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Common Error No. 49 [1]

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49. "It's quite right to make racist or homophobic remarks illegal."

It's certainly not acceptable to make racist or homophobic remarks, or to let people get away with making them in your company. The question is whether it should be against the law, with police involvement, fines and possible prison sentences, or whether we should rely on social pressures. Times have changed, and attitudes with them. An older generation callously and carelessly felt free to abuse and stigmatize others for their racial background or sexual orientation. Now there's more sensitivity to the hurt this can cause, as well as more tolerance. This is particularly true among most younger people.

Despite these welcome changes in attitude, parliamentarians still feel the need to criminalize such remarks. They use the pretext of "incitement," and call even ill-mannered abuse or poor taste humour a hate crime if it mentions some minority. Thus someone was questioned by police after saying humorously on radio that they disliked Welsh people. A shop was visited by police for displaying antique gollywog dolls in its window. Often the person complaining is not of the minority allegedly being derided or mocked, but someone else who thinks that they might be offended.

The point here is that most of us don't want to live in a society where abuse of people in some way different is regarded as acceptable, but nor do we want to live in a society which allows self-appointed thought police to seize on thoughtless but harmless remarks and have criminal proceedings taken against those who utter them. Not everything which is social unacceptable has to be illegal.

Tolerance is best where it is felt, rather than where it is enforced. It works best when people are easy-going about each other's differences and backgrounds, and more concerned with what they are like as individuals than about which groups they can be pigeon-holed into.

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