The Challenges of 'Bias-Free' Language Guidelines

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In their recent 'Editorial Corner', the distinguished editors of *Criminology* discussed the journal's adoption of the American Psychological Association's (APA) guidelines for bias-free language. These guidelines, according to the APA[2] , "[emphasize] the need to talk about all people with inclusivity and respect" and promote the use of "language that is free of bias and avoid[s] perpetuating prejudicial beliefs or demeaning attitudes." No doubt recognizing the agreeable aims of the guidelines—to "[ensure] the individuality and humanity of people are respected"—the editors assert that this change "should be uncontroversial."

Notwithstanding these laudable aims, I suggest that these new guidelines are not as uncontroversial as they appear. Here, I share my concerns about the new language policies in hopes that this may spark a discussion around the guidelines and the broader effort to direct more energy, sensitivity, and attention to language choices. At present, there is, in my view and that of others, a larger creeping culture of conformism and offense taking in the academy (Hume 2015). Many people in the academy, including both students and faculty, are afraid to talk about important issues because they fear they might misspeak (i.e., fail to use the terminology du jour) or to share their opinions because they might face severe backlash and ostracization for currently unfashionable, albeit reasonable, views that are in no way beyond the pale. In this milieu, is adopting these guidelines, which increase focus on language and sensitivity to specific terminology over content and intent, a move in the right direction? I'm not so sure.

To be very clear, I fully agree that we should all strive to improve our language, making it accessible, accurate, and non-stigmatizing. There is also obviously language that is wholly objectionable, such as slurs, which have long had no place in criminology journals, thankfully. Moreover, given shifts in language, which may leave some people uncertain about the 'correct' term to use (e.g., Hispanic, Latino/a, Latinx), a resource that provides some guidance around language can be useful.

There is, however, a fine line between language guidelines and explicit language codes. While not suggesting that the guidelines are, in fact, a 'code', I wish to encourage a discussion around our social shift to increased sensitivity to language and the move toward explicit language codes, which might reasonably be called 'language policing', as well as some of the specific implementations and their potential effects. I have disquiet about the lack of a wider discussion (at least from my vantage point) and dearth of information about who is deciding what language is problematic and what language is preferred. I question the extent to which these language policies are scientifically grounded, as claimed. I also have some unease with the awkward—in my view—inclusion of the Walker situation in the editors' piece discussing the journal's new language guidelines.

I, of course, agree that we all should strive to use language that is free of bias, avoids perpetuating demeaning attitudes, and is 'scientifically grounded'. However, this rather uncontroversial goal belies some important complexities, including what constitutes 'scientifically grounded language' and, more importantly, *who decides* what language is 'biased' or 'problematic' and what language is preferred.[3] That is, moving from the uncontroversial goal of avoiding 'problematic language' to determining what language is problematic is not at all straightforward. To that end, the guidelines emphasize individuality and instruct authors to "respect the language people use to describe themselves; that is, call people what they call themselves." This ostensibly clear directive is immediately followed by caveats, including that individuals do not all agree on what they should be called and that "some individuals may use slurs or stigmatizing language to refer to themselves," and we should be very careful using such terminology (and probably shouldn't).

Upon examining the specific guidelines, I found that some are perplexing, even persnickety. For example, the guidelines include a recommendation against using 'male' and 'female' as nouns in favor of using 'male person' and 'female person', and the eschewal of the term 'opposite sex' in favor of 'another sex' or 'other sex'. The guidelines identify the designation 'social security recipients' as being 'problematic' and suggests the use of 'people who are receiving social security or Medicare benefits and are over the age of 62 (or another age that was included in the study)' instead. The guidelines highlight the term 'homosexuals' as 'inaccurate and pejorative' and suggest using terms like 'queer persons', instead. Notably, in none of these cases is the 'problem' documented or the 'preferred language' justified. Sparse references, frequently to activist organizations, are presented along with a few scientific articles that identify the use of 'problematic language,' but these sources and their evidence fall well short of demonstrating bias, stigma, or harm.[4]

Importantly, while some language changes may have benefits, there are also several potential costs which ought to be weighed against these potential benefits. Potential costs include hampering readability and accessibility, impairing our ability to make distinctions, and reducing people's willingness to discuss difficult issues out of a fear of saying something wrong. Additionally, by highlighting non-malicious language like 'opposite sex' or 'social security recipients' as problematic, we are potentially increasing social harms (or pains). That is, by suggesting such non-preferred language is biased or offensive, these guidelines may encourage people to look for, see, and feel more slights and disrespect (e.g., Haidt & Lukianoff 2018).

