
**CANADIAN BROADCAST STANDARDS COUNCIL
ONTARIO REGIONAL COUNCIL**

CFMT-TV re *Gwai Lo Cooking*

(CBSC Decision 99/00-0220)

Decided July 6, 2000

R. Stanbury (Chair), P. Fockler (Vice-Chair), M. Hogarth (*ad hoc*), M. Oldfield,
S. Whiting

THE FACTS

This case is, in the experience of the CBSC, unique; it marks the first occasion on which a Regional Council has been asked to review the *title*, as opposed to the content, of a television program. The broadcast in question is a cooking show entitled *Gwai Lo Cooking* which is aired by CFMT-TV (Toronto). The source of the complaint is the historic Cantonese expression “gwai lo” which is used as a material component of the show’s title. In its etymological background, “gwai lo” translates as “foreign devil” or “ghostly fellow” and it continues to be used by some Chinese to refer to “pale-skinned” Westerners. In the context of the title in question, “gwai lo” refers to the show’s host, who, although of Caucasian, rather than Oriental, much less Chinese, descent, speaks Cantonese and is able to offer North American and European cooking recipes to the Cantonese-speaking Chinese Canadian community.

A viewer sent his complaint via e-mail on December 12, 1999. In that e-mail (which is reproduced in full in the Appendix hereto), the complainant said, in part:

I am concerned about the blatant bigoted, discriminatory title of the show “Gwai Lo”. Even at the web site (www.gwailo.com), the definition of “foreign devil” is offered as an English translation of the show’s title.

“Gwai lo” is (Cantonese) Chinese for “white devil/ghost” or “foreign devil”. In Chinese, this expression isn’t too far removed from other racist English expressions like “honkey” for (western) Caucasians or “chink” for Chinese people. This expression (“gwai lo”), however, is used most often against people of European/Western descent, in a derogatory fashion (I only

use “chink” to show another racist expression in English-an expression, which should also be frowned upon).

The station’s Executive Vice-President Television responded with a letter (reproduced in full in the Appendix), in which he stated, in part, that:

This title is meant in fun and was self-titled by the producer/host who is not of Chinese descent.

It is the opinion of many Chinese viewers that this title is used as a self-deprecating term of endearment. Although the show was not titled by Chinese people but by the host, the title underwent extensive research through our advisory board and focus groups.

If television were concerned with 100% political correctness you may have a point that this particular title would not be 100% politically correct. Having said that, it is a creative, provocative title that actually has been embraced by many viewers as outreaching and certainly unusual. We all have spent years witnessing the use of such self-deprecating or “tongue in cheek” titles on record albums, movies and literature. It is our opinion that it is part of the creative process. Although there are many I shall forward one example: “White Men Can’t Jump”, a very popular motion picture that shows the genuine relationship between interracial friends.

On January 7, 2000, the complainant filed his Ruling Request via e-mail, accompanied by additional correspondence in which he stated, in part (the full text of this e-mail is also reproduced in the Appendix):

I have no doubt that this title is meant in fun, and I am aware that the host of this show is not of Chinese descent. I, too, have many friends who joke about their ethnic origins, and even refer to themselves as “Chinks”, and “gooks”, in jest and in private-even though they are proud of their ethnic backgrounds and take pride in them; in private these same people joke about their cultural backgrounds on occasion. However, they would not stand on a stage in public and promote this type of racist diction, even in jest-because they are aware of the history of bigotry and discrimination associated with these words.

THE DECISION

The CBSC’s Ontario Regional Council considered the complaint under the human rights provision of the *Canadian Association of Broadcasters (CAB) Code of Ethics*. Clause 2 of that Code reads as follows:

Recognizing that every person has a right to full and equal recognition and to enjoy certain fundamental rights and freedoms, broadcasters shall endeavour to ensure, to the best of their ability, that their programming contains no abusive or discriminatory material or comment which is based on matters of race, national or ethnic origin, colour, religion, age, sex, marital status or physical or mental handicap.

The Regional Council members viewed a tape of the program and reviewed all of the correspondence. The Council also consulted several outside sources on the meanings and connotations associated with the expression “gwai lo”. The Council is of the view that the title of the program is not in breach of the *CAB Code of Ethics*.

