

'OFFENSIVE' LANGUAGE AMONGST 'RIGHT-THINKING' PEOPLE

ROGER BOSHIER and RUSSELL GOODALL

University of Auckland

Twelve randomly selected respondents rated twenty words in order of "offensiveness." A further 88 respondents, who comprised a class of adult education students considered to be "right-thinking," indicated the number of times "offensive" words had been used by them in five situations in the month prior to the survey. They were also asked if "it should be a criminal offence to use . . . (offensive) . . . words in a public place." It was found that people do use offensive words, and it was concluded the law bore little relation to the language attitudes and behaviour of the sample studied.

The question of what constitutes obscene, "offensive" or indecent language has recently received public attention because of controversial decisions made by courts.

The "Greer" (Greer v Police, 15.5.72), "Hair" (R. v Harry M. Miller Attractions Ltd., 23.3.72) and "Shadbolt" (Shadbolt v Police 26.8.71) cases, involving the use of the words "fuck" and "bullshit", are familiar to most New Zealanders.

Under "Using foul language in a public place", Part 2 of Section 48 of the Police Offences Act, 1927, states: "Any person who uses profane, indecent or obscene language in any public place or within the hearing of any person in such a place is liable to imprisonment . . ." Specific words, deemed to be "indecent", "obscene" or "profane" are not mentioned. What are these "foul" words and in what circumstances should their use lead to prosecution?

In her appeal against conviction for using obscene language, Germaine Greer acknowledged using the word "fuck" in a public place but claimed she did not misuse it. She contended the word a more appropriate expression in the context used, than "sexual intercourse", "coitus" and so on.

The point taken on appeal was whether the word was obscene. In an oral judgement, Mr Justice McMull (Greer v Police, 15.5.72) referred to the Shorter Oxford Dictionary definition of the word as "obscene to modesty or decency; offensive to the senses or the mind, disgusting, filthy".

The judge noted that whether or not a word is obscene is to be determined by the time, place and circumstances in which it is used. He considered whereas the word "fuck" may have been in good standing until the year 1690, this did not mean it was necessarily accepted in 1972 because words may fall in and out of favour. He said, "I have not myself been able to find the word in any standard dictionary for the reason, I believe, that it is recognised by the compilers of dictionaries as being still covered with a measure of taboo". (Appar-

ently Mr Justice McMullin was not aware of the fact the 1972 Appendix to the Oxford Dictionary (p. 1170) lists definitions and common usage for the word "fuck" running into two columns.)

In the judge's opinion, little profit was to be gained by invoking either the "Hair" or "Little Red School Book" (Indecent Publications Tribunal, 1972) cases as precedents, or as reflective of public acceptance of the word "fuck". Each case was brought under separate acts which lay down different criteria for judging offensiveness.

Mr Justice McMullin further noted that "while some few persons may believe that the word is acceptable in any circumstances and some may find it to be at best a grubby term, I believe that in 1972, while the word may have lost much of its taboo, or at least some of it, its use at a public meeting at which members of the public were free to be present would be and is offensive to modesty and decency." The appeal was dismissed.

There is frequent reference in law to the "right-thinking man" criterion for judging matters of public taste, decency, acceptance, etc. However, legislators rarely have access to tools of social science to discover what "right-thinking" men consider to be in good or poor taste, decent or indecent and so on. In fact, where surveys have been taken, public and private morality and behaviour are often shown to be discrepant (e.g. Kinsey, et al., 1949).

The present study was undertaken to explore swearing behaviour amongst a sample of New Zealanders who, by some definitions, could be regarded as "right-thinking." The aim was to:

1. Ascertain the degree to which common "swear" words were seen to be "offensive" (in relation to each other).
2. Measure the extent to which "swear" words are used by men and women (in different situations).

For want of a better term, our stimulus words are hereafter referred to as "swear" or "offensive" words.

Casual observation suggested "fuck" and "cunt" were likely to be the most offensive words. It was expected that swear words are used by most people at least once a month, men swear more frequently than women, people adjust language to fit situations and least offensive words are used most. (A further aim was to ascertain from respondents the words they considered should be the subject of criminal proceedings if used in a public place.)

PROCEDURE

Twenty words, arbitrarily selected, were printed in red on white cards measuring 8½ in. x 2½ in. The words: "arse"; "balls"; "bastard"; "bitch"; "blast"; "bloody"; "bugger"; "bum"; "cock"; "crap"; "cunt"; "damn"; "fanny"; "fart"; "hell"; "piss"; "prick"; and "shit"; were arranged in alphabetical order except the card with "hell" printed on it was placed first to begin the experiment on a neutral note.

