

Are We Allowed To Say The N-Word?

An Ethical Review of Historical Quotes

In 1855, while on trial in Melbourne for high treason, African American man John Joseph was described in *The Age* as “The N----- Rebel.”¹ Joseph had been a gold miner in Ballarat, and had taken part in the famous Battle of the Eureka Stockade. This twenty-minute skirmish on the 3rd of December 1854 between heavily armed miners and two companies of infantry from the British Army would eventually go down in history as a great day for Australian democracy.² It had erupted over a combination of administrative mismanagement, prohibitively high taxes, police brutality and the continued disenfranchisement of large sections of the male population, along with systemic corruption on the part of the Ballarat authorities.³

I’ll provide a brief summary here: to mine for gold in the colony of Victoria between 1851 – 1855, a prospective miner, known as a digger, had to take out a licence. This licence had to be renewed monthly at a flat rate of 30 shillings (a large sum at the time) for as long as the digger continued to mine. By 1854, the alluvial surface gold was gone from Ballarat and the only prospect of striking it rich was through the dangerous, back-breaking practice of deep-shaft mining. This involved cooperatives of up to twelve men sinking shafts at a depth of sometimes more than 150ft, and up to a quarter of these would ‘bottom out’ unsuccessfully.⁴ The licence had to be paid whether or not gold had been found and had to be carried on the digger’s person at all times. Diggers who did not have a licence (or, who did not have it immediately on hand when a police officer demanded to see it) were arrested and had to pay a hefty fine or a corrupt judiciary to secure their release.⁵

The situation came to a head when a digger was murdered and a corrupt judge handed down a not-guilty verdict in the murderer’s favour. A large section of the Ballarat population now became convinced that the administration was incurably corrupt and several monster meetings were held. The tone at these meetings became more and more heated, and what had begun as a movement against a corrupt government began to build towards a violent confrontation.⁶ After gathering arms and barricading themselves behind a musket-proof wooden stockade, the diggers began to march, drill, parade and behave in a generally belligerent manner. In response, contingents of the 12th & 40th Regiments of Foot from the British Army responded with an early morning pre-emptive strike, which took the diggers by

¹ “The State Trials: The N----- Rebel,” *The Age*, 23 February 1855, <https://trove.nla.gov.au/newspaper/article/154850531>, accessed 19 October 2023.

² “Activism and Reform, Eureka and Human Rights,” *Eureka and Human Rights Friends of Ireland Society*, 3 December 2012, <https://humanrights.gov.au/about/news/speeches/activism-and-reform-eureka-and-human-rights2012>, accessed 19 October 2023.

³ Geoffrey Serle, *The Golden Age: A History of the Colony of Victoria, 1851-1861*, 3rd ed. (Carlton, VIC: Melbourne University Press, 1977), 302 – 314.

⁴ *Ibid.*, 336 – 338.

⁵ Weston Bate, *Lucky City: The First Generation at Ballarat: 1851 – 1901* (Melbourne, VIC: Melbourne University Press, 1978), 58 – 59.

⁶ Serle, *The Golden Age*, 308 – 309.

surprise.⁷ Roughly sixty stockaders and civilians, and at least seven soldiers, were killed in the battle, and more than a hundred men were arrested.⁸ Of those, thirteen were committed to stand trial in Melbourne for high treason.

My own study will focus on the men of the 12th and 40th Regiments. I will be examining how masculinity influenced the British army at Eureka, using the seven soldiers killed during the Battle of the Eureka Stockade as a case study. Between them, these men provide a cross-section of nineteenth century British society, and the factors which led to them giving their lives for their Empire have never been examined from their own point of view. Much of Eureka's history has been told exclusively from the diggers' perspective; my study will join a small but growing body of works pushing back against this one-sided narrative. While this study will not require ethical approval, as I am not going to be working with people or animals, some of my essential sources do raise ethical issues. Language in the nineteenth century was used very differently and some words which are deeply offensive were used casually in newspapers, court transcripts and government documents. Using the newspaper article from 1855, an essential primary source, and relevant secondary sources, I will examine the ethical issues surrounding the use of offensive language in historical research, and how it will affect my own project.