A Preliminary Issue: Program Titles

While the CBSC has, on numerous occasions, dealt with complaints alleging that a television or radio program was abusively discriminatory, it has never before considered whether a program *title* itself could be in breach of the human rights provision of the *CAB Code of Ethics*. The Council has no doubt that this *could* be the case and notes that titles, in a way, are susceptible of greater impact in that more persons, including viewers or readers of TV listings, may become aware of a program’s title than actually see the program in question. A title would not likely be judged out of context but, in the Council’s view, a title, or word or expression used in a title, would likely have to be *inherently* abusive in order to fall afoul on its own, without regard to the context provided by its associated program. That context may actually be either helpful or harmful to the determination of its “abusively discriminatory” nature, an issue that will be looked at below in the context of this program.

The Meaning of “Gwai Lo”

The strict *definition* of the expression “gwai lo” is not at issue. In the first place, the broadcaster does not itself dispute the literal translation put forward by the complainant, namely “white devil/ghost” or “foreign devil”. Moreover, the Council’s own research, conducted through various translation services and discussion with members of the general public knowledgeable in the Cantonese language, confirms this historic definition. What the Council must determine, though, is whether, on the spectrum of discriminatory terminology, the expression’s *quality* is inherently abusive or whether it is only subject to being rendered abusive by specific usage and context.

There is no doubt that the expression discriminates. It does, after all, refer to a specific group characterized by race and skin colour. The Council does not find, though, that the expression is comparable to some of the epithets referred to by the complainant which would be considered inherently abusive by the Council. While no such terminology has ever been the subject of a CBSC decision (presumably because such language has not been used on Canada’s private broadcasters’ programming), there is a group of ugly, gross epithets which the Council does not see fit to use, even as examples, on this occasion. Such terms are known to the public but hopefully used less and less frequently, even in private discourse, to describe members of ethnic minorities.

There is, though, a group of rather more benign terms used to refer to minority, or even majority, groups in society. Some of these may even be endearing, fond terms of reference. Some may contain a remote sting. What they have in common is that they are unlikely to offend when used in general parlance. Examples might include Canuck or Yankee in the broad North American context. Words such as Westerner, WASP, Whitey, Frenchie and Newfie (at least in its traditional usage) would probably also fall into that category. There are, of course, others. These tend to be shorthand usages, easy-going, friendly in their intention, benign nicknames. The question, of course, is whether to classify “gwai lo” in the first or second grouping.

It seems that this expression, like many others in other languages, has evolved through the years. While historically, “gwai lo” may have been used by Chinese people as a derogatory remark concerning foreigners, particularly Caucasian Westerners, the persons consulted by the Council indicate that it has since lost much of its derogatory overtone. The Council finds that the expression has also lost most of its religious meaning, so that “foreign devil” no longer carries the theological significance it once did. Based on its research, the Council understands that the expression has gone from being considered offensive to, at worst, merely “impolite”. In the circumstances, the Council does not conclude that the expression is *inherently* abusively discriminatory. Of the two groups of nicknames (or epithets), the Council has no hesitation in classifying the expression as a part of the second grouping. It remains to determine whether the context of the program renders this inherently more benign term abusively discriminatory.

Discriminatory and Self-deprecating Humour

The CBSC has dealt with the issue of discriminatory humour on numerous occasions. In *CHFI-FM re The Don Daynard Show* (CBSC Decision 94/95-0145, March 26, 1996), this Council laid down the principle that not all cases of discriminatory humour would be found in breach of the Code. In that case, the Council found that a joke about “Jewish mothers”, told as part of a series of “light bulb” jokes, did not constitute abusively discriminatory comment. The Council noted that the joke “poked fun but did not bludgeon. It tickled but was not nasty.” The Council further stated that it is not reasonable to expect “that the airwaves will be pure, antiseptic and flawless when society is not.” Furthermore, the “Council’s duty is to put a potentially offensive ethnic joke on its societal scale and determine whether it could *reasonably* be viewed as having gone too far.”