The first sample comprised six men and six women, randomly selected, of varying ages and occupation. Each was asked: "With no one else present, arrange these words in the order you find them to be offensive. Put the most "offensive" word at the far end of this table (floor, bench, etc.) and the least offensive at the near end. Rearrange the order until you are satisfied the words are in the order of their offensiveness to you."

The most "offensive" word was scored 20, the next most "offensive" 19, the next 18, and so on, until the least "offensive" word was scored 1. The maximum possible "offensiveness" score for any one word (obtained by summing across subjects) was 240 and the least possible 12.

A second sample consisted of 14 men and 74 women aged between 18 and 65 years (mean age, men: 41.64 years (S.D. = 11.79); women: 36.81 years (S.D. = 10.35)) attending a continuing education class at Auckland University in August, 1972.

Research into the clientele of adult education agencies reveals that adult education participants are well-educated and primarily employed in professional/technical and managerial occupations (Boshier, 1970, 1971). Clientele analysis reveals them to be significantly more socially active and attuned to prevailing mores, custom and behaviours than non-participants (e.g. London, et al., 1963). However, although conservatism and educational attainment is negatively correlated, adult education students have been shown to be significantly more conservative or "right-thinking" than other social and occupational groups (Boshier, 1972). It is not contended that our respondents are a representative sample of New Zealanders, but any bias would be in a conservative direction. Furthermore, it is often contended that persons in the lower socio-economic groups swear more than upper socio-economic group members. On all data available we estimate our respondents would swear less than the "typical" New Zealander.

For use with this second sample, stimulus words were printed on cards measuring 12in. x 8in. and arranged as follows: "blast"; "fart"; "bloody"; "bugger"; "arse"; "hell"; "cock"; "bullshit"; "damn"; "cunt"; "bum"; "shit"; "balls"; "piss"; "bastard"; "crap"; most offensive were scattered randomly among the remaining words.

Respondents were told: "Twenty words, some of which are 'swear' words, will be shown to you one at a time. Six questions are to be answered as each word is displayed. Indicate your answers by circling either the 'yes' or 'no' printed on the form provided."

Prior to holding up the first stimulus word, the experimenter said data were to be collected in order to answer the following questions:

1. Have you used this word during the past month while *alone*? (e.g. in your car, office, kitchen, etc.)
2. Have you used this word during the past month at home in front of members of your own *family*? (e.g. wife, husband, children).
3. Have you used this word during the past month on a social occasion where you were *amongst strangers*?
4. Have you used this word during the past month on a social occasion when you were *with friends*?

5. Have you used this word during the past month in a *public place*? (e.g. a street, cinema, park, etc.)
6. Do you consider it should be a criminal offence to use this word in a *public place*?

These questions were summarised across the top of the answer sheet thus: ALONE; HOME (with family); WITH STRANGERS; WITH FRIENDS; PUBLIC PLACE; CRIMINAL OFFENCE.

The numbers 1 to 20 were printed down the margin. The first word shown, "blast", was simply referred to as word 1, "fart" as word 2, and so on. The printed word was displayed by the experimenter but not spoken.

RESULTS

"Offensiveness" rankings

The most "offensive" words in this order, were "fuck", "cunt", "prick", "cock", "arse" and "bastard". The three least "offensive" words were "hell", "blast" and "damn". "Bullshit" was ranked equally with "bitch" at 13th (out of 20) position.

Word Usage

Table 1 shows how often each stimulus word was used by men and women across the five situations. The word most frequently used by men was "hell" whilst for women it was "damn". Overall in this order, "damn", "blast", "hell" and "bloody" were the four most frequently used words. "Cunt" was the least-used word. Men used "balls", "arse", "prick" and "piss" about three times more often, "cock" six times more often and "cunt" ten times more often, than women. Men used "hell" 55 out of a possible 70 times which, expressed as a percentage, is 78.5 percent.

