Freedom of Speech is Not a Licence

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Confused Professor: "They have not killed anyone, hurt anyone, they have only expressed their minds..."

Citizen: "Your Abba is a dog." (Oh! *Kutta* sounds so much authentic, he thought.)

Professor: "What are you saying?"

Citizen: "This is freedom of speech. I have not killed you, hurt you. I have only expressed my mind."

Professor: "But you have hurt my feelings, and badly so."

Citizen: "And so have those who have ridiculed my religion, my Prophet (pbuh)...in writing"

Freedom of speech, as well as freedom of expression, is the 'political' right to share one's opinions and ideas. However, this right is not absolute in any country and does not cover libel, slander, obscenity, sedition, ethnic hatred, copyright violation, revelation of information that is classified or otherwise. That is why you cannot walk naked on the street; howsoever expressive you may want to be.

Unrestricted speech (and writing) will land you in trouble in any country. Going by the paradigm of even the 'free'-est (!) country, the US constitution allows imposition of some restrictions on speech by time, place, or manner. For example, a man could be punished for falsely shouting 'fire' in a theatre and causing a panic. In effect it means that (yes!) you can say anything you want, but (no!) you cannot hurt anyone.

The first democrats, the Greek Athenians, who cherished individual freedom, also prosecuted Socrates for his teachings, 'claiming that he had corrupted young people and insulted the gods'.

The International Covenant on Civil and Political Rights holds that 'everyone shall have the right to hold opinions without interference' and 'everyone shall have the right to freedom of expression...' But, it continues, that the exercise of these rights carries 'special duties and responsibilities' and may 'therefore be subject to certain restrictions ...for respect of the rights or reputation of others...' Some of us forget that just as we have rights, others have too.

In the changing world, one has to be especially careful that freedom of speech should not create religious offence and disharmony. This 'freedom' is therefore legally curtailed in some countries, such as by the British Racial and Religious Hatred Act 2006. In other words, you have to respect the religion (and other aspects) of another person, as that person will yours.

Often enough some people confuse freedom of speech as in expressing a political belief with that of venting personal vendetta. Ideally, 'criticism of the government and advocacy of unpopular ideas that people may find distasteful or against public policy' should be permitted, with exceptions that obscenity and speech that incite imminent lawless action, imminent or potential violence against particular persons, or the use of untruths to harm others by slander are not allowed.

What some persons practice is 'hate speech' in the guise of freedom of speech. Any expression (speech, gesture, conduct, writing, or display) that maligns, criticizes, and defames a person or a group based on discrimination against that person or group (including religion, sex, and race) is hate speech. It is forbidden because it may incite violence against an individual or group, or because it ridicules or terrorizes an individual or group. Therefore, one cannot just say or write anything.

The Internet is big on hate speech through what is known as hate sites. Forums, blogs, and sites often carry a particular viewpoint, and there is nothing wrong with that as long as the content does not hurt religious sentiments and/or discriminates against any individual or group.

I researched some international practices:

India prohibits any manner of expression which someone might consider insulting to his religion or which might disturb public tranquillity. Freedom of speech and expression is protected by the its constitution, but 'reasonable restrictions' can be imposed in the interest of its sovereignty, security, integrity, international relations, public order, decency or morality...

Multicultural and multi-religious Singapore has passed numerous laws that prohibit speech that causes disharmony among various religious groups.

In the UK, statutes forbid communication which is hateful, threatening, abusive, or insulting and which targets a person on account of skin colour, race, disability, nationality (including citizenship), ethnic or national origin, religion, or sexual orientation.

Norway prohibits hate speech, i.e. public statements which threaten or ridicule someone or that incite hatred, persecution, or contempt for someone due to their skin colour, ethnic origin, religion or philosophy of life.

France prohibits public and private communication which is defamatory or insulting, or which incites discrimination, hatred, or violence against a person or a group of persons on account of place of origin, ethnicity or lack thereof, nationality, race, specific religion, sex, sexual orientation, or handicap.

The European Commission against Racism and Intolerance has produced policy recommendations against anti-Semitism and intolerance against Muslims.

Freedom of speech is not a licence to insult, hurt, and abuse others. It is to be used to promote a healthy socio-political environment.

Now professor, do you know why no one can change the identity of your dad? Not even the ignorant. ■