In this case, the Council notes that the “humour” in the use of the expression relates to the fact that it is used by a Caucasian chef to describe *himself*. Indeed, the host of the show begins each episode with a welcoming statement in which he introduces himself as the show’s “gwai lo”. In the Council’s view, this has the effect of diminishing the discriminatory aspect of the expression. By using the expression as he does, the host transforms it from one of we/them polemic to one of self-identification and *inclusion*. In that sense, the Council finds the comments in the decision *CHOG-AM re The Shelley Klinck Show* (CBSC

Decision 95/96-0063, April 30, 1996) most apt here, despite the fact that that decision did not deal with humour but rather with a serious talk-show. In that case, a female talk-show host sought to elicit calls from women listeners on the topic “Women who falsely accuse men of rape” by using words such as “psycho-chicks” and “broad”. The Council did not find the host’s comments to be abusively discriminatory.

There is no doubt that the host of the program did use words such as “psycho chick”, “broad” and “vindictive” to describe women, as was contended by the complainant. ... The Council agrees that, in another context, these comments *might* be considered in poor taste or, in their worst possible interpretation, derogatory toward women; however, in *this* context, it appeared that the host used the words in question rhetorically, not descriptively, and apparently to be provocative in order to draw attention to the program and to attract women callers. Moreover, the Council notes that the *host* was not describing women as a group; she was either noting that “A lot of men say today that there are a lot of psycho chicks, that women are vindictive” or asking questions, as in, “Women, is it true? I mean, are we actually that vindictive?” Moreover, she generally used these words inclusively, that is to say, she included herself in the group described, as in “And, women, are we really that bad?”

... [T]he Council is of the view that the tone and the context of the commentary are very different and does not find that the comments of the host were in any way discriminatory or abusive.

Based on all the above, the Council does not find that the title “Gwai Lo Cooking” is in any way abusively discriminatory toward people of non-Oriental descent. Accordingly, CFMT-TV has not breached the human rights provision of the *CAB Code of Ethics* by broadcasting and promoting *Gwai Lo Cooking*.

The Broadcaster’s Response

In addition to assessing the relevance of the Codes to the complaint, the CBSC always assesses the *responsiveness* of the broadcaster to the substance of the complaint. In this case, the Council considers the broadcaster’s letter of January 5 to be fully responsive to the complainant’s concerns. Nothing more could reasonably be required or expected. Accordingly, the broadcaster has not breached the CBSC’s standard of responsiveness.

This decision is a public document upon its release by the Canadian Broadcast Standards Council. It may be reported, announced or read by the station against which the complaint had originally been made; however, in the case of a favourable decision, the station is under no obligation to announce the result.

Appendix
TO CBSC DECISION 99/00-220
CFMT-TV re Gwai Lo Cooking

I. The Complaint

The following complaint dated December 12, 1999 was sent via e-mail to the CBSC:

I am concerned about the blatant bigoted, discriminatory title of the show “Gwai Lo”. Even at the website (www.gwailo.com), the definition of “foreign devil” is offered as an English translation of the show’s title.

“Gwai Lo” is (Cantonese) Chinese for “white devil/ghost” or “foreign devil”. In Chinese, this expression isn’t too far removed from other racist English expressions like “honkey” for (western) Caucasians or “chink” for Chinese people. This expression (“gwai lo”), however, is used most often against people of European/Western descent, in a derogatory fashion (I only use “chink” to show another racist expression in English—an expression, which should also be frowned upon).

I’m not someone who’s hung up about discrimination, sexism, etc. (I am not offended at the drop of a hat). But even if this show (Gwai Lo) is self-mocking of its own title—because the show depicts Western/European recipes as good and yummy, the racist slur, “gwai lo” should not be bandied about as though it’s cool (people should change their views to accept people of all cultural backgrounds anyway—not just because a show’s title is self-mocking).

I doubt the Chinese community in Toronto would find it amusing to watch a chef cook Chinese dishes on a show called “Chinkyboy’s Homestyle Cookin”.

If this show is attempting to offer the Chinese community in Toronto an introduction to Western/European cooking, I commend this effort. But the show should not use a bigoted slogan for a title.

