

Freedom of Expression

Welcome to this session of One Life. Today we are looking at freedom of expression. What is it? Do we have it? Should we have it? These are the kind of questions we are going to be looking at. And, with a bit of luck, we will even come up with some answers to these questions too.

What is freedom of expression?

As usual we will start by trying to work out what we are actually talking about. The term freedom of expression is synonymous with the term freedom of speech (or is it?) but is generally preferred these days as it does not restrict the topic to verbal speech only.

So let's look at what freedom of expression is. Wikipedia defines it as "the concept of being able to speak freely without censorship." This probably leads on to the question of what is censorship? Never the less freedom of expression would seem to be concerned with the right (and ability) to express ideas without being impeded by any restrictions be they law, dogma or social atmosphere. But this is after all a forum for debate.

What do you consider freedom of expression to be?

Do we have freedom of expression?

While of course these issues are always up for discussion, the simple answer, is no. It is questionable whether absolute freedom of speech really exists in any country. For instance, in the United Kingdom you are not allowed to incite racial hatred. You can't go around saying "let's round up Jewish people and beat them because they are evil." Nor should you. But never the less, this is a restriction which shows we do not have absolute freedom of speech.

The limits however would seem to go deeper than this. For example it could be argued that most censorship is self-imposed, but arguably not optionally so. For example, it would be unacceptable for me to stand up in front of a crowd and say "science shows white people are genetically superior to black people."

There is no law against this. Indeed, in the technical sense, I could indeed get up and say this. But I don't. Neither do you (I'm guessing). I would wager that this is probably because neither of us believe the statement to be true. Doubtless though there are people within our society who do believe this to be true.

As a general rule (I won't pretend people haven't actually got up and made this claim, even in recent years) people don't know. Whatever the reasons for this (most likely the lack of any evidence and social pressure) cause them to censor themselves.

To what extent do we actually have freedom of expression?

Freedom of expression in law

At the risk of turning this into a somewhat political debate, it is worth considering what the laws regarding freedom of expression in each country are. For this purpose we will be looking at two case studies – the United States and the United Kingdom (though the latter will cover most of Europe).

In the United States, freedom of speech is protected by the First Amendment of the constitution as well as several other laws both local and national. This is generally thought to apply to freedom of expression as a whole and applies to the internet also.

There are some restrictions however which generally focus on obscenity, child pornography, advertising, copyright, political campaigning, hate speech and slander. Other censorship exists with the United States also – it is ranked 48th in the Press Freedom Index (Iceland is number one, followed by Norway and Estonia. The UK places 24th. China places 163rd out of 169). Other censorship includes DMCA (digital millennium copyright act) and restrictions on military personnel as to what they can reveal.

To what extent does the United States have freedom of expression?

In the United Kingdom, it's questionable whether freedom of expression is in the constitution – namely because the UK has no written constitution. It's never traditionally been a cornerstone of law. However with the recent laws regarding religious hatred the law now

says that you can say what you want about an idea or religion, you are restricted on what you can say about a person however.

Recent cases have brought this to light. On one side Nick Griffin, the leader of the British National Party said some very racist things but was acquitted by the courts. Meanwhile several Islamic preachers have been banned or deported from the UK because of the hate they preach.

To what extent does the United Kingdom have freedom of expression?

Should we have freedom of expression?

Freedom of expression is often touted as an important cornerstone of the Western world and indeed is very important. It keeps people in check – without it people or organisations in power can abuse it without an outcry. People don't have to worry about what they can say. New ideas can be presented without fear.

What are the main advantages to freedom of expression?

Freedom of expression is not all roses of course. For example, do we really want people being able to say that the Holocaust never happened? Probably not. Freedom of expression allows people to spread lies, propaganda and hate.

What limitations should be placed on freedom of expression?

The internet

Few phenomena have had just an affect on freedom of speech as the internet. With open communities that anyone with an internet connection has access to, not to mention the recent rise of sites such as YouTube and blogging in general have given almost everyone in the Western world a voice and a massive audience to hear it.

This has introduced several problems however – genuine news has been replaced by bloggers who don't check their facts, hate videos can be found all over the internet and everyone has a voice – even those who probably shouldn't. The authors are no longer trusted sources and yet are often granted such authority.

What impact has the internet had on freedom of expression?

The future

It should also be worth considering what the future of freedom of expression is. Is it likely that it will continue to increase – in the very long term it seems that it has in the past. But history also shows us that such topics tend to come and go in waves (although with an overall movement to the positive side, in basically same way the stock market does).

Those who choose the side of civil rights would most likely hope that freedom of expression can one day be implemented without restrictions in a way which can actually work in the real world. But can such a way exist? The answer would seem to be that we don't know it now but hopefully it will eventually arrive.

How far do you believe freedom of expression will go?

That is of course not the only possible future for freedom of expression. Particularly with the rise of fundamentalist religious groups which do seek to suppress freedom of expression and far left wing groups which can seek to suppress freedom of expression it may well be that our freedom of expression may be reduced.

What do you believe the future of freedom of expression will be?

Conclusion

Freedom of expression is, as usual, a tricky subject. It's very important to our society and we want to make it as open as possible. But in the real world there are problems that we have to deal with which result in us being able to implement it without a complete disregard for checks and boundaries. Although perhaps someday it will.