

New Zealand is criminalising free speech

By Dr Muriel Newman, NZCPR Weekly, 23 May 2019

On Saturday Australian Prime Minister Scott Morrison led his Coalition to a surprise election victory. The result defied pollsters and commentators. They had been predicting a win for Labour's Bill Shorten and his strongly progressive agenda. But in the end, grassroots working people were not convinced that higher taxes, expensive renewable energy, and a bigger and more powerful government would improve their lives, so they supported 'ScoMo'.

Like Brexit in the UK and the US presidential election the result shows that a strong undercurrent of voter disillusionment existed that was not reflected in the polls.

Scott Morrison tapped into this and dedicated his victory to the common sense and aspiration of *the quiet Australians*: "It has been those Australians who have worked hard every day, they have their dreams, they have their aspirations, to get a job, to get an apprenticeship, to start a business, to meet someone amazing. To start a family, to buy a home, to work hard and provide the best you can for your kids. To save for your retirement. And to ensure that when you're in your retirement, that you can enjoy it because you've worked hard for it..."

The result re-affirmed that democratic elections are won in the middle ground of politics. Labour had followed the Greens to the radical left, and in doing so had become removed from middle of the road voters.

One of the issues touted as defining the election was climate change. But while Labour pushed for more stringent carbon targets, electric cars, and the closure of coal mines, voters focused on the tangible effects of escalating costs and the widespread loss of jobs.

Veteran Sky News broadcaster Alan Jones also [believes](#) the hate speech ban proposed by the Green Party did not help Labour. He said Labour would "presumably adopt the same policy of making hate speech illegal... Those championing the ban want to 'shut up' debate and don't want an open platform where ideas can be canvassed".

The very same dynamics that were at play in the Australian election are happening here - including the Green Party's push for a hate speech ban. But unfortunately for New Zealand, now the Greens are in power with Labour, it will happen. Already Justice Minister Andrew Little is undertaking a review of hate speech laws to determine which need strengthening.

Proponents of hate speech bans appear to have forgotten that throughout history it is free speech that has enabled those who are oppressed and disenfranchised to achieve

emancipation and equality. Now our elite ruling class wants the power to sit in judgement and decide who will be given the right to speak freely, and who will be criminalised for doing so.

Worse, the Prime Minister is now using the Christchurch tragedy to regulate the internet, giving rise to grave fears that her measures will go too far and will undermine free speech everywhere.

To progress her agenda, the PM teamed up with French President Emmanuel Macron. They invited world leaders and tech executives to a meeting in Paris to support a pledge to prevent terrorist content – like the live-streaming of the mosque shooting - from being broadcast online.

At a news [conference](#) before the meeting, the PM sought to reassure New Zealanders that her move was *not* aimed at restricting free speech: “This isn’t about freedom of expression, this is about preventing violent extremism and terrorism online.”

But those reassuring words have not eased concerns that our Prime Minister is leading us towards mass censorship that criminalises people for their views – especially given the involvement of the French President.

Concerns about the President date back to his actions when first elected.

France, of course, had suffered horrific terror attacks in 2015, when ISIS targeted 6 venues killing 130 people and wounding almost 500. As a result, then President Francois Hollande closed the borders and declared a state of emergency.

Once elected in 2017, President Macron made permanent the extraordinary powers that had been imposed during the two-year long state of emergency.

New Zealand journalist Branko Marcetic [outlines](#) the details: “The new law allowed authorities to close places of worship supposedly putting out radical ideas (no proof needed from the investigators), carry out stop-and-search measures in more places, put individuals suspected of terrorist links under a form of house arrest for as long as a year (even if they haven’t been accused of a crime), and much else.”

He explained that the President’s actions caused outrage in France, not just over civil liberties, but concern that the new powers would be used to target and harass law-abiding citizens: “Of course, in language that may now sound familiar to Kiwis, Macron assured the public this would allow authorities to ‘deal with terrorist threats while preserving citizens’ rights’...

“Macron and his government appear particularly hostile toward journalism... Early this year, on the orders of the French public prosecutor, police demanded to search without a warrant the office of online news outlet Mediapart, which had just published scandalous and

politically damaging stories about two of Macron's former security guards.”

As Branko Marcetic explains, the rise of the yellow vest protest movement in France has resulted in increasingly heavy handed measures being imposed by the President. It is alleged that more than 80 journalists have been arrested, detained or attacked by authorities... This led to a meeting between the President and the media at the Élysée Palace earlier this year, “where he appeared to suggest the French government needed to take a stronger hand in the news business... and suggested the state should establish financing bodies to fund the news and ‘make sure that it is neutral’. The comments elicited alarm from French journalists, one of whom accused Macron of ‘imagining what looks like a partial nationalisation of the press’.”

Concerns are now being raised that in giving the French President the opportunity to regulate the internet – and the media – New Zealand's Prime Minister will end up being responsible for restricting free speech around the globe.

Clearly Jacinda Ardern is exploiting the Christchurch tragedy to advance her agenda of State control.

