

# Scottish comedian's Nazi salute dog video was awful. But it wasn't a crime (opinion)

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Courtesy Count Dankula/YouTube

**Editor's Note:** [Marc J. Randazza](#) is a First Amendment attorney and managing partner of the [Randazza Legal Group](#). Follow him on Twitter [@marcorandazza](#), and read his academic publications [here](#). The opinions expressed in this commentary are solely those of the author.

CNN —

A Scottish comedian was literally convicted of a crime for making a joke.

Mark Meechan, of Coatbridge, Lanarkshire, was found guilty in Airdrie Sheriff Court of a “hate crime” on Monday. His “hate crime?” His girlfriend constantly annoyed him by saying how cute her dog was. He wanted to annoy her back, so [he filmed himself](#) teaching her little pug, Buddha, to raise his paw any time he said “Sieg Heil.” He also put the dog in front of a TV playing Adolf Hitler speaking at the 1936 Olympics and asked the dog, “Do you want to gas the Jews?”

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Courtesy Marc Randazza

Meechan posted the video on YouTube with the title “M8 Yer Dugs a Nazi,” – Scottish for “mate, your dog is a Nazi.” At the end of the video, he clearly says that he is not racist, but just wanted to annoy his girlfriend.



Sheriff Derek O’Carroll said in court: “The accused knew that the material was offensive and knew why it was offensive. He would have known it was grossly offensive to many Jewish people.”

Certainly, it is offensive to many people (“It is grossly offensive. It stuns me that anyone should think it is a joke,” Ephraim Borowski, director of the Scottish Council of Jewish Communities, told the court).

But in a society that reveres free speech, that has to be beside the point.

video

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The best humor is transgressive. From Lenny Bruce to George Carlin to Dave Chappelle to Sarah Silverman to Chris Rock, the best humorists have used that rich spice shaved off from the fruit of painful or taboo subjects to craft their humorous commentary.

Whether it is about the cuteness of a pug, or how foolish Hitler himself may look when addressing a canine audience, humor and discomfort must often hold hands. Break that bond and we are left with third grade knock-knock jokes and “take my wife, please” level humor.

Despite hearing from Meechan that the video was merely a joke, and he had no intent to offend anyone (aside from his poor girlfriend), he was found guilty of “being grossly offensive,” which is a violation of Section 127 of the UK Communications Act, which prohibits “grossly offensive, indecent, obscene, or menacing” electronic communications.

In a free country, the worst punishment would likely be his girlfriend yelling at him. But this happened in the United Kingdom, a place where political correctness has completely run amok. Because his actions “caused offense,” he now faces up to six months in prison.

It can’t happen here on this side of the Atlantic, you say? You would be wrong. Our neighbors to the north in Canada have certainly caught this loathsome disease. What we should all call “protected speech” has resulted in prosecution. For example, Canadian political gadfly Ezra Levant republished “Mohammed cartoons,” in Canada after they sparked unrest in Europe.

Levant stated that since the cartoons were newsworthy, it was his right to republish them. However, in 2006 he faced a complaint before the Alberta Human Rights Commission for doing so. (The case drew wide press coverage; the head of the Islamic Supreme Council of Canada ultimately dropped the complaint.)

video

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Could the United States descend into such madness? Not under the First Amendment, as I interpret it. However, this kind of craziness does not collectively spread over society all at once – it comes to us incrementally. And, we are moving in the wrong direction – if you think less freedom is the “wrong direction.”



Had Meechan been a college student in the United States, it is a virtual certainty that he would have been disciplined. College administrators, under the shroud of “intersectionality,” regularly discipline students for less.

I, myself, was once accused of “hate speech” at the University of Massachusetts for putting up a poster from the punk band the Dead Kennedys – wherein there was a swastika with a red circle and a line through it. Forget that the symbol over the swastika is the universal symbol for “anti” – someone was offended, and that was all that was required.

Our online public squares are no less subject to such arbitrary stupidity. Twitter, Facebook, and YouTube have all become increasingly bold in their efforts to suppress speech that someone there decides is “offensive.” However, there is little predictability or logic to their decisions, and they have long appeared to tilt toward protecting liberal speech while suppressing conservatives.

This does not have the same chilling effect as criminal prosecution for “offensiveness.” However, it has perhaps a stronger effect upon the marketplace of ideas. Meechan may be held up as an example, a warning to others that they should avoid being “offensive.” However, our Silicon Valley internet overlords use the same nebulous thinking and the same censorious desires to flush ideas they think they do not like.

video

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You might say “so what?” You might think that “offensive” speech is of low value, so who wanted it anyway? However, if you don’t believe in protecting “offensive” speech, you



don't believe in protecting speech at all. What you deem "offensive" could be "humorous" to someone else. And what you find valuable, can very easily wind up on someone else's "offensive" list.

With our growing tolerance for intolerance, I fear, UK-style prosecutions may be on the horizon for us. Even without them, the forces of censorship may simply make them unnecessary by suppressing all speech that someone might whine about.

I, for one, have never seen fit to teach a dog to do a Nazi salute. I am pleased that I live in a country where such foolishness is allowed. However, I fear that with a growing vocal minority screaming for freedom from freedom, that allowance may be coming to a practical end.

My beliefs can stand, steadfast, in opposition to a Sieg Heil pug named Buddha – or worse. If yours cannot, then it may be you who is the offensive one.