April and May in 1968 meetings were held in various parts of the country; and as a result the Liberal Party chose to disband rather than to comply with the new racial legislation whilst the Progressive Party chose to become a whites only party (South African History Online, 2012b). A Progressive Party Congress was held in Cape Town where delegates debated and voted on whether the PP should fold up or not, and Roger Embling, who was Chairman of the PP's Liesbeeck Branch at the time in Cape Town, explains that during the meeting what struck him most was that a number of so-called white delegates said that the PP should, on principle, fold up, whereas the so-called black and coloured delegates were of a different opinion. They were adamant that the Progressive Party should carry on as a "white" party otherwise they would lose their representative MP Helen Suzman, who was a great democratic worker for all South Africans. They said it was a case of "until we meet again" and they were prepared to go along with the Nationalist Party legislation *under protest* (R. Embling: Personal Communication, 2016).

Johnson believes that many of the 'struggle newspapers' and NGOs which were brave and dynamic during the apartheid years slavishly deferred to the ANC hegemony after 1994 (Johnson, 2000: 56). He thinks that editors and journalists have increasingly reduced the press into an illiberal and politically correct mouthpiece for the ruling party, whereby the government has managed to persuade the press, universities and NGOs to do the sort of research and carry out the sort of publishing and projects it wants them to (Johnson, 2000: 57). Johnson says that in order to achieve any form of hegemony from above (the state) or from below (within the institutions), there needs to be a suppression of the true liberal and independent spirit, where people who air their views and stick their heads above the parapet are marginalised and demonised (Johnson, 2000: 57). When this

happens it causes a *liberal slide-away*, where many liberals perform miraculous contortions as they reposition themselves politically. These liberals often find that being politically correct is not ultimately enough, and even with perfect records of non-racism they can find themselves vulnerable to racial charges and *subliminal racism*, as Max du Preez, Dennis Davis, Helena Dolny, Govin Reddy, Derek Hanekom and others have discovered (Johnson, 2000: 58).

How Institutions Use Political Correctness

Group solidarity and nationalism is very strong in South Africa and solidarity is seen to be more important than fostering debate and freedom of speech and opinion. This was so during the apartheid regime and has become equally so in the new South Africa, and has been solidified by the discrimination during apartheid and a sense that black people have to stick together due to a mistrust of Western liberal values (Nolutshungu, 2000: 26). This seems to have softened over the past few years under the strained presidency of Jacob Zuma, the decline of the ANC and the rise of the EFF and DA. Internal divisions, which hitherto were hushed up, are rapidly showing and the cracks in the divisions are becoming large structural cracks. Intellectual life in South Africa and political debate is impoverished by both political correctness and African nationalism, and Nolutshungu believes that the moral pressure associated with political correctness is exerted from the periphery of government rather than by government itself (Nolutshungu, 2000:26). For example, he says that certain sectors have viewed the state as an agency to be captured and manipulated in order to serve their own purposes, and the NGO sector in particular speaks in the name of the poor and disadvantaged in order to claim the moral high ground and gain economically (Nolutshungu, 2000:26). Some NGOs are genuine and have the poor at heart whilst others are rent-seekers, driven by economic rationality and they seek to divert resources from the state and the taxpayer (Nolutshungu, 2000: 26). In order to do this some of them become politically correct commissars, which bludgeon critics into line with moral censure and encourage a victim mentality amongst black people so they can get their gain (Nolutshungu, 2000:26). This serves as an example of how institutions can use political correctness for selfish purposes.

Politically Correctness as a Counterbalancing Moral Code

Lawrence Schlemmer was a South African Professor in sociology and former President of the *Institute for Race Relations,* and he writes that counterbalancing moral codes are often developed in societies where there has been moral fragmentation and subjugation (Schlemmer, 2000: 76). This was seen with the tight moral codes of the Dutch Reformed Church in South Africa, which became a counterbalance and response to the social dislocation and demoralization of Afrikaners after the Anglo-Boer War and the Great Depression (Schlemmer, 2000: 76). Schlemmer applies this theory to

the restrictive codes seen in political correctness, where politically correct values and ways of communicating are implemented by the so-called *knowledge classes* such as professionals, journalists, academics, consultants and practitioners in the communications and service industries (Schlemmer, 2000: 77). These codes are implemented by the knowledge classes to counterbalance oppression caused by tradition, ethnicity, parochialism and patriarchy; and political correctness' rules are similar in liberal democratic countries all around the world (Schlemmer, 2000: 78).

