

Protect the player, not the ball

Thought for the Day

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It's national Hate Crime Awareness Week, and once again hate crime and discrimination in general are in the headlines. Following Lord Bracadale's review last year, the Scottish Government is considering new legislation. And yesterday we learned that the Law Commission for England and Wales is considering whether other groups including women, men, and the elderly, should have the same protection as race, religion, sexual orientation, and disability.

Personally, I find it depressing that it's necessary at all to legislate in this area – whatever has happened to common humanity? – but I suppose the criminal law is designed for when humanity goes awry. Really there shouldn't be any need for laws against violence or abusive behaviour either, because in a perfect society they just wouldn't happen! But human society isn't perfect, and so we need to work together to compensate for that, especially when it comes to defending the weak against the strong.

Perhaps we also need to learn how to disagree with one other in respectful and articulate ways, recognising that there are different and sometimes competing rights and points of view, and that is to be expected in our complicated, diverse society.

In the recent 'gay cake' dispute (as it was called) I was interested that the judges of the Supreme Court were unanimous in overturning the equally unanimous view of the judges who'd heard the case in lower courts. The Supreme Court didn't see the crucial issue as being about either sexual or religious discrimination, but about freedom of expression – not the customer's freedom to publish his slogan on the cake, but the right of the bakers not to be forced to publish a message they disagree with.

What I take out of this is a general point about discrimination and hate crime legislation: we all have the right not to be abused because of our personal characteristics; but that doesn't mean we should be protected from conflicting or even disagreeable opinions. In sporting terms, the law is about protecting the player, not the ball.

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