

The age of offence

Full documentary

Philip Seargeant, Iain Wilson, Peter Tatchell, Ash Sarkar:

Defining Offence

PETER TACHELL: I find it offensive when people say bigoted things about women, Black people, or LGBTs.

ASH SARKAR: Offensive it's generally not a word that I use to identify problems with things. So, when I think of something that's offensive, I think of a bad smell. When I look at somebody in blackface, I go that's racist.

IAIN WILSON: There might be things that personally annoy me, for instance, when people are peddling false information-- and we've seen a lot of that recently-- about the coronavirus and the American election. So that perhaps could wind me up a little bit, but I try not to take offence.

[MUSIC PLAYING]

PHILIP SEARGEANT: Defining offence is a slightly tricky issue because it's something which - you can be offended by the very small things. A lot of people get, for example, offended by punctuation errors. But on the other hand, you can get offended by very-- the use of very violent language, the use of brutality, and so forth. So, it's a very wide concept. But I think the basic notion of what offence is involves when someone causes harm to your sense of self, to the values you believe in.

PETER TACHELL: When someone says something that causes offence, one always must be mindful of the intention and motive. So, people may say something quite innocently without intending to cause offence, and in that case, I don't think it should be held against them.

PHILIP SEARGEANT: An important issue around the relationship between language and offence culture is this paradox that language has. On the one hand, language is just words.

Sticks and stones may break my bones. It's not an actual physical violence, coercion, or anything. But on the other hand, language is absolutely central to the way that society is organized. Language does have an incredible power.

ASH SARKAR: You can say sticks and stones may break my bones, but words will never hurt me. Well, tell that to the kids who during the desegregation of education in the United States had to walk a gauntlet of racists in the South hurling the N-word at them, right? You tell me sticks and stones may break my bones, but words will never hurt me because those words were also connected to systems of violence. So, you've got the mental health toll, you've got the connection between certain forms of language and certain systems of violence, and then the third thing is that dehumanizing language creates the room for dehumanizing policies.

PHILIP SEARGEANT: In the attention economy that we now operate in, this can be a very useful-- a very good way of drawing attention to yourself, getting a lot of press coverage, and thus getting your message out. And we've seen this a lot with populist politicians, Donald Trump obviously, Boris Johnson to an extent, saying things which are offensive and thus provocative and thus get endless coverage in the media.

ASH SARKAR: There's a gamble that's being made, and one side of it has been made quite clearly by Dominic Cummings which is that no one cares really about these confected outrages. Yes, you've got micro events. Yes, they keep us all busy. Yes, they dominate the headlines, but it doesn't necessarily affect voting behaviour as much as people thinks that it does. So, it's a way of distracting, right? Keeping your opponents busy with something which ultimately won't be effective when it comes to changing people's minds.

PHILIP SEARGEANT: The second way it can be used in politics is as a way of demeaning your opponents. It's a classic propaganda technique to demean, dehumanize, and so forth an enemy within politics. And a good way of doing this is through insults and being offensive in certain way.

ASH SARKAR: Once we acknowledge that as well as speaking as individuals, we are often speaking on behalf of or to a collective, then it means that we can be a little bit more honest about what's driving some of this dismissive language. And it helps us explain sometimes why there's so much heat and hostility and an urge to completely delegitimize your opponent and grind them into the dust. It's because what's at stake is so much more than a conversation.

PHILIP SEARGEANT: And the third way is that the concept of offense culture can itself be exploited as a divisive technique in politics. We see this particularly around notions of political correctness, around notions of social justice where to one sides, it's important to mind what

sort of language you're saying because that is an indicator of a certain political viewpoint. On the other side, it's a violation of free speech and so forth.

ASH SARKAR: So, when you've got things like, oh, you're just a millennial snowflake, you've never worked hard a day in your life, your generation doesn't know they're born, it's an expression, an outgrowth of a material, a cultural, and a political divide, which in this country is pretty much unprecedented.