Political correctness is not only a code of communication but has deep ideological values underlying it. According to Schlemmer (2000:77) itis an "unwitting affinity of commitment" shared by enlightened opinion-leaders such as (non-Leninist) socialists, social democrats, liberal humanists, progressive professionals and some religious leaders, along with an established upper-middle class tradition of benevolence, social conscience and defence of underdogs in society. The politically correct debate happens largely within the middle class, and the most intense opposition is aimed at the status quo - the conservative and capitalist class and the structures which support these interests (Schlemmer, 2000: 78). Schlemmer (2000:78) supposes that political correctness can be looked at as a form of social consciousness which has enriched the world, or as a style or mode of communication which has evolved socially to maintain harmony in societies where there has been increased integration of diverse cultures. He claims that the roots of political correctness were probably established in the Enlightenment period, which was a time of dramatic advancement in ideas about social relationships; and political correctness was necessary to counter the moral tyranny of religious dogma and authoritarian aristocratic norms at that time in history (Schlemmer, 2000: 79).

Political correctness certainly attacks religious dogma and authoritarian aristocratic (conservative) norms, but Schlemmer seems to mix up liberalism and political correctness to a degree in his claim because liberalism itself fights religious dogma and some conservative norms, and liberalism itself was used to counter dogma from the Enlightenment Era onwards. The Enlightenment period was the beginning of the fertile soil which matured liberalism, which later gave modern-day political correctness a chance to put down roots in the 20th century. Just as true socialism and Communism can only put down roots in a fully developed capitalist society, according to Marx, true political correctness, which opposes liberalism to a degree, can only develop after mature liberal societies are in place.

Middle Class Opinion-formers and Policy-makers

The greatest policy failures in the new South Africa have resulted from a weakness within the social sciences, which have "become self-indulgent and a home for all manner of intellectual absurdities,

and guidelines for social reconstruction and community development are amongst the weakest outputs of academia and provide no alternative to fashionable politically correct dictates" (Schlemmer, 2000: 88). The "hard" science subjects are resistant towards political correctness whereas the humanities and social science subjects are where political correctness overflows into government policy. Schlemmer believes that politically correct policy-makers hand out solutions which work well in middle class environments but which are unsuitable in situations where there are nowhere near enough social workers, councillors or resources to cope. Middle classes in modern societies maintain what sociologists call the 'internal locus of control', whereby family life is generally non-authoritarian, stable and produces self-regulating or inner-directed individuals (Schlemmer, 2000: 86). In these societies individuals may be non-conformist and do things their own way, but they by and large finish school, are successful in their careers and family lives, have a socially liberal outlook on life and keep to the broad consensus of what is harmful or beneficial in life (Schlemmer, 2000: 86). Community-based authority is therefore not necessary to keep them on the straight and narrow, whereas under-classes need external sources of authority because children grow up with less parent-child interaction and the locus of control is thus external (Schlemmer, 2000: 86).

Political correctness sets a standard whereby rules which work well in individualistic middle class liberal societies ought to apply to all classes, cultures and races, but this reasoning fails in countries such as South Africa where there is a large underclass and where liberalism is weak (Schlemmer, 2000: 81). Politically correct opinion-formers lead policy debates surrounding issues such as HIV infection and education, which leads to policy failures by ignoring forces at the community level, for example, the high level of HIV infection is part and parcel of the breakdown of sexual morality and family structure, and the greatest need in vulnerable societies is for a revolution of family values. Policy formers espouse middle-class solutions of counselling and youth programs and recommend anything except restoring social and moral authority and conservative values within communities because to do so would be anathema to the doctrine of political correctness (Schlemmer, 2000: 85). Political correctness sets out to protect poor people's dignity and it envisages all communities being treated equally (keep in mind that equality can be as expansive as one wants it to be); and so if poor communities have different policies proposed to them and are not treated the same as middle class communities then this would constitute politically incorrect policy. Proposing sexual morality programs might make poor communities feel less equal and more immoral, along with the fact that religions (which are by nature politically incorrect) recommend sexual morality, which makes this proposal out of the question for the politically correct.

The Ad-Hominem Attack

Temba Nolutshungu (2000: 23) believes that political correctness derives its moral force from its intention to support the politically or economically oppressed and the marginalised, and it has particularly strong appeal in South Africa because the majority of the population was oppressed openly during the apartheid years from 1948 to 1994. Thus any person, and white person in particular, who criticises affirmative action, the minimum wage, land redistribution, or opposes laws which aim to ban hate speech, is easily cowed into silence by the suggestion that he or she supports the old apartheid or colonial regimes and shows insensitivity to the plight of black people (Nolutshungu, 2000:23). Standard liberal arguments which run counter to politically correct arguments are often ignored and a person can be labelled a racist because of the suspect moral stance, or "thought crime" that allegedly lurks behind these arguments (Nolutshungu, 2000:23). Political correctness utilises a method known as an *ad hominem attack*, which in Latin means "against the man". As the name suggests, this sort of attack involves commenting on or against opponents - calling them *racist, sexist, bigoted, privileged, neo-liberal* and so on and so forth - to undermine them instead of their arguments; and Nolutshungu says that white intellectuals are particularly vulnerable to this kind of attack because political correctness preys on white guilt (Nolutshungu, 2000:23). If someone can be accused of having the "wrong" ideology, the "wrong" skin colour or gender to understand a certain issue, or if they are deemed a-priori to be "immoral" then they are more likely to be cowed into silence and the person who uses the ad-hominem accusation is more likely to win the argument or silence his or her opponent. Tony Leon says that a cardinal rule of political correctness is that who you are circumscribes what you can say. Ronald Dworkin calls this "the heckler's veto", which involves those who hold the levers of power determining which speakers merit a hearing based on their identity rather than the validity of their message (Leon, 2000: 63). Ken Owen identified this trend and wrote that "once it can be argued that the speaker is immoral, or privileged, or not an accepted spokesperson for 'the people', his right of free speech is reduced to a mere privilege" (Leon, 2000: 62).