Unfortunately, the Australian Code for the Responsible Conduct of Research does not provide specific guidance and The Australian Historical Association Code of Ethics is equally silent.⁹ Given the growing debate in academia about whether it is appropriate to quote racial slurs and other offensive language verbatim from primary sources, this lack of guidance is disappointing. However, a close reading of the Australian code does provide some general statements which historians can use to assist them in making a final decision on the use of these words. The code lays out the expectation that research will be conducted “responsibly, ethically and with integrity”¹⁰ and this applies to historical research as much as it does to any other field. Because of the interpretive nature of historical research, acting with integrity and ensuring that “any historical writing, teaching, public comment or testimony to [indicates] whether the statements made are an interpretation of facts or opinion or belief”¹¹ is of the utmost importance. Different historians may interpret the same documents differently, but this is not an example of misconduct, nor does it mean data has been deliberately misrepresented. For example, in his popular history *Eureka: The Unfinished Revolution*, Peter Fitzsimons describes the conditions at Government Camp on the eve of the attack thus:

⁷ Gregory Blake, *To Pierce the Tyrant's Heart: A Military History of the Battle for the Eureka Stockade: 3 December 1854* (Loftus, N.S.W: Australian Military History Publications [in association with the Australian Army History Unit], 2009), 107 – 108.

⁸ Clare Wright, *The Forgotten Rebels of Eureka* (Melbourne, VIC: The Text Publishing Company, 2013), 207.

⁹ Australian Historical Association, *Code of Ethics*, 2021, <https://theaha.org.au/about-the-aha/aha-code-of-ethics/>, accessed 22/10/2023.

¹⁰ Australian Government, National Health and Medical Research Council and Australian Research Council, *Australian Code for the Responsible Conduct of Research*, (Canberra, ACT: National Health and Medical Research Council and Australian Research Council, 2018), <https://www.nhmrc.gov.au/file/14384/download?token=gje4DNtT>, 1.

¹¹ Australian Historical Association, *Code of Ethics*.

At four o'clock...in the morning, the soldiers become so convinced that 400 rebels that a company...burst forth ready to beat the attackers back, only to find... it is only the phantoms of their imagination.¹²

Using the same document, a diary from a clerk working at Government Camp, Clare Wright describes the same scene in her book *The Forgotten Rebels of Eureka*:

Constant deliberate false alarms were given at night by Captain Thomas [the commanding officer of the attack on the Eureka Stockade] to keep the soldiers on their toes.¹³

Despite the wide differences in interpretation between Fitzsimons and Wright, neither of them behaved unethically. Historical study would be impossible without interpretation and both use further sources to justify their very different approaches. Both these works are important secondary sources for me, especially Wright's book, and both take the same approach to quoting racial slurs from primary documents. The word 'n-----' appears in full in Wright's work six times, while Fitzsimons quotes it in full in seven instances (although one of these occurs in the endnotes, rather than the main text). In each instance, they are quoting from primary source documents, so there is no question they are both acting with integrity when presenting their data, but is it responsible and ethical too? Interestingly, Fitzsimons takes a different approach in a later book, *Breaker Morant*, which deals with the Boer War. Here, he does not use 'n-----' at all, even in quotes, but rather suggests the word by quoting it as 'n...r'.¹⁴ This suggested version appears more than a hundred times in this other work, and adds even more confusion to the question of whether it is ethical. In *Eureka*, the full version is used in quotes from documents describing descendants of slaves brought to Cape Verde Islands by the Portuguese, Indigenous Australians, and an African American man, while in *Breaker Morant*, the suggested version is used in quotes referencing black South Africans. Does this mean it is acceptable to quote this word when describing some people of colour but not others? Or does it depend on the context and how the word is/was interpreted by different groups it is applied to?

These are questions which I will also have to grapple with in my own research. I have come across this word not only in the newspaper article I have already referenced, but in court transcripts, letters, pamphlets and books published between 1850 – 1855. In documents such as enlistment papers it also appears: occasionally under the heading COMPLEXION will be the word 'n-----.' However, the question of quoting it remains fraught: respected historians in my field have done it, but where does the line get drawn? While I have established that it can be quoted with integrity, can it be done responsibly and ethically? Where do the rights of the author end when it comes to racial slurs (or other offensive language) in primary documents?

As mentioned, the code does not answer these questions directly, but examining the principles of responsible research conduct can provide some guidance. The issue of honesty and integrity has been discussed above, and aligns with the code; using the word verbatim in

¹² Peter Fitzsimons, *Eureka: The Unfinished Revolution*, 2nd. ed. (North Sydney, N.S.W: William Heinemann Australia, 2012), 374.

¹³ Clare Wright, *The Forgotten Rebels of Eureka*, 199 – 200.

