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A sorry reminder of the state of free speech [1]

Written by **George Kirby** [2] | Thursday 4 July 2013

This morning, I was appalled to see more evidence that free speech in this country is under attack. Emma West, 36, was given a 24-month community order [3]. Her crime? ?Racially-aggravated disorderly behaviour likely to cause harassment or distress.? West shouted racial abuse at fellow passengers on a tram between Croydon and Wimbledon. The rant was filmed on Youtube and has over a million views [4].

I have seen the video, and it?s not pretty. Allow me to clarify that I do not share West?s view that immigration has ruined the UK, and I believe people should not be discriminated against because of their race. Repeatedly swearing in the presence of young children is something else I would always try to avoid doing.

But West?s rant should not be a crime. (At least, not for the reasons given: a case could be made that she should have been expelled from the tram for causing a public disturbance. But the words she used did not deserve an arrest.) Free speech is one of the most important aspects of life in a free country. The extent to which governments infringe on free speech is an indication of their general attitude to the citizens they are supposed to represent. In the UK, it appears we have a nanny state, which takes any opportunity to relieve of us of our right to independent thought.

Having freedom of speech means having the freedom to offend. Passengers feeling ?upset . . . disgusted, shocked and horrified? is not a reason for an arrest to be made. Everyone is different, and might take offence at different things. It?s not hard to imagine that West herself was upset, disgusted, shocked and horrified - at the supposed "invasion" of the UK by immigrants. Why were the non-white passengers not arrested for their "crime" of offending West?

Police, lawyers and judges should never have been involved in this incident at all. The only acceptable limitations to free speech are those against threats, and incitement to violence. If the government is willing, "in the public interest", to censor some minority views, what guarantee is there that it won?t do the same to those which it finds difficult to answer? The Chinese authorities might well be ?upset? that some of their citizens do not agree with their policies, but they are not justified in silencing journalists because of it.

Furthermore, I believe that allowing "undesirable" views to be aired is the best way to stop them from becoming dangerously prevalent. Censoring fascists, for example, denies them equal participation in the democratic process. This is more likely to result in violent protest, as peaceful debate is not an option. Instead, fascists and other extremist groups should be allowed to speak their minds. If and when their beliefs are rejected by the vast majority of people, the matter is settled ? fairly, through reason, not oppression. As soon as they use violence to further their agenda, the full force of the law can be used against them.

When is it wrong to stop someone else committing a wrong? When the method used to stop them is worse than their wrongdoing. Even in the developed world, we must always be vigilant in ensuring that the government does not go too far in its regulation of our lives.

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