[MUSIC PLAYING]

Offence and Free Speech

PHILIP SEARGEANT: One of the notable things around offense culture in the last few years is the way that the right to be offensive has come on to be related to the right of freedom of expression. And the idea is that a robust notion of free speech, and protections for free speech, is best illustrated by people's right to be offensive.

IAIN WILSON: I see it in my personal life but also as a lawyer. Where people will seek to defend content, which is clearly hateful as free speech. And the distinction between the American style, which is that basically everyone says what they want, and if you disagree, you say disagree, and the sort of more European English style, where freedom of expression is qualified, is an important one.

PETER TATCHELL: Free speech is one of the most important and precious of all human rights. So, they have to be really strong, compelling grounds in order to justify restricting it. For me, there are three potential reasons to restrict free speech: If someone makes false, damaging allegations against a person, such as maliciously claiming they're a rapist, a paedophile or tax fraudster. Second, if they engage in repeated threats, menaces, or harassment. And thirdly, if they incite violence. Those are my three red lines.

ASH SARKAR: Of course, there is a tension between absolutist freedom of speech and hate crime legislation. And I think that it's dishonest to pretend that there isn't a tension. But I think that the values of protecting freedom of expression, and the values of protecting the rights of minorities to live in safety and dignity in this country, I mean that it's a tension that's worth having.

PETER TATCHELL: Some of the most important ideas in human history, have caused great offense in their time. I'm thinking of Galileo Galilei, Charles Darwin, Karl Marx, Sigmund Freud. They all caused huge offense. But thankfully, they were not stopped from expressing their point of view.

PHILIP SEARGEANT: Historically, hate speech laws, which do prohibit certain types of speech, have been used to close down civil rights activists and so forth. So, it's a very difficult moral judgment about how exactly one protects people's rights to live without harm, but at the same time protects these rights to free speech, which allow us to ultimately live in a liberal Democratic society.

PETER TATCHELL: Instinctively, I oppose hate speech. But I have a problem in defining it. Hate is a very subjective term. Different people will interpret different things as being tantamount to hate. Some will have a very low threshold; some will have a very high threshold. And I think that the danger with hate speech laws is that, intentionally or not, they can close down debate.

[SOFT MUSIC PLAYING]

Offence and Social Media

PHILIP SEARGEANT: I think the specific way that social media has had an effect on offense culture is a lot to do with the way social media has changed our notions of what public communication and private communication is.

IAIN WILSON: It's made it a lot easier to offend people if that's what you want to do. It gives you a direct route to a wide audience, cause offense, try and cause someone distress, or embarrass people, or try and make your point, perhaps in a way that you wouldn't make if you were talking to someone face to face.

PHILIP SEARGEANT: Because these conversations are much more public, the audience that's able to view them is much more diverse in terms of its own beliefs, its own cultural norms, and so forth. And thus, whereas normally when you're speaking to someone personally or writing to someone, you address yourself very much to them and take into account what you know about their beliefs, their values, and so forth. That is very difficult to do on social media.

PETER TATCHELL: Almost anything that anyone says could potentially cause offense to someone, but that doesn't mean to say that it should be unlawful. The best way to counter bad ideas is with good ideas.

IAIN WILSON: For social media or outside of the social media world, if someone is offended or perceives that someone says something offensive, it can be difficult to have the evidence

of that perhaps during a heated discussion. When this takes place online, there is an indelible record of what's being said.

PHILIP SEARGEANT: Should we leave decisions about what we can and what we can't say to the big tech companies, despite the fact that they are not accountable in any way to us? They're not democratically elected. Their own motives are to do with running a business. And it's for this reason that the issue of offense culture and particularly the issue of what counts as offense and who gets to decide what counts becomes such a contentious and such a political issue.

PETER TATCHELL: There are increasing calls nowadays to no-platform certain speakers on the grounds that what they have said or might say could be offensive. Now, I find that quite dangerous. I lived through McCarthyism in my homeland of Australia in the 1960s when anybody who expressed a critical view was denounced as a communist. And I even nearly lost my job because I publicly spoke out against Australia's involvement in the Vietnam War.