Turning to criminological language, 'problematic' terms include 'inmate', 'offender', and 'victim'. I argue we should have a larger discussion of the extent to which (a) these terms are in fact biased/stigmatizing descriptors, and (b) eschewing these terms will result in completely unwieldy, inarticulate discussions. We do not use the term 'offender' to stigmatize those so labeled or to suggest this should define their personhood for their lives (or undermine their humanity and individuality) but to make categorical distinctions between groups of people for purposes of conducting and talking about our research. Science relies, fundamentally, on making distinctions. There is an irreconcilable tension between emphasizing people's individuality and conducting scientific research. To be sure, using the term 'an incarcerated person' instead of 'inmate' is a rather easy change—although one that is unlikely to have any effect on those so labelled—but what might it look like if we remove the term 'offender' from the lexicon?

For example, I pulled up a random criminology article entitled: "State of knowledge: Four decades of victim-offender mediation research and practice: The evidence." What might this look like if made consistent with the guidelines? "State of knowledge: Four decades of research and practice on mediation between persons who survived criminal perpetration and persons who offended." This revised title borders on obscurantist and not only distracts from the focus (victim-offenders) but, in so doing, may make understanding this work or reaching intended audiences more difficult, thereby decreasing accessibility.

I retrieved a random 'victim-offender' abstract, and I don't even know that it would be possible to make this consistent with the guidelines (much less with the rather restrictive abstract word limits): "Victim-offenders are generally considered a distinct group with one or more shared characteristics; however, some have suggested possible victim-offender subgroups with varied victimization-offending patterns. The potential for victim-offender subgroups was assessed within a nationally representative sample of 1,000 youth using latent class analysis. …" (Reid & Sullivan 2012).

Another unintended cost to 'avoiding broad and generalizing terms' is obscuring commonalities among those experiencing hardships. If we were to think back 25 years ago, when being gay was very stigmatized (and same-sex sex was illegal in more than 25 states), would these guidelines have suggested that we avoid the term 'being gay' and instead use 'a person who has same-sex sex, or wants to'? To what extent does this cloud the issue that people who are, in fact, gay are identified as gay and *stigmatized for being gay*—regardless of whether we call them homosexual, gay, queer persons, or 'people who have same-sex sex or want to'.

A laudable underlying motivation for these language guidelines is to reduce the suffering experienced by persons dealing with some socially stigmatized characteristic or situation in their lives. But in my view, the solution does not follow or at least it is not sufficiently justified. In other words, that our scientific language needs to be tightly regulated and/or we should become even more acutely sensitive to allegedly 'problematic' language without malicious intent to improve the situation of those suffering is surely questionable. Is stigmatization against 'elderly persons' or 'incarcerated persons' effectively combatted by person-first (or identity-first) language codes? Or might we have more success in reducing suffering by challenging the stigma and disregard for those so labelled rather than changing and policing terminology?

Some of these changes appear designed to avoid offending the most uncharitable reader, who, for example, interprets the use of 'married persons' as implying the belief that legal marriage is the only form of committed relationship. Not only are there potentially significant costs to surrendering to a culture of offense taking censoriousness, but also while we are busy adjudicating language, those people without homes, people with substance abuse issues, people incarcerated, people who have offended, etc., struggle to make their way in the world, regardless of whether we use person-first language.[5]

Most importantly, these language guidelines are in no way 'bias free'. They reflect specific worldviews that we do not all share, and which are not supported by 'The Science.'[6] For example, the guidelines specify the use of 'assigned sex at birth' as follows: "'birth sex' and 'natal sex' imply that sex is an immutable characteristic without sociocultural influence. It is more appropriate to use 'assigned sex' or 'sex assigned at birth.'" It is more appropriate in what sense? Biological sex in humans is, in fact, immutable, in my view. While you may disagree (and you are of course free to do so), requiring the use of 'assigned at birth' language impairs our ability to discuss this issue and requires that people employ language based on other people's view of the world on issues that are currently being debated.