Political Correctness on the Job Front

Lawrence Schlemmer (2000: 81) says that a universal characteristic of implementing politically correct policies is the unremitting search to compensate victims and undercut the power of alleged groups of perpetrators from established structures in society; and in post-apartheid South Africa there has been a veritable feast of targets for this process. The ANC, when in exile, was greatly supported by South African, European and American left-wing organisations which were full of politically correct *Fellow Travellers* who formed a "fringe" around the ANC in office - the fringe

included the South African Communist Party, which still extends inside of government (Schlemmer, 2000: 87). As soon as the ANC came into power in 1994 it adopted the politically correct rhetoric of the time and started creating new political keywords such as *"delivery"* (providing services to communities disadvantaged under apartheid) and *"empowerment"* (altering the demographics of personnel in charge of institutions and redistributing wealth to non-whites) (Hughes, 2010: 34). Hughes gives a number of terms which became racialized and gained new political meanings, for example, *"transformation"* adopted a racial meaning and departed from its literal meaning of "a sudden or marked change". A sudden or marked change in the job sector was impossible since there was a general shortage of black expertise in many fields, so in common political parlance *transformation* came to mean, "is the organization black enough?" (Hughes, 2010:35).

Nolutshungu says that black intellectuals, professionals and business people have a curious relationship with political correctness because intellectually and morally they might arrive at politically incorrect positions but rationally they stand to gain from political correctness in the market place (Nolutshungu, 2000:23). Self-interest is very powerful and this constrains and mutes a lot of debate on affirmative action and black economic empowerment (BEE) amongst black people, particularly since affirmative action is high up on the politically correct agenda (Nolutshungu, 2000:24). Although there has been a rigorous critical debate on affirmative action in the USA the debate has not yet been brought to South Africa simply because the ANC has been the post-apartheid voice of the majority and it is pro affirmative action (Nolutshungu, 2000:25). In academia lecturers don't like to be seen as affirmative action appointments and the same goes for the business world, and Nolutshungu says that every black person he knows wants to be seen as getting their jobs on merit; yet the only black organisation which had opposed BEE (by the year 2000) was the African Council for Hawkers and Informal Business (Nolutshungu, 2000:24). BEE also resonates with a deep-felt need for redress within black communities and a mistrust of white, Western and free market intentions, and this feeling is strengthened when proponents of BEE promise that it will undo the legacy of discrimination and exclusion from the market place and employ aspirant black people with potential (Nolutshungu, 2000:24).

Michael O'Dowd points out that, "In order to show proper detestation for apartheid one is required not only to accept the principle of affirmative action, but to accept without question virtually anything which is deemed to constitute affirmative action, however questionable it may be" (Giliomee, 2000: 109). It is important to note that political correctness and affirmative action are not one and the same thing, but political correctness uses affirmative action as a means to pursue its central purposes of multiculturalism, egalitarianism and rectifying discrimination. Jan Narveson says that political correctness on the job front requires that previously disadvantaged groups be given

preference in being hired (Narveson, 1995: 77), and he says that affirmative action is the most widely invoked politically correct practice, which is converted to an ideological agenda demanding that the marketplace and educational institutions represent the demographics of the population (Narveson, 1995: 104). The point of discussing affirmative action in this thesis is to see how it, and its distorted South African version called BEE, relates to political correctness.

Affirmative Action and Black Economic Empowerment

Marilyn Friedman defines affirmative action as positive action taken on behalf of a group that has been previously disadvantaged by employment discrimination, and she looks at a number of arguments for and against affirmative action from a liberal perspective. She says that the controversial types of affirmative action involve rectifying wrongs of the past by means of government rules which mandate employment preferences and quotas for members of unfairly treated groups (Friedman, 1995: 115). This means that if a program imposed by government is *unavoidable* for employers to escape then it is misguided and immoral; for example, *forcing* an employer or business to fulfil a specified affirmative action quota. The most that a liberal government can legitimately do (and this is also debatable) is to prevent employers who do not have affirmative action programs from doing business with the government rather than imposing legal penalties on them (Friedman, 1995: 116). South African BEE falls distinctly under the *unavoidable* version of affirmative action and is therefore beyond the scope of legitimacy in a liberal democracy.

