



**Anglican Diocese
of Auckland**

Do Justice

"Do justice, love kindness and walk humbly with your God." Micah 6:8

A Newsletter on Social Justice Issues

Welcome to the November edition of Do Justice as we continue to discuss issues of social justice from a Christian perspective in the tradition of Micah and St Francis.

What is free speech?

Basically, free speech is not difficult to define – it is the ability to express one's opinion on any subject, in any way, without any restriction. The only apparent limitation is that violence cannot be used. This then raises the question, "What do we mean by violence?" Generally, violence is considered, in the context of free speech, to be the use of physical force to require someone to accept a particular position against their will. Most would extend this to the use of 'mental' force, using words to gain acceptance. But it does not stop there; force can be applied by societal, religious, and/or financial means to make a person accept a particular position.

There has never been total 'free' speech. A person cannot enter a crowded cinema and shout "Fire!" when there is no fire. However, a statement can be made that is factually wrong but still be free speech. For example, someone could believe that the world is flat and argue the case, if no force is used, because the argument that the world is flat will not cause damage to others. Thus, the impact of the statement can, and will, determine if saying it can be considered 'free speech' and thus acceptable, or 'damaging' speech and not acceptable.

The legal restrictions on many practices and people have been relaxed and removed over the last 50 years. We do not accept comments that would have been quite acceptable in the past but are now classified as unacceptable by most. It is interesting that some defenders of free speech seem to focus on these situations that were previously acceptable, particularly when it involves remarks about a person's race or sexual orientation.

How are minorities going to be protected from verbal bullying in a way that does not restrict or limit free speech? Is it alright to use derogatory terms that refer to people's weight, physical impairment or ancestry? Most free speech advocates would say "No". But is it alright to call people who are beneficiaries 'bottom-dwellers' as we recently heard from one political leader?

This is only the fringe of the problem. As we have seen over the last five or more years, misinformation, outright lies, and

conspiracy theories are being promoted on various internet channels and in some mainline broadcasters such as Fox News in the USA. Such actions are an abuse of free speech.

If you want to start to understand how such abuse is a threat to our way of life, then have a look at the video [Fire and Fury](#), a Stuff documentary. Perhaps even more concerning than the horrific scenes of the occupation of Parliament grounds and the subsequent eviction of the protestors, are the interviews and clips of the misinformation advocates who are articulate, presentable, and educated, but who are advocating for versions of society that most New Zealanders would find abhorrent. The way they are speaking could be described as the equivalent of shouting "Fire!" in a crowded cinema.

There have always been small groups of people who have used misinformation and lies in attempts to change society, but their spread and impact have been minor at best. But now there are channels whereby these views can be spread further and faster than ever before. Generally, facts and opinions have been separately identified; now, opinions are becoming facts and facts opinions. The challenge for us as a society, and particularly for our political leaders, is how to address this situation within the context of our freedom to speak and advocate for change in society. How does society decide what is information and what is misinformation, what is true and what is a lie, what is an 'opinion' and what is a 'fact'?

Even within the Church there is a wide range of views about what is Christianity and what is not. In the USA and in some parts of the New Zealand Church, there is misinformation that appears to be contrary to what Jesus is generally believed to have taught. Advocacy of extreme 'nationalist' positions and those who take action, sometimes violent, to promote these positions, is not acceptable, but it is claimed that it comes under the banner of 'free speech' and/or 'freedom of religious belief'.

It is generally accepted that free speech and democracy are closely linked, and it is not possible to have democracy without free speech. As democracy has developed over the centuries, so have the institutions of government and the need for free exchange of ideas and free speech for government to work effectively. Sovereign power has extended to institutions such as parliaments and congresses where individuals are chosen by their peers to represent them

and to make laws for the common good. These laws inherently place some restriction on individual behaviour, usually restrictions designed to protect individuals and society from harm. We may not agree with the way we are taxed or restrictions on behaviour, but we are free to say so. But we are not free to take a gun and demand that the laws be changed.

The early democracy of ancient Greece was a very narrow arrangement with only 'citizens' having a say, and to be a citizen one had to be rich and a man.¹ These citizens were able to speak freely, and decisions were made by assemblies of citizens. Information could be tested in the assembly and information and misinformation determined. Free speech was at the heart of ancient democracy because the societal scale was small. Today, society is so much wider, and to make democracy work, we need to select representatives and have parliaments. Information comes in numerous ways and determining what is fact and what is not fact is more difficult, but for democracy to work we must still be able to determine what is fact and what is fiction.