¹⁴ Peter Fitzsimons, *Breaker Morant* (North Sydney, N.S.W: William Heinemann Australia, 2020).

quotes preserves the integrity of the data. Coming back to my newspaper article, if I made the decision to remove the offensive language entirely, the headline would no longer make sense, but I'd also be misrepresenting the data. Removing the descriptor of 'n-----' could lead a reader to assume that Joseph was a white man due to unconscious bias. The fact that he was a black man was an integral part of why he was prosecuted. Joseph's race and the colour of his skin reinforced the narrative Governor Charles Hotham wanted in the public domain: that Eureka had principally been the work of foreign agitators.¹⁵

However, the word can be avoided even without misrepresenting the data in a modern study. Rather than removing it entirely, I would use square brackets to indicate that Joseph was not a white-man, so the headline would read "The State Trials: The [African-American] Rebel" or, simply what I have been doing throughout this essay and suggest the word. In the latter case, the headline would be: "The State Trials: The N----- Rebel." Both maintain the integrity of the data and make it clear that Joseph was an African American man, which would allow me to then move on and describe why it was so important to the colonial government that Joseph be tried. I would be more inclined to use square brackets when quoting such a loaded racial slur, or to paraphrase the quote so I didn't have to use it at all.

The code also requires researchers to be respectful, not only of participants but of the wider community, and they must be accountable for their research output.¹⁶ When considering whether 'n-----' can ever be used, even as a quote, in a responsible way, academic Jelani Cobb, an African-American journalism professor from Columbia University, is frank: no.¹⁷ Cobb argues that using the term, even in an academic setting with "the most purely pedagogical motives,"¹⁸ can cause harm and has the potential to overshadow a project in its entirety. While others in the same article argued that words such as 'n-----' could and should be used in research *and* (more controversially) in the classroom, and that preventing lecturers from doing so is a violation of academic freedom. Where academics are prepared to engage with affected groups about how their use of racial slurs, even in quotes, may contribute to systemic or structural injustices, then the use of these words would be supported by the code. However, if a researcher used these terms in quotes and then refused to engage in any discussion around their use, this would be unethical research. Part of the principle of accountability outlined in the code is to "consider the consequences and outcomes of research,"¹⁹ which includes how offensive language and terms may affect the wider community. If the researcher is not prepared to do this, they should take the steps like those I indicated above, such as using square brackets or suggesting the word only.

Because racial slurs have such a loaded history, I don't think they can be used respectfully. In the case of 'n-----' this is especially true, given its long association with the dehumanisation

¹⁵ Peter Fitzsimons, *Eureka: The Unfinished Revolution*, 474 – 475.

¹⁶ Australian Government, National Health and Medical Research Council and Australian Research Council, *Australian Code for the Responsible Conduct of Research*, 2.

¹⁷ Colleen Flaherty, "Too Taboo For Class?" *Inside Higher Ed*, 31 January 2019, <https://www.insidehighered.com/news/2019/02/01/professor-suspended-using-n-word-class-discussion-language-james-baldwin-essay>, accessed 23/10/2023.

¹⁸ *Ibid.*

¹⁹ Australian Government, National Health and Medical Research Council and Australian Research Council, *Australian Code for the Responsible Conduct of Research*, 2.

of Africans and their descendants through practices such as slavery. When I see the word in primary source documents, such as the newspaper article, I accept that it is representative of its time. However, its use in secondary sources where there are other ways to provide the same information is, in my opinion, unnecessary. In his novel *Requiem for a Nun*, William Faulkner famously has a character quote: “The past is never dead. It isn’t even past.” The same principle applies to quoting racial slurs from primary sources. The researcher’s intent may not be to harm, but the word itself was created to do harm to a particular group of people. Returning to *The Age* in 1855, the unnamed journalist who wrote the article probably didn’t hate John Joseph, and may not have spat “N-----!” at him if he met him on the street, but the journalist’s experience with that word would have been completely different to that of Joseph. If I was to quote it directly today, uncensored, in my own research, I feel strongly that I would be violating the code: I would be being disrespectful of the wider community.

I would also be being disrespectful of the memory of John Joseph. He played a major role in the Eureka Stockade and I have come across his name multiple times in my research; he may have even fired the gun that killed one of the seven soldiers I am centring my research on. Despite Hotham’s hopes, Joseph was acquitted (as were the other twelve men tried for high treason) and he returned to the goldfields. He did not live long. He died in Bendigo in 1858, just seven years after his acquittal, and racism followed him to his grave. His final resting place was until very recently unmarked; the American embassy, despite regularly paying for its white citizens who died overseas to have their graves marked, declined to do so for Joseph.²⁰ With all this in mind, despite other, far more prominent and established voices in my discipline quoting this slur verbatim from primary sources, I don’t believe it can be done ethically. I need that newspaper article for my research, but John Joseph does not deserve to still suffer the indignity of being called a ‘n-----’ more than a hundred and fifty years after his death. It would be irresponsible and unethical of me to continue to perpetuate the systemic oppression of people of colour, no matter how accountable I was prepared to be, especially when the integrity of the source can be maintained without the use of the slur.

²⁰ U.S Embassy in Canberra, *Remarks at the John Joseph Memorial*, U.S Embassy in Canberra, 27 February 2023, <https://au.usembassy.gov/transcript-john-joseph-memorial/>, accessed 23/10/2023.

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