

Free speech is for scumbags, too



James White has been fined £1,000 and banned from football matches for four years (Credit: Twitter)

It doesn't take much to get you censored these days. You don't even need to be that controversial. Believing in biological sex is usually enough. Gender-critical feminists have not only been sacked from jobs and cancelled on campus, but also arrested and dragged through the courts. Sticking up for free speech these days often means defending the rights of eminently reasonable people to air utterly mainstream views.

But now and again we free-speech warriors are still confronted with some genuinely difficult cases involving unsavoury individuals. Manchester United fan James White is one such individual. Earlier this month, the 33-year-old from Warwickshire showed up at the FA Cup final at Wembley wearing a vile, offensive replica shirt, mocking the dead at Hillsborough. Above the number 97 – a reference to the Liverpool fans killed on that horrifying day in 1989 – were the words 'Not Enough'. Images of White soon shot around social media, leading to complaints to police and his prompt arrest.

That White is a lowlife was made all the more clear during his spell in Willesden Magistrates' court. He laughed in the dock – making his lawyers' claim that he 'deeply regretted' his actions and accepts he 'hurt people very deeply' look all the more ridiculous. The court heard that, during his arrest, White told police, probably with a smirk on his face, that they had misunderstood the shirt's meaning. 'My grandad died aged 97 and didn't have enough kids', he said. He apparently has a string of previous convictions, though none of them football related.

White pleaded guilty on Monday to ‘displaying threatening or abusive writing likely to cause harassment, alarm or distress’. While he’s been spared prison, he has been fined £1,000 and banned from football matches for four years. He has also been banned from Old Trafford indefinitely. Few will be able to muster much sympathy. The Football Association and Manchester United are certainly well within their rights to keep troublemakers away from games. But anyone who believes in free speech should be alarmed by his conviction.

This is not to downplay what White did. It was a grim, unfunny joke about a horrifying and preventable tragedy. Hillsborough was a product not just of police ‘mistakes’ on one day in 1989, at the FA Cup semi-final between Liverpool and Nottingham Forest, but also of a broader elite culture that treated working-class football fans as caged animals. It is still raw for Liverpoolians, not least because of the decades-long campaign to expose the establishment’s cover-up. I completely understand why the Hillsborough families want the book thrown at White. He is a scumbag. But here’s the thing: free speech is for scumbags, too.

We can’t allow the state the power to decide what it is permissible for us to say, think and joke about. For once you give it that power, censorship will only spread and spread. Recent years have been a brutal reminder of this. Speech laws you might have presumed were reserved only for racists, extremists and sickos have been used to pursue feminists campaigning against gender self-ID, veterans retweeting spicy memes, and autistic teenagers quoting rap lyrics.

There are plenty of ways to deal with the James Whites of this world. But censorship cannot be one of them. We shouldn’t let our contempt for a few attention-seeking idiots undermine the rights we all rely on. That state censorship has now reached the mainstream is precisely because we failed to fight hard cases like this. Now would be a good time to start.



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