

The Effect Of Political Correctness on Civil Rights

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I immigrated to the United States as a refugee from Nazi Germany, accompanied by my parents and my sister Eve. We arrived on Thanksgiving Day 1939; I remember thinking how unusual it was that so many people were “thankful” that the Maier family had arrived in New York City. All four of us were tremendously grateful to have been accepted by the United States, finally free from persecution, and the fear for our lives on a daily basis. My father and mother worked, and at age 13 I enrolled in the first grade of a Chicago public school, since I had not learned any English before arriving on these shores. The feeling of relief, the experience of freedom, and the prospect that I might someday be a successful adult in this country excited me.

To understand my background, and the motivation for selecting this topic. I want to take you back to the first few years in this country during World War II. In the U.S. there was a surprising amount of anti-black, anti-immigrant, anti-foreign and anti-Semitic prejudice throughout the United States. People certainly felt free to verbalize and publish their prejudices. Some of the first words I learned from my fellow grammar school students were insults such as “kike”, and other derogatory terms for African-Americans, Chinese, Italians and Catholics. I still remember reviewing the brochures of various vacation resorts in Wisconsin to determine whether they had a “selected clientele”, which meant that certain persons – such as blacks, Asians and Jews – among others – were not welcome even as a week-long visitor to some very modest resorts, and this open prejudice continued for many years.

This situation was far from unique. For example, fifty years ago James Meredith experienced open hostility at “Ole Miss” when white students turned their backs on him in classes and on campus. The Federal Government had to intervene to give him a place at the University. And at the same time, Rosa Parks was arrested for not giving up her seat to a white woman on a Mississippi bus.

And it wasn't just the uneducated who harbored – and openly expressed these views. During my second year at the University of California School of Law in Berkeley, I worked at one of the three largest law firms in San Francisco during the summer months. They were sufficiently pleased with my work so that the end of my third year, the managing partner offered me a permanent position as an associate in the firm. At that point, I said to him “Sir, I notice that there are no Jewish partners in the firm, and I wondered whether that was deliberate?” He replied, “Yes, as a matter of fact it is. We have nothing against Jews, but our clients would not want to be serviced by a Jewish lawyer.” He also made it clear that although I was free to work there “as a job”, I would never be a partner in the firm, irrespective of my eventual abilities. I turned down the opportunity to work there.

In 1953 I became an officer in the U.S. Air Force, and was pleased to be a representative of the U.S. in a foreign country. However, in the Service there was a lot of prejudice not only against African-Americans and Jews, but various other “unacceptables”, such as homosexuals. Indeed, as a legal officer in the Air Force it was my unpleasant duty to require homosexual airmen and

officers to accept a general discharge (as opposed to an honorable one), and to leave the Air Force in disgrace. The command structure rationalized this prejudice by saying that having a homosexual (male) officer in the ranks would prejudice “good order and discipline” and might undermine the combat mission of the unit. The open bias and racism of the officers with whom I worked surprised me, although I was obviously used to anti-Semitism from my years in Germany.

This situation began to change in the 1960’s. I could not tell then, and cannot do so now, whether this was a real “change of heart” and whether the formerly-prejudiced finally revised their views of Asians, blacks, Jews, and Catholics, or whether it just became impolitic to comment about someone’s race, religion or sexual orientation. But change it did. For example, the law firm that had told me I would never be a partner because I was Jewish, not only had Jewish partners, but eventually elected a black partner as the managing director in charge of the entire firm.

Another example of the changed political and social atmosphere was an invitation that I received from an exclusive social club, which during the prior 100 years of its existence had an unwritten rule that minorities would not be admitted to membership, whether black, Jewish, Asian or gay. I debated whether to join this club, given its history of prejudice, and decided to do so. It has been a wonderful experience. In the twenty years that I have been a member, I have never heard an anti-Semitic, anti-black or anti-gay comment in any part of the Club. So there really has been a dramatic change after all these decades, a wonderful feeling of acceptance for what we are as individuals, irrespective of our background, race, religion or sexual orientation. The United States is, in a phrase, a much better place for minorities to live and thrive than it was at the beginning of my residence in this country.

But now the pendulum has, it seems to me, swung too far in the other direction. In the name of liberalism, political correctness has become the criterion for public and private speech. It seems that one cannot level even a legitimate criticism, based on fact, against a member of a minority community lest one be labeled “racist”, “sexist”, “ageist”, “anti-Muslim”, “anti-Semitic”, etc. I am not speaking here of a prejudice not based on facts i.e., the generalizations applying to all members of a group irrespective of whether the characterization is, or is not, accurate. In my research there are scores of examples of apparently legitimate criticism, even well-meant suggestions, which might detract from *one member* of a minority group; but the group of which the individual is a member cannot be identified in the speech or writing. To that extent, I suggest that freedom of speech has been infringed. My research and my personal experience provides some examples of the unfairness of denying a person his or her right to make a legitimate criticism simply because the individual criticized is a member of a minority group.

In May 2014, Christine Lagarde, the Director of the International Monetary Fund and one of the most prominent women in the world, was voted by a majority of the students at Smith College to be the commencement speaker. However, some students disagreed with her views on international economics and started protesting. With the statement that they wanted to “avoid controversy”, Ms. Lagarde was asked to, and did in fact, withdraw as commencement speaker of the college. Smith College denied her an audience because apparently some of the students disagreed with her philosophy. This is hardly “freedom of speech”. Presumably the substitute

speaker had some more innocuous comments to make, which would not offend. But, isn't the intelligent debating of controversial subjects one of the main functions of an institution of higher learning? A similar situation was the case of Condoleeza Rice, former Secretary of State and National Security Advisor to President Bush. She too was asked to withdraw because some students objected to what they *thought* might be her remarks.