II. The Broadcaster’s Response

The Executive Vice-President Television, CFMT Television, responded to the complaint with the following letter, dated January 5th:

Your complaint to the CBSC has been forwarded to us for response. We have reviewed your concerns regarding the title of a cooking show which we offer in the Cantonese dialect, “Gwai Lo Cooking”. This title is meant in fun and was self-titled by the producer/host who is not of Chinese descent.

It is the opinion of many Chinese viewers that this title is used as a self-deprecating, term of endearment. Although the show was not titled by Chinese people but by the host, the title underwent extensive research through our advisory board and focus groups.

If television were concerned with 100% political correctness you may have a point that this

particular title would not be 100% politically correct. Having said that, it is a creative, provocative title that actually has been embraced by many viewers as outreaching and certainly unusual. We all have spent years witnessing the use of such self-deprecating or "tongue in cheek" titles on record albums, movies and literature. It is our opinion that it is part of the creative process. Although there are many I shall forward one example: "White Men Can't Jump", a very popular motion picture that shows the genuine relationship between interracial friends.

We feel the producer has not breached any codes and support his somewhat controversial title for the show.

We are sorry that you find it offensive, it was certainly not our intent. Thank you for taking the time to write.

III. Additional Correspondence

The complainant was unsatisfied with the broadcaster's response and requested, on January 7, 2000, that the CBSC refer the matter to the Ontario Regional Council for adjudication. In addition to returning the Ruling Request form via e-mail, the complainant sent in the following correspondence.

I wish that I didn't have to be so formal. This issue should be void of bureaucracy as much as possible, I feel. Anyway, if you do require me to actually physically sign the formal request in ink, please give me a mailing address to send my ruling request.

Please, read the following (I beg of you) with an open mind (and do not consider the formal methods with which you normally judge things). Feel free to forward what I write here to CFMT (since they don't provide me with an email address to reply to). Obviously, that part can come later. I am just asking, in this email, to be listened to, in an unconvoluted manner, which I'm sure permeates much of the normal complaints you receive.

This is the response I received from CFMT (my response follows the quotations; my response lacks quotes):

"Your complaint to the CBSC has been forwarded to us for response. We have reviewed your concerns regarding the title of a cooking show which we offer in the Cantonese dialect, "Gwai Lo Cooking". This title is meant in fun and was self-titled by the producer/host who is not of Chinese descent".

I reply: I have no doubt that this title is meant in fun, and I am aware that the host of this show is not of Chinese descent. I, too, have many friends who joke about their ethnic origins, and even refer to themselves as "Chinks", and "gooks", in jest and in private—even though they are proud of their ethnic backgrounds and take pride in them; in private these same people joke about their cultural backgrounds on occasion. However, they would not stand on a stage in public and promote this type of racist diction, even in jest—because they are aware of the history of bigotry and discrimination associated with these words.

There's a conception in North America, that it's cool/fun/witty to discriminate against "whitey", because he/she is in the majority. However, in China, the expression "Gwai Lo"

(meaning “white devil/ghost” or “foreign devil” or literally “ghost person”) is often used in the exact same manner and contempt as the words, “nigger”, “frog”, “chink”, “jap”, “heeb”, “krout”, “slope”, “wop”, etc. are used in North America. “Gwai Lo” is an expression often used by the Chinese to describe the “lazy” North American “white worker”, who is stupid and useless...

The first defense to [the] Vice-President of CFMT is that the title is meant in fun. So, I suppose if I were to point at an African-American (person of colour) cooking and say, “ha ha, look at the cool nigger cookin’ great lookin’ food....he he.... that’s so funny: a black guy callin’ himself nigger”, and create a television series called “Nigger cookin’”, that this show’s title would be acceptable? C’mon.

To return to [the Executive Vice-President of CFMT]’s response:

“It is the opinion of many Chinese viewers that this title is used as a self-deprecating, term of endearment.”

I reply: Oh, I see. So, if a show were called “Chinky-boy’s cookin’” or “Nigger cookin’”, the “chinky-boy” and “nigger” would be the equivalent of “honey” or “sweetie”. I am not aware of too many self deprecating terms of endearment. Regardless, I don’t think “nigger” and “chink” are the equivalent of “my sweet stinky lover”. Also, public, popular opinion is often wrong (I remember when “New Kids on the Block” were at #1 on pop charts—so I must then conclude their music was great???) and I suspect the “many Chinese viewers” make up the fan-base of the Gwai-Lo cooking show, which hardly makes for an unbiased viewing audience or selection for a poll (especially since the term “Gwai Lo” is only offensive to caucasian and those who are generally offended by bigotry).

