



### LAW AND CULTURE, AMENDED OR BOWDLERIZED

Which do you find more objectionable, or more pleasing: a refusal to recite racist words from their ancient place in American law, or a refusal to recite racist words from their ancient place in American culture?

In American law, there was the recent reading of most of the Constitution on the floor of the U.S. House of Representatives. Consider first the preliminary remarks of Representative Jesse Jackson, Jr. (D-IL), and then the responses by Representatives Bob Goodlatte (R-VA) and Louie Gohmert (R-TX), on January 6, 2011, as recorded in the *Congressional Record*, page H54:

Mr. JACKSON of Illinois. I thank the gentleman for his kindness.

Let me first begin by saying that I think every Member of this body is approaching the reading of their Constitution with the most sacred possible spirit in what is clearly an unprecedented moment in the history of the Congress of the United States. And I don't take it lightly

when my colleague or when others, before we begin the reading of our sacred document, are raising questions about what we would be specifically reading, what specifically will be re-



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dacted based upon amendments or based upon the recommendations of Libraries of Congress.

But I also want to be very clear, Mr. Speaker and Mr. GOODLATTE, I recognize that this is a request, that in reading those redacted – and this is very emotional for me. This is very emotional, I know, for a number of Members, given the struggle – and I am not trying to give a shot at the process. Mr. GOODLATTE knows me and he knows the spirit in which I'm approaching this – given the struggle of African Americans, given the struggle of women, given the struggles of others to create a more perfect document, while not perfect, a more perfect document, to hear that those elements of the Constitution that have been redacted by amendment are no less serious, no less part of our ongoing struggle to improve the country and to make the country better, and our sense in our struggle and whom we are at the Congress of the United States at this point in American history and our desire to continue to improve the Constitution, many of us don't want that to be lost upon the reading of our sacred document.

So with that said, I thank the gentleman for yielding. And I just wanted to indicate that this is done with sincerity. It is not done to take a shot at the idea of reading the Constitution. But certainly, when we were informed, for example, that the three-fifths clause would not be mentioned and that other elements of the Constitution which justify why some of us fight for programs in the Congress will not be written in the redacted version, it is of consequence to whom we are.



Mr. GOODLATTE. I thank the gentleman for his comments, and I take them very much to heart as has our leadership.

In fact, in recognition of the gentleman's concern, I mentioned in my comments that only two Members would be recognized out of order to read sections. One is the gentleman from Texas (Mr. SMITH), the chairman of the Judiciary Committee, who will read the first article of section 3 dealing with the judiciary. The other is the gentle-

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man from Georgia (Mr. LEWIS), who many regard as the foremost advocate for civil rights in the Congress, he will read the 13th Amendment. In that regard, we hope to address the concern that you raised. . . .

Mr. GOHMERT. Out of the same deference and respect for this document that we revere, I think it is important that we use the language of the Constitution itself. They are not deletions; they are amendments. And, in that respect, we go by the “amended” document, not by the “deleted” document. There are too many that have fought and died for those amendments to call them deletions.



Mr. GOODLATTE. It is an amended document. We are going to read the document as amended.

In American culture, there was the recent announcement of a new edition of Mark Twain’s *Adventures of Tom Sawyer and Huckleberry Finn* (1876, 1884; NewSouth 2011), edited by Twain scholar Alan Gribben. Consider first an excerpt from Gribben’s introduction to his version of Twain, and then a comment by John McWhorter.

Gribben:



Through a succession of firsthand experiences, this editor gradually concluded that an epithet-free edition of Twain’s books is necessary today. For nearly forty years I have led college classes, bookstore forums, and library reading groups in detailed discussions of *Tom Sawyer* and *Huckleberry Finn* in California, Texas, New York, and Alabama, and

I always recoiled from uttering the racial slurs spoken by numerous characters, including Tom and Huck. I invariably substituted the word “slave” for Twain’s ubiquitous n-word whenever I read any passages aloud. Students and audience members

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seemed to prefer this expedient, and I could detect a visible sense of relief each time, as though a nagging problem with the text had been addressed. Indeed, numerous communities currently ban *Huckleberry Finn* as required reading in public schools owing to its offensive racial language and have quietly moved the title to voluntary reading lists. The American Library Association lists the novel as one of the most frequently challenged books across the nation.

Over the years I have noted valiant and judicious defenses of the prevalence of the n-word in Twain's *Huckleberry Finn* as proposed by eminent writers, editors, and scholars, including those of Michael Patrick Hearn, Nat Hentoff, Randall Kennedy, and Jocelyn Chadwick-Joshua. Hearn, for example, correctly notes that "Huck says it out of habit, not malice" (22). Apologists quite validly encourage readers to intuit the irony behind Huck's ignorance and to focus instead on Twain's larger satiric goals. Nonetheless, Langston Hughes made a forceful, lasting argument for omitting this incendiary word from all literature, from however well-intentioned an author. "Ironically or seriously, of necessity for the sake of realism, or impishly for the sake of comedy, it doesn't matter," explained Hughes. African Americans, Hughes wrote, "do not like it in any book or play whatsoever, be the book or play ever so sympathetic. . . . They still do not like it" (268-269).

McWhorter, *Who Are We Protecting by Censoring 'Huck Finn'?*, THE ROOT, [www.theroot.com](http://www.theroot.com) (Jan. 11, 2011):



It reminds me of a searing passage from Shelby Steele's *A Dream Deferred*. He points out, to a white man who helped administer a Great Society program, that the program and ones like it didn't end up making people's lives better. The white man is livid, insisting just that the people were grateful, refusing to engage the question of the program's effectiveness.

In other words, this man was all about what the Great Society programs did for *him*, not black people. I regretfully suspect

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the same thing in the teachers' clutching of their pearls at the prospect of teaching a book full of characters using That Word. They aren't really afraid that their students will leave the classroom shouting the n-word at black kids. They just feel that the way to show they are good people is to studiously hold their noses and turn away from *any embodiment whatsoever of that hideous slur*. In a conversation I had with a white person about this, she actually insisted, "But the word offends *me!*"

It's as weak as a Victorian holding his ears at the mere utterance of a curse word, and every bit as performative.

