



# OOH AH CANTONA

## Racism as hate speech

Simon Gardiner

The infamous incident on 25th January 1995 at Selhurst Park when the Manchester United player 'kung-fu kicked' a Crystal Palace supporter crystallised the interaction between players and supporters and the role that the criminal law should play. Two issues arose. Firstly, the need to provide sports athletes with adequate protection from fans showing their adulation in oppressive and violent ways and effectively controlling provocative behaviour by spectators. Secondly, the liability of players who assault spectators. It is the first issue which is the main concern of this article. The basis of the verbal attack on Cantona was racial and this incident reflects the recent debate concerning the more general issues surrounding racist attacks in society. Is legislation the most appropriate way to fight the scourge of physical and verbal racism or are changes in societal attitudes most effectively attained through social policies?

### Kicking out

As background to this issue, the Cantona incident needs to be explained. He was sent-off after kicking out at a Crystal Palace player. He was walking along the touch line towards the exit to the dressing rooms when Mathew Simmons

ran down to the front of the crowd and verbally and digitally abused Cantona. He was reported as saying the immortal words. Fucking, cheating French cunt. Fuck off back to France, you mother fucker? Cantona reacted by leaping over the advertising hordings with a two footed kick against Simmons chest. He struck him a number of times before the two were parted by police, stewards and team officials.

Cantona was charged with common assault and pleaded guilty at his trial. He was initially given a two week prison sentence by magistrates, justified at the time largely because 'he is a high profile public figure looked up to by many young people'. This was commuted to 120 hours community service teaching school children football skills. Cantona's own observation on the immense public interest in his case was: "When seagulls follow a trawler, it is because they think sardines will be thrown into the sea".

Public opinion was divided as to the legitimacy of Cantona's actions. Some saw him as justified in response to oppressive and overwhelming provocation. Others argued that he should have been incarcerated, slung out of football and probably deported back to France. This is certainly not the first time a player has responded to supporters' provocation. One of the gentleman of football's history, Dixie Dean, punched an offender who had stated "We'll get you yet, you black bastard!" Reinforcing the historical

specificity of such incidents, a policeman who observed this, shook Dean by the hand and stated, "That was a beauty, but I never saw it, I mean officially or otherwise!"

There have been a number of recent incidents highlighting the vulnerability of sports athletes to attack. The stabbing of the tennis player Monica Seles, the stalking of the ice skater Katrina Vitt and the recent assault of the Glasgow Rangers goalkeeper by an Hibernian supporter, from across the sectarian divide in Scottish football, are examples of the focus that sports players can provide for spectators' frustrations, phobias and obsessions.

### Legislative adequacy

Verbal racism is more insidious, but as all black sportsmen will know, is only too real. The Cantona case highlights the issue of control of racist 'hate speech'. Is legislation the answer to the xenophobia of the like of Simmons? He was convicted under public order offences for racial hatred. He could not be charged under the Football Offences Act 1991 for indecent and racist chanting because he fell outside the scope of this legislation since his actions were solitary. Liability only occurs when in a designated football match, words or sounds are chanted in concert with one or more others which are threatening, abusive or threatening to a person by reason of his colour, race, nationality or ethnic or national origins. There have been calls for the legislation to be extended to include individual acts.

The Football Offences Act 1991 has been little used. One of the major problems is the issue of policing in the first place and there is evidence of low levels of prosecution. It can also be seen as diverting attention and resources from educational and social policy initiatives which might more successfully eliminate the causes of the problem. Football stadia have become one of the most overtly regulated public spaces. There is an increasing danger that this regulatory approach to social problems by the use of the law will create increasingly anodyne environments where freedom of expression and movement is suppressed through the law. The alternative approach is the social policy and educative approach of campaigns such as that conceived in 1993, when the Professional Footballers



Divert Trust

A scene from 'Kicking Out' performed by the ARC Theatre Ensemble, part of Leyton Orient's Football in the Community Scheme

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Association and the Commission of Racial Equality launched the 'Let's Kick Racism out of Football' campaign. Last year a second campaign was initiated in consequence of the Cantona incident. In addition many clubs have developed their own policies against racism with the 'Football in the Community' programme. Anti-racist fanzines have also developed as an informal method of campaigning.

This debate about extension and individualisation of racist hate speech on the football field, reflects the calls for creation of a discrete offence for racial attacks to penalise more stringently the recent spate of racially motivated assaults. This has not yet occurred in the United Kingdom. However in the United States, a majority of States have enacted 'hate crimes' based primarily on race and ethnic hostility. This has been done on the basis of either creating a new race hate offence or permitting the enhancement of the penalties available for existing offences in circumstances of racial hatred. In the United States one main issue has been the constitutionality of such offences in terms of the protection that even racist symbolic speech may get from the right of 'freedom of speech'. These arguments cannot be so crystallised in Britain without the focus of a written constitution.

The process of criminalisation of problems such as racist hate speech can often be used to deflect political responsibility for them, as failures of social policy. It is convenient if such incidents can be seen as a criminal issue based on individual responsibility and wickedness. Legislation has a role to play, but it should not be at the expense of other non-legal social practices.