Jan Narveson argues that affirmative action is at odds with liberal justice and that it does not aid efficiency in the workplace, which is why it has to be *affirmative*, or forced, action. He says that affirmative action is at odds with liberal justice because it does not reward groups which have been unjustly treated in relevant ways and it also penalises groups in irrelevant ways (Narveson, 1995:86). He sums up his argument by saying, "When you prefer an individual on the sheer ground that a group of which he or she is a member is or was oppressed, you set aside what must be the only relevant question if it were genuinely a matter of compensation: namely whether the person we propose to stick with the penalty actually committed the crime in question" (Narveson, 1995: 86). Narveson says that there is no way to calculate just compensations nor determine amongst the descendants of the perpetrators who is liable to pay these compensations. The justice system states that when a charge of discrimination in hiring can be proved, the individual in question is able to sue for damages in court, but hauling whole groups to "court" and penalising them in some manner regardless of their individual relations to the supposed victims is wildly against any principle of justice (Narveson, 1995: 86). Affirmative action hauls whole groups into "court" and penalises them by downplaying their job applications or by giving other groups preference in hiring. This, according

to Narveson, is a clear penalty which is hard to justify without appealing to the politically correct ideology of demanding that discrimination be forcefully reversed and that the marketplace and educational institutions must represent the demographics of the population.

The Irony of BEE

Nolutshungu warns that affirmative action has a number of long-term negative consequences for black people. As white people are shut out of the public realm and excluded from many of the traditional *'soft option jobs'* in the civil service, they are forced to become entrepreneurs, turn to technical trades and create small businesses in order to succeed (Nolutshungu, 2000:25). This serves to reinforce white dominance in the private sector because a robust entrepreneurial class emerges amongst the white youth, whereas ambitious and gifted black people find their entrepreneurial spirit blunted by protection and easy civil service jobs which stunt their careers (Nolutshungu, 2000:25). Giliomee (2000: 118) says that during apartheid Afrikaners filled almost all the top positions in the central civil service and the English people who were shut out of civil service jobs became enterprising, chose the private sector as a career and dominated nearly all the companies on the Johannesburg Stock Exchange (JSE), and by 1960 Afrikaner companies controlled only 1 percent of the JSE (Giliomee, 2000: 119).

Secondly, there is the brain drain and its devastating consequences. Nolutshungu (2000: 25) says that the brain drain and its links to affirmative action policies is not an acceptable topic for black intellectuals to discuss amongst themselves because the politically correct position is that those who leave the country do so because they lack commitment, are unpatriotic or cannot accept a black-run society. This diverts the attention from the real causes of the brain drain such as affirmative action policies. The cumulative effects of the brain drain have been devastating, as hundreds of thousands of South African professionals have left South Africa since the government's "transformation" policies, which has left the country desperate for graduates such as teachers, nurses and doctors. The South African Institute of Race Relations estimates that from 1995 to 2005, 841 000 white South Africans alone left the country (Politics Web, 2012). Nolutshungu (2000: 25) points out that eight percent of South African professionals were living in the United States, and 11 300 graduates emigrated in 1997 alone, which cost the economy 2.27bn in GDP in the year 2000 according to UNISA stats.

Professor David Benatar of UCT raised the issue in his inaugural lecture and said, "Why use 'race' as a proxy for disadvantage when one can focus directly on disadvantage?" (Hughes, 2010: 37). There are people of all races in South Africa who are disadvantaged for some reason or other and it is discriminatory to try to help disadvantaged people just because they are a particular colour. If more

disadvantaged people are black then more black people should be helped than others, but career support should be based on disadvantage and not on colour. The recent "white privilege" movement in South Africa exemplifies the continuation of protest based along the colour line. The very term "white privilege" utilises the philosophy of collectivism and takes the focus off individuals - and liberalism is all about individuals, not groups, or colour, or race, or gender, or sexual orientation. If South Africans can't get away from fixating on race they could stay stuck in an endless cycle of redress which will strain the economy and cause civil strife.

Collectivism and Political Correctness

Shapiro (2010h) states that John Stuart Mill is very clear on the fact that he rejects the idea of 'social rights' and that society is made up of individual human beings with individual rights. Political correctness appeals to the opposite of this - to a philosophy called *collectivism*, which prioritises social rights (group rights) over individual rights. Collectivism can exist within all political systems apart from classical liberalism and libertarianism. It is closely linked with nationalism (where the nation takes preference over the individual), or with socialism (where the state nationalises the means of production and property), or with Communism (where the people own the means of production). Political correctness is collectivist in that the maintenance of group identity is inflated at the expense of individual liberty; for example, a person has her liberty curtailed if she is not able to point out something which she finds illiberal just because it relates to or offends a certain group. Collectivists from the left (for example, left-wing liberals, leftist socialists and Communists) and from the right (for example, nationalists and fascists) might argue to suppress speech for the 'greater good' of 'the people', 'the party' or 'the nation'.