TABLE 1
Frequency of word usage

Word	Men			Women		
	Rank-Order	Frequency	%	Rank-Order	Frequency	%
Hell	1	55	78.5	3	276	74.5
Damn	2	50	71.5	1	314	85
Blast	3	47	67	2	284	77
Bloody	4	45	64.5	4	213	57.5
Bastard	5	42	60	7	131	35.5
Bugger	6	39	55.5	5	171	46
Bitch	7	36	51.5	5	171	46
Bullshit	8	35	50	8	116	31.5
Bum	9	33	47	10	85	23
Balls	10	32	45.5	12	50	13.5
Crap	11	30	43	11	70	19
Shit	12	29	41.5	9	105	28.5
Arse	13	26	37	14	43	11.5
Prick	14	25	35.5	17	38	10.5
Fanny	15	20	28.5	13	44	12
Fuck	16	18	25.5	15	40	11
Cock	16	18	25.5	19	15	4
Piss	18	17	24	18	31	8.5
Fart	18	17	24	15	40	11
Cunt	20	11	15.5	20	5	1.5

Maximum possible frequency across 5 situations: 70 for men, 370 for women.

It will be recalled there were twenty stimulus words. Respondents were asked to indicate whether these words had been used in five situations. Thus if a respondent acknowledged using each stimulus word in every situation, maximum possible use would score 100. No respondent used all twenty words at least once in each of the situations during the previous month, although one admitted to using "offensive" words 95 times, whilst another respondent used "offensive" words only 3 times. Note in Table 1 across the five situations, 50 percent of men used the word "bullshit" whilst 25.5 percent used "fuck". "Bullshit" was used by men about as often as the apparently 'legal' words "bitch" and "bugger".

Men used offensive words more often than women in the five situations. Among the men, 50 percent said they used "bastard" in public and 36 percent acknowledged using "bullshit" in a situation where they could have been charged with a criminal offence. Women tended to use the least offensive words more frequently than men, especially while "alone" and at "home"; nearly all women acknowledged using "damn" at home and alone and 66 percent used it in public. Men swore more often amongst friends than at home. Women did the opposite. Respondents were more likely to swear in a social situation with strangers than in public. They swore most frequently when alone.

Criminal Charge

Men were unanimous concerning whether or not use of the words in a public place should be illegal. Not one man considered any words should be the subject of prosecution. Only 13 percent of women respondents considered the use of "fuck" in public should be proscribed. Recalling the "offensiveness" rankings of the stimulus words, it was interesting to note that "prick", "piss", "balls", "fanny" and "crap", all of which were considered more offensive than "shit" and "bullshit", were not considered by any woman respondent to warrant legal proscription. Although no woman respondent admitted using either "fuck", "cunt" or "cock" in a public place, the percentage of women respondents who considered these words should be legally proscribed was minute. In other words, whilst our women respondents did not use these words in public themselves, most did not consider it necessary to prosecute people who use them in public. Not one respondent (man or woman) considered uttering "bullshit" to be an appropriate subject of prosecution.

CONCLUSIONS

These data strongly suggest recent decisions concerning "offensive" language do not reflect the views of "right-thinking" people but the opinions of judges, magistrates and complainants. If our sample is typical it would appear law concerning "offensive" language bears little relation to the attitudes and more particularly the language behaviour of New Zealanders especially concerning the word "bullshit". When one considers the word "bullshit" was uttered at least a dozen times by the leading actress in the film "Love Story" (screened throughout

New Zealand to adolescent audiences) it seems inconsistent that a political activist should be jailed 25 days as a result of using the word once to an adolescent audience.

Our data suggest present interpretations of laws governing "offensive" language and actual "swearing" behaviour are in some ways discrepant. Laws which do not reflect contemporary behaviour, are only perfunctorily enforced, and not based on any empirical investigation of public taste and behaviour, are bad laws and lead to societal dislocation.

The difficulty confronting magistrates concerning language behaviour is whether words used in specific situations are "offensive" to "most of the people of the community." The University of Auckland quadrangle wherein Germaine Greer used the word "fuck" was considered a public place but as no attempt was made to canvass opinion as to whether or not students listening to the Greer address found the word "offensive" the court had to adopt the usual "right-thinking" criteria and assume the word would be "offensive to modesty and decency."

Our data demonstrate that people tailor language to suit situations. If Germaine Greer's language did not "offend" the (approximately) one thousand students but was "offensive" to the few non-student complainants produced by the police, should the "right-thinking" criteria apply?

We conclude that legislators should use social science techniques when formulating laws concerning matters of public taste, decency, acceptance and so on. Judges and magistrates should not be expected to merely rely on their own "right-thinking" views or hazard guesses concerning the views of the hypothetical "right-thinking" man. The dominant ethos prevailing in situations where "offensive" words are used should also be considered.

The social or psychological functions, benefits, and/or harm derived from swearing behaviour remain unexplored. Many people undoubtedly consider it a non-issue. Persons recently jailed as a consequence of verbally labelling political statements as "bullshit" might not agree.

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