Similarly, the guidelines define sexual orientation as follows:

> "Sexual orientation can be conceptualized first by the degree to which a person feels sexual and emotional attraction; some parallel terms are "sexual," "demisexual" (or "gray-asexual" or "gray-A"), and "asexual" (see The Asexual Visibility & Education Network, n.d.). …Second, sexual orientation can be conceptualized as having a direction. For people who identify as sexual or demisexual, their attraction then may be directed toward people who are similarly gendered, differently gendered, and so on. That is, sexual orientation indicates the *gendered directionality of attraction*, even if that directionality is very inclusive (e.g., nonbinary)" (emphasis added).

That sexual orientation has two dimensions and the second dimension is based on gender not sex is in no way scientific consensus.

There is an ongoing scholarly (and public) discussion as to whether sexual orientation refers to gender (identity) or to sex (e.g., Stock 2019). A relatively recent, lengthy review article, "Sexual Orientation, Controversy, and Science" by a diverse group of distinguished experts, defines sexual orientation as: "attraction to members of the same sex, both sexes, or the other sex" (Bailey et al. 2016, p.48). Yet, according to the APA guidelines, sexual orientation is about the 'gendered directionality of attraction'. Is defining sexual orientation as about sex not gender 'pejorative' or 'problematic' under these guidelines? If so, *who decided*? In the absence of scientific consensus or evidence, who is the authority for what is and is not acceptable language?

To be sure, I am not suggesting there is no science in these guidelines, even as the online guidelines are very thin in terms of scientific documentation. I am instead suggesting that to the extent that ASC journals call for adherence to specific language codes that are 'scientifically grounded', this behooves us to demonstrate that the language is so grounded (and/or which biases we deem acceptable and why). Otherwise, it seems to me that those who have the power or momentum to make language changes that they prefer will use their power to compel others to speak of the world in a manner that reflects their worldviews. We can and should be careful and sensitive in our use language, but there is a difference between being sensitive in language and policing language—which involves the application of power and stated adherence to a particular worldview (e.g., that 'the elderly' is stigmatizing, that sex is assigned not observed). Following these guidelines requires adherence to a particular view of the world and marks other views as 'problematic'. This is not 'bias free'.

Finally, I found the discussion of Allyn Walker's situation and their transgender identity/status to be shoehorned into the language guideline discussion. The larger context of this situation is omitted. Most of this reads to me as irrelevant, or worse, directly contrary to the arguments presented. To my knowledge, Walker used the 'bias free', person-first language that is being suggested here. One could read Walker's case as, in part, what happens when people focus on language over content, and the inherent danger of attempting to adjudicate 'correct' language in a manner that impairs free and open inquiry. The takeaway from the Walker incident is surely not that we need more language policing, in my view.

In the end, I think there is a fine, difficult line to walk between promoting respectful language and promoting adherence to a particular worldview in a manner that impairs open inquiry and accessibility. In my reading these guidelines do the latter.

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2 Unless otherwise noted, all quotations come from the APA guidelines, see here: https://apastyle.apa.org/style-grammar-guidelines/bias-free-language

3 The APA notes: "These guidelines and recommendations were crafted by panels of experts on APA's bias-free language committees." I have not been able to find a list of the experts serving on these panels. Requests to the APA for this information have gone unanswered.

4 One scientific reference for the 'gender' section includes the often-repeated Blackless et al. (2000) piece that has numerous errors in both calculation (misplaced decimals) and classification (see Sax 2002).

5 The guidelines explain that The Deaf community wants to be called The Deaf community, rather than 'people who are deaf'. Were other communities ('queer people', social security recipients, people over the age of 65) so consulted in their new designations?

6 Generally, "The Science" does not just say one thing, especially when it comes to complex social issues.

References:

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