Ayn Rand describes collectivism as being the subjugation of the individual to a group (a race, class or state) and she says that "modern collectivists...see society as a super-organism, as some supernatural entity apart from and superior to the sum of its individual members (Rand, 1964: 103); and she describes racism as "...the lowest, most crudely primitive form of collectivism. It is the notion of ascribing moral, social or political significance to a man's genetic lineage — the notion that a man's intellectual and characterological traits are produced and transmitted by his internal body chemistry. Which means, in practice, that a man is to be judged, not by his own character and actions, but by the characters and actions of a collective of ancestors" (Rand, 1964: 126). Collectivism weighs up the "greater good" for a group in an act-utilitarian way which ignores individual rights, which allows all sorts of freedoms such as property rights and free speech to be breached. Fidel Castro, unlike some modern-day left-wing liberals, didn't bother trying to prove that

elevating group rights above individual rights is compatible with liberalism, and he said it plainly: "There is nothing liberal in us! We are collectivists!" (Totten, 2014: online).

Political correctness claims to have the goal of establishing a society where each person is respected, treated with dignity and as an individual instead of being looked at as just another member of a group. Herein lies a deep irony, because political correctness then divides people into all sorts of groups which need to be protected and need rights over and above the rights granted by a normal liberal democracy. This appeal to collectivism is exactly the opposite to individualism and makes the protected groups stand out like sore thumbs. This special treatment can be compared to a teacher telling a class to treat X, Y and Z especially nicely because they are extra sensitive kids. What do you think the rest of the class will do? They will look at X, Y and Z as if there is something wrong with them, and some school children will laugh at them even more. The world would be a much better place if everyone respected everyone else, treated them as individuals and made judgments about them with no preconceived ideas, but this is sadly not the case, and instituting political correctness only makes it worse.

Some Minorities Are "More Equal" Than Others

James Myburgh, the editor of *Politics Web*, discusses racial hate speech and he notes some similarities between racial propaganda in Nazi Germany and current-day South Africa in his article *Malema, Goebbels & the dark art of racial propaganda (2016).* The media thrives on individual cases of hate speech, from Penny Sparrow and her ilk, and on repulsive hate crimes such as Victor Mlotshwa being assaulted and forced into a coffin by Theo Jackson and Willem Oosthuizen. What the left-leaning local and foreign media fails to recognise and oppose though is a more dangerous form of racial propaganda, namely hate speech in its clearest and only legitimate form, according to Eric Heinze, which involves inciting violence against a minority in a weak democracy. James Myburgh (2016) explains that Economic Freedom Fighters' (EFF) leader Julius Malema, and EFF spokesperson Mbuyiseni Ndlozi, used high-pitched, sustained racial hatred in separate incidents in November 2016, which met with little serious critical reaction by the media.

Myburgh provides links to two speeches from Malema and one from Ndlozi, and he says that the videos of these speeches should be seen to fully appreciate the force of the high-pitched racial hatred. An excerpt from Malema's speech in Newcastle on 7 November 2016 reads: "We, the rightful owners, our peace was disturbed by white man's arrival here. They committed a black genocide. They killed our people during land dispossession. Today, we are told don't disturb them, even when they disturbed our peace. They found peaceful Africans here. They killed them! They slaughtered them, like animals! We are not calling for the slaughtering of white people, at least for

now" (Myburgh, 2016). Ndlozi gave a similarly disturbing speech outside the Middelburg court on the 16th November, where Theo Jackson and Willem Oosthuizen were appearing for their court case involving Victor Mlotshwa's assault and coffin ordeal. In his speech Ndlozi repeatedly blamed the entire white population for the actions of Oosthuizen and Jackson, but his speech ultimately boiled down to taking back the land, like Malema's speeches. The fact that these three speeches in November 2016 met with little critical reaction by the media shows that the focus in South Africa has shifted away from the internationally recognised definition of hate speech involving protecting minority groups and hype has instead been created around isolated cases of racist speech against non-white people.

Relating this to Germany, Myburgh (2016) explains that in 1933, when Germany's economy was under strain, German Jews were ousted from state employment by new state legislation, which also limited the number of Jews in universities to their percentage of their population (Myburgh, 2016). This was because the Jews had a disproportionate amount of the national wealth in their hands and dominated much of the economy. Land owned by Jews was said to have been extracted from the German people and had to be returned (Myburgh, 2016). Acts of individual racism, such as the shooting of the German diplomat Ernst vom Rath by a German Jew, Herschel Grynszpan, were singled out by the National Socialist Party in Germany and used to create anti-Jewish propaganda. Demonstrations were organised and on 9 November 1938 Ernst vom Rath died and there was a sudden wave of looting and burning of Jewish property on what was known as Kristallnacht (broken glass night) (Myburgh, 2016).