She used it to force through Labour's firearms restrictions, trampling on democracy and riding roughshod over the long-established rights of law-abiding Kiwis to own and use their guns.

So it was no surprise to see it being used again – this time to introduce State control of the internet.

The *Christchurch Call* [pledge](#) has now been signed by 17 countries, the European Commission and eight major tech companies, including Google, Facebook, Amazon, Twitter and YouTube.

This week's NZCPR Guest Commentator, Dr Bronwyn Howell, a programme director at Victoria University and an adjunct scholar at the American Enterprise Institute, has closely followed the developments in Paris and outlines exactly what the pledge entails. She is extremely concerned, however, that the process has been hijacked for political purposes:

“At first glance the pledge appears, as intended, a positive example of collaborative negotiation toward a self-governing regime... A deeper examination, however, leads to a more worrying conclusion. While governments have agreed to a range of difficult-to-enforce aspirational goals, the tech companies have agreed to take a number of concrete, observable, and measurable steps on which it will be much easier to hold them explicitly accountable.

“In the bargaining of the summit, they have agreed in effect to act as the agents of the governments in delivering their political objectives of countering ‘*distorted terrorist and violent extremist narratives*’ and engaging in ‘*the fight against inequality*’.

“Rather than simply removing offending content, as they might be required to do for pornographic or addictive content, they have been recruited to promote community-led efforts to counter violent extremism through the ‘*development and promotion of positive alternatives and counter-messaging*’ and to ‘*redirect users from terrorist and violent extremist content*’ - that is, to develop and distribute government-sanctioned propaganda. This is further reinforced by the tech firm-specific undertaking to use ‘*algorithms to redirect users from such content or the promotion of credible, positive alternatives or counter-narratives*’.”

In other words, Bronwyn believes the pledge could ultimately lead to mass censorship: “It behoves both the governments and the tech companies engaged in the Christchurch call pledge to demonstrate that their agreement is not just another exertion of government control over the freedom of the press (and other publishers) to prevent citizens from seeing the world in all its ugly reality by directing them instead to a preferred sanitized message. The current wording, unfortunately, provides no such assurance.”

Facebook’s [report](#) on the Christchurch Call agreement also points out that one of the joint goals is “combatting hate and bigotry in order to attack the root causes of extremism and hate online”.

While an investigation into internet regulation by former Prime Minister Helen Clark [found](#) that “it is difficult to establish a causal link between on-line hate speech and violence”, this fact will do nothing to temper the regulatory zeal of Jacinda Ardern.

RadioNZ [reports](#) “Jacinda Ardern says the ultimate test would be stopping the hatred not just the abuse on social media”. And Newshub [reports](#) she hasn’t ruled out blocking Facebook altogether to achieve her goal.

The danger is that such restrictions will be the thin end of the wedge, and will escalate from addressing extremism to criminalising speech that socialists like our Prime Minister and her parties think is objectionable.

Any controls they might seek to impose would, of course, run counter to Section 14 of the New Zealand Bill of Rights, which says, “Everyone has the right to freedom of expression, including the freedom to seek, receive, and impart information and opinions of any kind in any form”.

But this is not much of a protection, as a 44-year-old Christchurch man has already found out. He has been arrested and is in custody for sharing the mosque shooting video on the internet. He will be sentenced next month. The judge has ruled out home detention so he is likely to face jail - for sharing a video.

It is understood that over 300 people are now on the Police’s ‘watchlist’ for the crime of

expressing themselves freely.

Magic Radio host Sean Plunket [says](#) callers to the station are describing how armed Police are turning up at their houses to ask them about their political opinions. In one case they were warned not to use Facebook. In another case the accusation was: “You called the Prime Minister a socialist”!

Sean Plunket says that he has had no official response from anyone in the Government or the Police to the questions he has asked about these developments. Those questions need to be answered.

New Zealand used to be a free society. What we are now seeing is a sinister taste of what’s to come if Jacinda Ardern is allowed to press ahead with her campaign against free speech.

Newstalk ZB’s political editor Barry Soper - the longest-serving member of the Parliamentary Press Gallery - [believes](#) the Prime Minister intends to regulate mainstream media as well. He explains that she is already trying to influence how the Christchurch attacker’s trial will be reported, but says “It’s not for the politicians to dictate how events should be covered”.

While New Zealanders should be increasingly alarmed that this Labour-Green-New Zealand First coalition is planning to criminalise free speech, it is important to remember that in some countries the freedom of speech is sacrosanct.

The US would not sign Jacinda Ardern’s pledge to regulate the internet due to concerns that doing so would conflict with First Amendment rights, which enshrine the freedom of speech and the freedom of the press.

According to White House officials, “We continue to be proactive in our efforts to counter terrorist content online while also continuing to respect freedom of expression and freedom of the press”.

The reality is that under the cover of the terrorist attack, this country’s ruling elite is in the process of restricting what people can say and think. This represents a sinister threat to all Kiwis and to our free and decent society.