## References

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## Football and crime prevention

### Valerie Jones

During the 1970s and 1980s the image of football was almost inextricably linked to pictures of crime, mayhem and disorder. The national game, it seemed, was in grave danger of becoming a minority pastime as spectators abandoned it, deterred by its association with violence and the number of participants also went down. At that time football meant crime and anyone suggesting that football had the potential to function as a means of crime prevention would have been regarded with the same derision as the person who suggested that Blackburn Rovers were going to win the Championship within 10 years. The very idea was a contradiction in terms.

However, events post-Hillsborough have seen a repositioning of the game in the national consciousness and football is enjoying a new popularity as a spectator sport. At the same time there is now in existence a large range of football initiatives where at least one of the aims of the project is youth crime prevention. Many of these projects have received funding from the "Communities and Football" grant programme run up by The DIVERT Trust, in partnership with the Football Trust.

### Sport and crime prevention

The popular belief that participation in sport can affect individual delinquency has a long and persisting history. This history is rehearsed by David Robins in his study of sport and crime prevention. (See also his article in this issue). It is echoed in the comments made by John Major when he was presenting his proposal for establishing Sports Academies - "They're better off playing sport than getting into trouble" and by Dr Barry Cripps the sports psychologist with the British Olympic Archery team who said: "*Sport has a role in reducing crime. If you leave kids on the street then they will get into trouble. The nature of young people is that if there's nothing for them to do then they will find something, and that is very often outside the law*".

Robins describes a whole range of schemes where sport is used as a means of crime prevention. These vary from summer activity programmes, like the SPLASH schemes, though Outward Bound type activities with offenders to Sports Counselling Projects run for probation clients. (see Keith & Julia Waldman's article in this issue).

### Football and keeping out of trouble

Within the sport of football we do have numerous anecdotal stories of the game acting to turn young people away from crime. The professional footballer Ricky Otto of Birmingham City spent time in a Young Offender Institution as a juvenile. The recently re-run BBC film about a football team for recovering drug users, which starred Lenny Henry and Robbie Coltrane, was based upon the real story of Calton Athletic Football Club in Glasgow. And there is the experience of The DIVERT Trust on the schemes which it has funded.

## The five benefits of participation in sport identified by DIVERT and others are: increased self-esteem, an improved relationship with the peer group, the productive use of time, the opening up of better relationships with adults.

The criteria for a grant under the DIVERT "Communities and Football" initiative were quite simple. Projects had to be aimed at young people who were offenders or who, because of their lifestyle or where they lived, were at risk of crime and projects had to use football as their principle method of operation. Within those criteria the grant programme was able to support a variety of schemes. There were local, estate based schemes, and little league football initiatives often run by tenants and parents in deprived inner city areas. There were projects aimed at specific groups who were at risk including a team for recovering drug users in Bournemouth, homeless young people in Stoke-on-Trent and vendors of the Big Issue in Scotland. There were



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Greenwich Community Football Unit

schemes aimed at minority groups at risk, including a girls' team from a crime ridden area of Glasgow. There were schemes run by detached youth and community workers and specific programmes for offenders, including three which were run by the probation service in partnership with the Football in the Community Officers at Arsenal, Crystal Palace and Millwall Football Clubs.

### But, does it work?

There have been few attempts to measure the effectiveness of sports projects and delinquency prevention in the U.K. and Robins' study highlights professional scepticism and academic inconclusiveness in relation to the question. However, the Sports Counselling Projects have tried to evaluate their work and their conclusions on the benefits of participation in sport find echoes in the experiences of projects funded by DIVERT.

The five benefits of participation in sport identified by DIVERT and others are: increased self-esteem, an improved relationship with the peer group, the productive use of time, the opening up of new possibilities and the development of better relationships with adults. From many of the projects which were funded came a host of stories which illustrated these benefits in action. There were the probation clients taking their football leadership badges at Arsenal "highly

*motivated in a way which they have not been in any previous sphere",* there was the young boy, violent and excluded from school whose attitude changed so much that he was made captain of the team, there were the "unreachable" young people who, under the guidance of a detached youth worker, took responsibility for raising money for their team, and the homeless vendors and the recovering drug users who autonomously organised their teams, their practices, transport and management amongst themselves, making sacrifices so that the team could play.

Although such histories have no academic credibility, they provide enough evidence for the initiatives like "Communities and Football" to receive ongoing support. No-one in their right mind would argue that football is the sole answer to youth crime. But the continuation of such schemes is based upon the assumption that a combination of factors will affect a young person's involvement in crime and that for some young people involvement in playing football may be one of those factors. ■

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- Jones, V. (1996) *Match of the Day - A*

*Step by Step Guide to Setting up Football Projects for Young People at Risk*, The DIVERT Trust.

Available from The DIVERT Trust, 33 King Street, London WC2 8JD. Price £3.50 + p & p Tel: 0171 379 6171

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