Myburgh explains that three distinct tactics of racial propaganda were used. The first involved focusing on individual cases of Jewish racial hate against Germans and then ascribing the hate to the whole group of Jews in a collective manner. Another tactic involved repetition, which entailed harping on about how the minority owned the wealth and had dispossessed the majority. This worked particularly well in the hard economic times of the 1930s. The third tactic involved the psychology of 'projection' whereby Jews, as a group, were accused of taking the best jobs, taking land, taking wealth, exploiting workers and basically doing what the National Socialist Party intended to do to the Jews. Accusing Jews in this manner legitimised the National Socialist Party to use propaganda to take all these things back from them. The psychology of projection gives protestors and looters a self-righteous conviction and hides the fact that what they are thinking of doing is in fact criminal (Myburgh, 2016). Myburgh says it is interesting to note that no Jew could be held responsible on an individual level for taking any job, land or wealth illegitimately and so the rhetoric boiled down to an ethereal and unidentifiable form of collective guilt - "they", "them", "Jews",

"oppressors". It isn't very hard to link this to the politically correct rhetoric of today... "they", "whites", "racists", "colonists", "neoliberals", "capitalists", "oppressors".

This shows how dangerous collectivism is and how collectivist speech portraying some groups as *oppressors* and others as *victims* gives power and immunity to the "correct" group, which is always the group which is or has been disadvantaged. Minorities, in and of themselves, and potential xenophobic violence are of little consequence to political correctness when weighed up with its definition of redressing oppression. If a minority is to be protected it must be the "correct" minority, but in South Africa the minority is unfortunately the "incorrect" one. Political correctness elevates offensive speech to the level of hate speech when the "correct" groups are concerned, but when the "incorrect" groups are concerned its goal is to downplay and dismiss hate speech.

A Debate About White Privilege in 1825

Giliomee believes that the South African racial dispute goes far beyond apartheid and stems from a politically correct insistence that European settlement on the tip of Africa was immoral to begin with. This makes it acceptable to malign liberal settlers and missionaries, who fought for the rights of the indigenous people, just because "colonists", as a group, are thought to have had ulterior motives. The first recorded debate on white supremacy and privilege was in 1825 in Graaf-Reinet, when Landdrost Andries Stockenstrom, a true liberal who refused to pander to any racial prejudices, insisted that only a colour-blind application of the law could bring whites and blacks to live together peacefully. The missionary John Philip, the Rev. William Wright and Thomas Pringle sided with the leftist view in the racial debate during the Xhosa-colonist conflict, and John Philip attributed the problem of inequality (today's equivalent being '*white privilege*') to the "insatiable avarice and rapacity of the colonists who had preceded them" (Giliomee, 2000: 99).

Stockenstrom, however, thought that even if this was the case the only way forward was to discuss past and present wrongs and find a means to deal with political and moral dilemmas without blaming the avarice of previous colonists (Giliomee, 2000: 99). His insistence on colour-blind justice in the present (the 'here and now') without going down the rabbit hole of compensatory justice is a classical liberal stance, which is in opposition to the leftist view argued by Stanley Fish. Fish (1994: 73) admits openly that the only way to fight discrimination is with counter discrimination, which involves affirmative action and compensation. The words "admits openly" mean that Fish doesn't wriggle around and search for ways to deny that affirmative action is a form of discrimination. He just admits it and says that counter discrimination is necessary to bring about long term justice. He states, "The amount of unfairness in the world can never be eliminated or even diminished; it can only be redistributed...That is why, as the title of this chapter asserts, you can only fight

discrimination with discrimination. The usual wisdom is to proclaim exactly the reverse and require remedies for discrimination to be rigorously non-discriminatory in their return" (Fish, 1994: 73). Fish argues against the classical liberal wisdom of merit and colour-blindness because he believes that merit, like fairness, is a potentially controversial and contestable topic (Fish, 1994: 74).

Landdrost Andries Stockenstrom said that there were three options at the time of the Xhosa-Colonist conflict: A) to run away B) to sit still and have everything taken away (this was during a period of conflict), or C) to defend what we have (Giliomee, 2000: 100). Figuratively speaking, these are still the basic options which the white minority in South Africa faces today. White left-wing liberals in South Africa decisively choose option B. They stay on and bemoan the guilt of their race whilst accepting BEE, having jobs and opportunities taken away and being subjected to ongoing anti-colonist rhetoric. They don't choose option C, which entails doing what Stockenstrom did and resolutely defending traditional liberal values such as colour blind justice. If politically correct white liberals are so serious about the avarice and rapacity of white people, in a collective sense, then why don't they put their money where their mouth is, choose A and do the noble thing? If their race and ancestors have been such culprits and they, by extension, feel so implicated, why don't they fall on their swords and leave the country? Maybe they think that they are needed in the country because they are moral, like some colonists before them evidently thought of themselves. Or maybe they only see previous colonists and other whites as immoral; and so they feel obliged to stay on and fight the good fight against oppression whilst implicating other people of their colour.

