

1945 - Freedom Of The Park

FREEDOM OF THE PARK (1945)

A few weeks ago, five people who were selling papers outside Hyde Park were arrested by the police for obstruction. When taken before the magistrates, they were all found guilty, four of them being bound over for six months and the other sentenced to forty shillings fine or a month's imprisonments. He preferred to serve his term.

The papers these people were selling were PEACE NEWS, FORWARD and FREEDOM, besides other kindred literature. PEACE NEWS is the organ of the Peace Pledge Union, FREEDOM (till recently called WAR COMMENTARY) is that of the Anarchists; as for FORWARD, its politics defy definition, but at any rate it is violently Left. The magistrate, in passing sentence, stated that he was not influenced by the nature of the literature that was being sold; he was concerned merely with the fact of obstruction, and that this offence had technically been committed.

This raises several important points. To begin with, how does the law stand on the subject? As far as I can discover, selling newspapers in the street is technically an obstruction, at any rate if you fail to move when the police tell you to. So it would be legally possible for any policeman who felt like it to arrest any newsboy for selling the EVENING NEWS. Obviously this doesn't happen, so that the enforcement of the law depends on the discretion of the police.

And what makes the police decide to arrest one man rather than another? However it may be with the magistrate, I find it hard to believe that in this case the police were not influenced by political considerations. It is a bit too much of a coincidence that they should have picked on people selling just those papers.

If they had also arrested someone selling TRUTH, or the TABLET, or the SPECTATOR, or even the CHURCH TIMES, their impartiality would be easier to believe in.

The British police are not like the continental GENDARMERIE or Gestapo, but I do not think [sic] one maligns them in saying that, in the past, they have been unfriendly to Left-wing activities. They have generally shown a tendency to side with those whom they regarded as the defenders of private property. Till quite recently "red" and "illegal" were almost synonymous, and it was always the seller of, say the DAILY WORKER, never the seller of say, the DAILY TELEGRAPH, who was moved on and generally harassed. Apparently it can be the same, at any rate at moments, under a Labour Government.

A thing I would like to know--it is a thing we hear very little about--is what changes are made in the administrative personnel when there has been a change of government. Does a police officer who has a vague notion that "Socialism" means something against the law carry on just the same when the government itself is Socialist?

When a Labour government takes over, I wonder what happens to Scotland Yard Special Branch? To Military Intelligence? We are not told, but such symptoms as there are do not suggest that any very extensive shuffling is going on.

However, the main point of this episode is that the sellers of newspapers and pamphlets should be interfered with at all. Which particular minority is singled out--whether Pacifists, Communists, Anarchists, Jehovah's Witness of the Legion of Christian Reformers who recently declared Hitler to be Jesus Christ--is a secondary matter. It is of symptomatic

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importance that these people should have been arrested at that particular spot. You are not allowed to sell literature inside Hyde Park, but for many years past it has been usual for the paper-sellers to station themselves outside the gates and distribute literature connected with the open air meetings a hundred yards away. Every kind of publication has been sold there without interference.

The degree of freedom of the press existing in this country is often over-rated. Technically there is great freedom, but the fact that most of the press is owned by a few people operates in much the same way as State censorship. On the other hand, freedom of speech is real. On a platform, or in certain recognised open air spaces like Hyde Park, you can say almost anything, and, what is perhaps more significant, no one is frightened to utter his true opinions in pubs, on the tops of busses, and so forth.

The point is that the relative freedom which we enjoy depends of public opinion. The law is no protection. Governments make laws, but whether they are carried out, and how the police behave, depends on the general temper in the country. If large numbers of people are interested in freedom of speech, there will be freedom of speech, even if the law forbids it; if public opinion is sluggish, inconvenient minorities will be persecuted, even if laws exist to protect them. The decline in the desire for individual liberty has not been so sharp as I would have predicted six years ago, when the war was starting, but still there has been a decline. The notion that certain opinions cannot safely be allowed a hearing is growing. It is given currency by intellectuals who confuse the issue by not distinguishing between democratic opposition and open rebellion, and it is reflected in our growing indifference to tyranny and injustice abroad. And even those who declare themselves to be in favour of freedom of opinion generally drop their claim when it is their own adversaries who are being prosecuted.

I am not suggesting that the arrest of five people for selling harmless newspapers is a major calamity. When you see what is happening in the world today, it hardly seems worth squealing about such a tiny incident. All the same, it is not a good symptom that such things should happen when the war is well over, and I should feel happier if this and the long series of similar episodes that have preceded it, were capable of raising a genuine popular clamour, and not merely a mild flutter in sections of the minority press.