The worldwide spread of the internet is not the first time technological change has had a significant impact on how people communicate with each other freely. After the invention of the printing press in the 15th century there was a period when journals and books began to spread within society. This was before democracy was beginning and the then sovereign powers soon controlled such distribution of information. In the UK the Lord Chamberlain had the power until 1968 to stop the performances in theatres he did not agree with.² Books have been regularly burned by authorities. The German Nazi Government in the 1930s burnt thousands of books,³ and in some American states, some books are banned from local schools and public libraries.⁴ In New Zealand our history has been only partially taught in our schools and it is good to learn that from now on our children will get a much wider and more balanced history of Aotearoa.

As radio and television spread, governments tried to control content. In the UK only the BBC was allowed to own radio stations until 1973.⁵ TV was freed up a little earlier in 1955.⁶ In Aotearoa radio broadcasting started in 1922 in Dunedin, although government control of radio broadcasting was extensive. It was only in the late 1980s that commercial radio was allowed to spread and flourish. The Government still controls access to wave band frequency for all kinds of broadcasting.

The experience of NZ and the UK was not unique. Many other democratic countries controlled the airwaves to some extent and for authoritarian rulers, control of the airwaves was essential.

It is both access to information and the quality of the information that is the key to free speech. There is no doubt that the advent of the internet and digital media has resulted in information being much more widely available than in the past. Google, Facebook, etc are freely available to anyone who

has a laptop or a mobile phone – that is, 66% of the world's population.⁷ Interestingly, the first action of authoritarian regimes in times of trouble is to turn off the internet!

Coming back to the shouting fire in a crowded cinema situation where there is a generally agreed limit to free speech, we can see that it is not the shouting of "Fire!" that is the problem but the context in which it takes place. It is the panic that the shout of fire will cause in a confined space with limited exits that is the problem. It is the need to address both content and context that is the real change when trying to develop rules or laws covering free speech.

Voltaire, (François-Marie Arouet) was an 18th century French philosopher, writer and historian who believed in freedom of speech and freedom of religion. He argued that people should be able to obtain information from a diversity of sources, not just from those approved by government – and use the information to argue for change. Voltaire summed this up when he said, *"I disagree with what you say, but I will defend to the death your right to say it."*⁸ This is one of the quotes generally used by free speech advocates; however, how applicable this statement is in today's communication climate must be considered. In Voltaire's day ideas were promulgated either verbally or in books and newspapers – not radio, no TV news, and no internet. In Voltaire's day the spread of misinformation, conspiracies theories and outright lies was very limited and does not appear to have had any real impact on public discourse or government actions although there are many examples of rulers and governments making decisions based on insufficient or incorrect information.

Why is it important that we have free speech and access to all kinds of information? Without such access, change is much more difficult, situations requiring major change are hidden from view and rulers cannot be challenged. Back in the 16th century the sovereigns in Britain and Russia had similar levels of absolute power. As free speech expanded in Britain through the 18th and 19th centuries, so the model of a democratic monarchy came about. In Russia there was little change, and by the end of the 19th century the Russian tsar was as 'powerful' as Henry VIII. The result was the Russian Revolution and one form of absolute power being replaced by another. Even today, completely free communications are limited. We have governments monitoring communications for 'terror'. In New Zealand our intelligence agencies were criticised for not alerting the police to the activities and ranting on social media of the Christchurch shooter. Interestingly the criticism was not that they were not looking but looking in the wrong place; they were focusing on Islamic generated terror rather than far right rantings.

The possible answer could be that everyone follows the suggestion of Jesus when he told us to "Love your neighbour as yourselves." Until that happens, we are going to have to continue to grapple with what are reasonable and fair limits to free speech.

¹ [Greek democracy - Wikipedia](#)

² [Lord Chamberlain - Wikipedia](#)

³ [Book censorship - Wikipedia | TV - Search \(bing.com\)](#)

⁴ [Why has there been a rise in banned books in U.S. schools? - News @ Northeastern](#)

⁵ [Start of commercial radio broadcast in the uk - Search \(bing.com\)](#)

⁶ [ITV \(TV network\) - Wikipedia](#)

⁷ [how many mobile phones in the world - Search \(bing.com\)](#)

⁸ [I do not agree with what you say but will defend the right for you to say it - Search \(bing.com\)](#)