The missionary John Philip serves as an example of someone who thought that he was one of the non-guilty few, set apart from a race full of guilty people; and now the cycle perpetuates itself when some white people, like the Rev. Philip, look back and attribute sinister motives to colonists and missionaries and paint them guilty no matter what good they may have been trying to do. Richard Elphick, who studied Christianity in South Africa, calls the strain of liberalism which concentrates on the moral failings of whites and a need for a *change in heart* "the moralistic strain of liberalism"; whilst Hoernle and Wentzel maintain that the 'slideaway' liberals who choose political correctness actually have no clear perception of the society they want or on what objective grounds to assail white domination (Giliomee, 2000: 103).

The Graaf-Reinet inequality debate with rhetoric involving *colonial rapacity* and *avarice* has not changed much in almost 200 years, and it is still about whether to prevent discrimination by enforcing colour-blind justice *'from now onwards'* or whether to reverse discrimination with counter forms of discrimination, place blanket blame on guilty groups and deride all aspects of colonialism. If you are going to use the word "colonists" as a blanket term for white people in South Africa in the

1800's (which is frequently done) then you might as well use the term for white people in South Africa generally (which is also frequently done nowadays). The reason being that a sizeable proportion of both groups of "colonists" (in the 1800's and the 1900's) were actually born in South Africa. So any white leftist who appeals to collectivism and talks about "colonists" in a previous era might as well be talking about himself or herself. It is also strange that some politically correct churchgoers talk freely about the ungodly motives of "missionaries" and yet the ministers they sit and listen to every Sunday have exactly the same mandate as the missionaries of old; to "go out and preach the Gospel". Political correctness seems to create a blindfold where fingers are pointed at "them" … "they are to blame, but we, are moral".

Autres Temps, Autres Moeurs - Other Times, Other Customs

There is something misguided about judging people who lived in previous eras, and there is a French saying "autres temps, autres moeurs" which means "other times, other customs". This chides one for judging one's predecessors because one can never know what it was like to live in those times - what mentality people had in past eras, what norms and standards were acceptable, what pressures people would have been under to behave as they did. If slavery or the oppression of women or non-whites is the accepted norm in a certain era, then this is what the vast majority of people grow up accepting. It is very rare that you get someone like John Stuart Mill who stood up so strongly for women's rights in a time when women couldn't vote or get into parliament; but even Mill said some things which were acceptable for his time but which are unacceptable nowadays, and these can easily be picked out of his works to make him look like a bigot. Say, for instance, that I don't like a particular author from the 1800's because he supports the free market and free speech. If I am aware that he was progressive for his time but I pick out politically incorrect pieces of his work because I know this will create *ad-hominem* attacks against him and undermine his ideas; is this honest of me?

Political correctness thrives on changing names of cities, streets and institutions, pulling down statues and paintings and erasing history which is seen to be oppressive. In order to behave in such a morally highhanded manner a person needs to judge other people from other eras as being worse than he or she would have been if he or she had lived in that particular era. Doris Lessing said that after years of being a journalist she learned not to judge people from other eras, and she recalls that white South Africans who did brutal and stupid things seemed like "kind, friendly, nice human beings" when she met them face to face, and after the Second World War she got to meet a number of Fascists in Nazi Germany who she describes as being "no different from you and me" (Ingersoll and Lessing, 1994:23). Lessing contends that the only difference was that these people had been in a

different historical set-up with different pressures, and she warns that if people think that they wouldn't be brutal, savage and exploitative when put in the right set-up with a different upbringing, then they know nothing about how history works (Ingersoll and Lessing, 1994:23). "People without imagination shout down others and behave as if history started three years ago, but it didn't", says Lessing; and she says it takes a lot of introspection, imagination and humility to stop judging people (Ingersoll and Lessing, 1994:24). Understanding situations and not judging other people can be made easier by following the golden rule, whereby one imagines a number of possible situations and puts oneself into other people's shoes who would have lived in those times. This task is made easier if a person has a good knowledge of history relating to the people or events one is commenting about.

White Guilt and Political Correctness

Shouldering blame for one's predecessors boils down to a mixture of pride and a burden of guilt. The pride comes from a deception that one is more moral than one's predecessors and possibly more moral than most contemporary white people. Pride might lead one to think, indignantly, "I would never have done what they did!" If one passes the guilt through the refining fire and tests it, one might discover that it is fake, even if subconsciously so, because it is selective guilt and only involves white oppression rather than all oppression. If a human being genuinely cares for atrocities done to other human beings in the past, none of whom they knew, surely they would feel equally guilty and burdened, as a citizen of the world, for what humans (black, white or coloured) have done to other humans in the past? All genocides and atrocities ought to bother the conscience of a caring human being, and it seems rather disconcerting when some people see colour so powerfully that they feel guilty on behalf of a group of people just because the people who committed the atrocity were the same colour as them.