ASH SARKAR: I don't think necessarily it's always used in quite the right way. And I think that it's really up to the left to work out, what are the other tools and tactics at our disposal? Now, having said that, it doesn't mean that everyone should get a platform. And there are clear cases where inappropriate people have been invited to take platforms which really, they're not suited for, or indeed they've been invited just because it will cause a controversy. And in those cases, I think the organizers of the events do share some responsibility for what happens.

Regulating Offence

[MUSIC PLAYING]

PHILIP SEARGEANT: So, the question of who gets to decide what is offensive and then what should be done about that can be a contentious one. So partly, this comes back to the issue of the power of language and intention. If I wasn't intending to offend someone, but they felt offended by what I said, who's right? Should their sense of offense overrule my lack of intention in what I was doing? So, as I say, it can be a contentious issue because of things like this. The other issue, then, is who gets to regulate it, especially when a lot of this happens on social media.

IAIN WILSON: In terms of the law, there isn't necessarily a concept of offense. And so, it's not a criminal offense, per se, to be offensive to someone. There might be circumstances in which there are additional elements of behaviour that do mean it crosses the line. For

example, sending material that's grossly offensive, or hate speech is involved or the behaviour is in a public place and might intimidate or threaten bystanders.

PHILIP SEARGEANT: When people first started worrying that technology itself was, in some way, causing or exacerbating social problems, the initial reaction was to look for tech solutions, look for ways that the technology itself could resolve the issues that it was producing. But one of the big problems with this is, firstly, the scale on which it happens. On something like Twitter or Facebook, or any of the social media sites, the amount of communication, the amount of traffic is so much that a group of people themselves can't monitor it. It needs to be monitored by the technology. But at the same time, there are limits on what technology can do, especially when it comes to identifying issues within communication, mainly because technology is not particularly good at reading context.

IAIN WILSON: I think, broadly speaking, there are three things they should be doing, or doing better. Firstly, is promoting a more courteous environment on their platforms, encouraging people to consider the language that they use, to have an open mind, to be tolerant. Secondly, reporting systems could be improved.

The constant criticism we hear is that I reported this to a social media platform, and I haven't heard back from them, or you can just click a flag, you can't explain why the post is causing problems, and the nuance of it. And then thirdly, technology, in terms of platforms proactively looking for offensive content on their site. I do think we need to regulate our regulatory system. I think it would be quite easy, in theory, to implement one. I would set up a new, discrete regulator.

PETER TATCHELL: I used to support the criminalization of homophobic hate speech, but then I saw the way it was often misapplied. So, for example, Christian street preachers, who were not inciting violence or being abusive to gay people, were being arrested. And as much as I disagree with them, in a free society, they have a right to hold their opinion. My argument was let's challenge them, let's protest against them, let's show them why they're wrong, but don't take them to court, don't treat them like criminals for simply having a different point of view.

ASH SARKAR: I think that, rather than saying that the disruptive thing is always the person who says there's a problem, is that we need to work out a way to bring both parties together, hash out some kind of resolution. And yes, sometimes that resolution is painful.

PHILIP SEARGEANT: So, I think the reason why all this is important is that, ultimately, it's about cultural norms. And by arguing, or rather by debating what counts as offensive and what doesn't, this is a way of working out those cultural norms and resolving what type of

society we want to live in. And this is ongoing. It's not something that you decide, and then it's set forever. But it's a very important issue.

The notion offense sets the limits of what we think is acceptable, and also what we should be doing about things which aren't acceptable. And this is why offense culture is so closely related to issues of free speech, because ultimately, if we can talk these things through and find ways to resolve them which doesn't involve too much state intervention, then we have a healthy democratic society, which is able to deal with its issues, problems, and deal with the way things are changing without resorting to actual violence.