John H. McWhorter, an *African American* professor at Columbia University, in his latest book entitled "The Language Hoax" writes: "Something is off about today's student protests. The protesters may start with valuable observations, but then they drift into a mistaken idea of what a University – and even a society should be...."

Today even the slightest hint of what some students consider racism justifies their calling for the ouster of a lecturer who calls for a reasoned discussion

Professor McWhorter continues,

"Comedians such as Chris Rock have stopped performing [at these universities] because audiences are so politically correct. In what way exactly will further workshops, teach-ins and classes, racial sensitivity, create real change? Their call for more programs creating racial insensitivity suggests the insufficiency in the eyes of the protestors. More "racial awareness training" is now eons old. More of these programs is like thinking a car will run better with more gasoline.

McWhorter believes that "current ideological fashions call for telling whites to "acknowledge" their privilege. This paradigm has no place in the university environment. It assumes the truth at the outset and allows no room for genuine exploration.

"Sometimes the re-definition of micro-aggression is so broad as to condemn almost anything a white person says or does. It is forbidden to associate someone's color with any particular trait because they are stereotyping; but then it is also forbidden to say that one doesn't see color at all and the question of a person's colors claim to be discriminated against.

"These attitudes sounds like something from Orwell's "1984", to which the protestors respond "well yes, but we really are right". They assume that their perspective is a truth that brooks no morally conceivable objective.

"The question for today's campuses have become: What is considered unspeakable? Where do we draw the line? Critics who pretend university cultures are open to "free speech" about all ideas are being disingenuous. Since "racism is wrong", when it comes to that which I find offensive as a person of color – civility and discussion are beside the point."

Dr. McWhorter also suggested in a recent article in the Wall Street Journal that this is almost a form of religion "when intelligent people openly declare that logic applies only to the extent that it corresponds to doctrine and shoot down serious questions with buzzwords and disdain we are dealing with a faith. As modern as these protests seem, in their way, they return

the American university to its original state as a divinity school. These students assume that any views on race and racism counter to theirs genuinely qualify as united and toxic.”

“The failure to acknowledge this “privilege” has grown to writing and panel discussions to mass protests, verbal abuse and shamefaced resignations. The protestors proposition is “if I am offended, I am correct”, but to say no to this proposition or call the speaker a racist or self-hating on social media and on campus forments true university culture. We should resist sacrificing professors or administrators who are advocates of reason on the alter of convenient pieties.” [Reference: “Closed Minds On Campus” The Wall Street Journal / November 28-29, 2015 / Review Section]

The National Rifle Association has been another factor in squelching free speech. A politician today who dares to suggest that semi-automatic weapons of the type which have killed dozens of people should be outlawed, are no longer politically acceptable, irrespective of how much work they have done for their constituents. Among recent casualties are Congress’ failure to act on this issue in a bill that would have lifted a ban on basic federal research into gun violence, and its toll on public health. For nearly two decades Congress has also banned needed research on gun violence by the Center For Disease Control and Prevention. This anti-science smokescreen helps the gun industry and its lobbyists deny or dispute the facts of the gun violence that takes more than 30,000 lives a year in the United States. Imagine if the tobacco industry had been similarly favored by Congress with a ban on federal research about cigarette smoking; or if the auto industry had prevented the government from researching unsafe cars!

Other civil rights have also fallen from this excess of P.C. In one of the top law schools in the United States, a female former student, *two years* after her graduation and subsequent to her passing the California Bar, contended that the Dean of the school had made inappropriate sexual remarks to her while she was a student. The women faculty members of the school assumed the validity of the allegations without any knowledge of the facts, and began a drive to oust the Dean, and threatened to resign if his removal was not expeditiously effected. What happened then was another example of political correctness and a gross violation of civil rights. There was no hearing. The Dean simply denied the allegations. But to avoid controversy, the University asked him “voluntarily” to resign his Deanship. He was so disgusted with the lack of due process, and the rush to judgment (especially by a law school) that he resigned not only as Dean but as a professor, and said that he would never participate in academia again. The denial the Dean’s right to speak and defend himself created a gross injustice which has never been remedied.

In *Olmstead v. US* 277 US 438,478 (1927) Justice Louis Brandeis said “Fear of serious injury cannot alone justify suppression of free speech and assembly. Men feared witches and burned women. It is the function of speech to free men from the bondage of irrational fears.”

And in a speech to the House of Congress in 1944, Winston Churchill said “The United States is a land of free speech. Nowhere is speech freer – not even here where we sedulously cultivate it even in its most repulsive form.”

If we are to be truly a free nation, we need to respect the freedom to speak one's mind. We simply must allow the utterance and the publication of views that are considered politically *incorrect*. They then can be refuted by others having a different view, perhaps exposed as the prejudice inherent in them. But to stifle them from inception is to throw the baby out with the bath. Else we will have lost a major aspects of our cherished freedoms, i.e., to speak one's mind, whether popular or unpopular, whether correct or incorrect, whether distasteful, annoying, controversial, prejudicial or even absurd. As Voltaire famously said, "I may not agree with your views, Sir, but I will defend to the death your right to speak it". Can we pass that test today?

References: _____

C. Friedesdorf, "The New Intolerance of Student Activism", The Atlantic.com 11/9/15

R. Marcus, "College Is Not For Coddling", The Washington Post 11/10/15

D. Cole, "The Trouble At Yale", The New York Review of Books 1/2016