Is it not in fact racist to feel more pain when one race commits an atrocity than another race? Keeping in mind what Ayn Rand said about collectivism and racism, people with a collectivist mind-set are more likely to be disposed to racism than those with an individualist mind-set, which leads to the thought that it may be possible that some politically correct people are *repressed racists*. They are repressed in the sense that their subconscious minds have retained all the bigoted 'data' from their upbringings (particularly bigoted data in the case of South Africa) but their conscious minds are adamant that they are self-righteous. This causes them to push back down and repress all the prejudice which bubbles up from a "Pandora's box" in the subconscious mind, such as racist dreams and little racial frustrations and thoughts which bubble up because of their "programming" and the society they have been brought up in. Instead of acknowledging this inevitable part of themselves and saying, "Yes, part of me is unfortunately racist", they shy away from these thoughts, maybe

because of consciously-made pride due to the fact that they have tried so hard to be multicultural and correct regarding racial behaviour.

The difference is that some people admit their racism and deal with it whilst others hide it and act self-righteously. The people who "come out of the closet" and admit it to themselves and the world might still say bigoted things, but they are no more bigoted than the politically correct people who act all moral and always say the correct things. What people need to know is that they are not actually to blame for their scary and bigoted subconscious thoughts (as long as they don't act on them), and it is better to accept these thoughts, face them and expose them to the light if one wants to get rid of the guilt and shame which affects a lot of people who are brought up in a distinctly bigoted world.

What Is Modern-Day Political Correctness?

Giliomee looks at historiography to show that the term "politically correct" originated in Bolshevik Russia, where bourgeois historians were tolerated for about ten years of Soviet rule before becoming increasingly clamped down on and purged. One of the first references to political correctness was by the Russian historian I.I. Mints in 1929, who stated that there was a spirit of cooperation between Marxists and non-Marxists and was forced to retract this sentiment (Giliomee, 2000: 92). Mints was obliged to admit that what he has said was "politically incorrect" because it had belittled the militant character of Marxism. Giliomee notes that the traditional understanding of political correctness (following the party line or doing what is correct in the eyes of a nation or social group) is a different type of political correctness to the modern form seen in affirmative action policies and ethnic representivity (Giliomee, 2000: 93).

It can be argued that the new kind of political correctness requires a liberal environment to operate in, but it also requires liberal values to have shifted somewhat in order to gain traction. John Kane-Berman shows how liberal values have shifted in South Africa by pointing to the irony that critics of the apartheid regime consistently spoke up to great effect, but after apartheid when there was more formal freedom these same liberal critics tended to keep their heads down for fear of being demonised as racists or people who didn't care about the poor (Kane-Berman, 2000: 134). During apartheid liberals had the support of most of the world, which encouraged them to oppose apartheid and counter the views of the ruling Nationalist Party, but they had to be brave too because they were shunned by the conservative white community in South Africa. Using the traditional meaning of political correctness, it is interesting to note that although it was seen as *politically incorrect* to oppose apartheid amongst the community of conservative white people in South Africa it was simultaneously seen as *politically correct* to oppose apartheid according to the

rest of the world, which shows that the "correct" way to behave depends on what different groups believe.

As mentioned previously, the traditional understanding of *political incorrectness* involves doing anti-establishment and taboo things or not towing the party line. This can occur in any type of society from Victorian Britain to Communist China to modern day South Africa. According to the modern type of political correctness, liberals fighting against apartheid were neither being politically correct nor were they being politically incorrect, and capitalists or liberals who fought against Communist regimes were neither politically correct nor were they politically incorrect. This is because places such as apartheid South Africa and Communist countries were not liberal and didn't have the right environment to allow political correctness, in the modern sense of the term. Liberals who fought apartheid were merely following classical liberal values, and even though they fought for cultural integration, diversity and freedom from oppression and domination they did this by appealing to individual liberty, negative rights, merit and equality of all under the law, and this is distinct from the modern day left-wing type of justice found in political correctness. Political correctness, as we know it, could not exist in an illiberal country because the powers-that-be in illiberal countries already use coercion and bend justice whichever way they want to, and so political correctness isn't needed and won't help very much. Neither could political correctness gain traction in a classical liberal society because calls for speech codes, hate speech laws, legal penalties for offending people, affirmative action policies, hastily replacing established courses with identity politics courses, bending liberal justice to 'tip the scale' in favour oppressed groups - none of these would be tolerated in a truly liberal society.

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