[The Executive Vice-President of CFMT] continues:

“If television were concerned with 100% political correctness you may have a point that this particular title would not be 100% politically correct.”

I respond: Would the title “Nigger cookin’” be any more acceptable if an African-American or person of colour were a cook on this (imaginary) show? Please. How about “heeb cookin’”? Or “Camel jockey cookin’”? Nope, that doesn’t sound much better now, does it (rhetorical question)?

Political correctness aside (why not just call it bigotry and/or discrimination and be done with it; why cave in to this philistine diction...but that’s another debate), the show’s title is simply brutal. I have no doubts that the host of “Gwai Lo cooking” is NOT racist. I’m sure he isn’t. For all I know, he’s a great guy. But this doesn’t change the fact that “Nigger cookin’” or “heeb cookin’” or “jap cookin’” or “frog cookin’” would also be inappropriate television show titles. You and I both know that if the show were called any of the above titles, that CFMT would have the Ontario Human Rights Commission riding CFMT like a policeman after a cocaine-drug dealer.

[The Executive Vice-President of CFMT] continues:

“Having said that, it is a creative, provocative title that actually has been embraced by many viewers as outreaching and certainly unusual.”

Again, I reply: “Outreaching” and “unusual” as defined/confirmed by Chinese viewers (and

[the Executive Vice-President of CFMT]) who are fans of the show....Big thrill. By the way, art (like beauty) is subjective. So the attempt to objectify the title as 'creative' and 'provocative' is merely an attempt made in vain by [the Executive Vice-President of CFMT] and/or those who do find the show's title "creative" and "provocative". These same people, I can only conclude, would also find a show title of "nigger cooking" to be just as creative and provocative. I merely find it low-brow, obvious, and in fact, bigoted, regardless of intention.

[The Executive Vice-President of CFMT] continues:

"We all have spent years witnessing the use of such self-deprecating or "tongue in cheek" titles on record albums, movies and literature. It is our opinion that it is part of the creative process. Although there are many I shall forward one example: "White Men Can't Jump", a very popular motion picture that shows the genuine relationship between interracial friends."

I reply: Oddly enough, this movie wasn't called "Nigger men can jump", which would be a far better comparison to the title "Gwai Lo cooking". Again, popularity does not make something great (unless one is merely attempting to sell something, which no doubt [the Vice President of CFMT] probably attempts to do on a daily basis, sell television shows to a niche market) or 'genuine' or even good; all popularity does is appeal to the lowest common denominator.

Agatha Christie once wrote a book called "Ten Little Niggers" (then, later "Ten Little Indians"). The title has been changed and is now studied in some grade nine English classes. Nothing within the book is terribly bigoted. But the publishers eventually changed the title. I wonder how many (since [the Vice President of CFMT] is interested in popular opinion) found that title to be part of the "creative process"...

[The Executive Vice-President of CFMT] ends the letter,

"We feel the producer has not breached any codes and support his somewhat controversial title for the show.

We are sorry that you find it offensive, it was certainly not our intent. Thank you for taking the time to write.

I sincerely thank [the Executive Vice-President of CFMT] for his or her response. But my concern clearly hasn't been addressed. My concern is that this show's title will have a negative affect—that it will actually promote racism, because it's now accepted that Caucasian should be referred to fondly as "gwai lo"s (as though Chinese people would want to be referred to fondly as "Chinks"... unlikely). The show's title is bandied about as though the phrase "Gwai Lo" is acceptable and cool; it's not; it's bigoted.

One must ask why "chinky-sloped man's cooking" would be an unacceptable show title and why "Gwai Lo cooking" is an acceptable show title. Both are unacceptable. My girlfriend, by the way, is Chinese, and she agrees wholeheartedly with me. Not that this makes me any more right, of course. I'm merely suggesting there are many Chinese (especially the HKs [sic]) who would agree with me.