



# Toolbox I: What is freedom of **Expression** and why does it matter?

It is always good to start a discussion with some common understanding or definition of the main concepts. Freedom of expression is broadly understood as the notion that every person has the natural right to freely express themselves through any media and frontier without outside interference, such as censorship, and without fear of reprisal, such as threats and persecutions.

**Key Concepts:**  
Freedom of expression  
Freedom of speech  
Freedom of the press

*I want freedom for the full expression of my personality*

Mahatma Gandhi  
(1869-1948)

Political and spiritual leader of India

## 1. What is freedom of expression?

Freedom of expression is sometimes known as freedom of speech. The two concepts are usually interchangeable. Freedom of expression is closely related to another concept called freedom of the press. The former covers a wider range of expression, including freedom of expression through oral speech, print or audiovisual materials, as well as cultural, artistic, or political expression. The latter places an emphasis on the print and broadcast media, especially those related to journalism and journalists.

Freedom of expression is a complex right. This is because freedom of expression is not absolute and carries with it special duties and responsibilities and thus it may “be subject to certain restrictions, but these shall only be such as are provided by law and are necessary”<sup>3</sup>. It is complex also because “it protects both the right of the speaker and the right of the listener”<sup>4</sup>. These two sides of the same right may sometimes be opposing and making difficult to be reconciled. These two rights sometimes are at a tension because it is not always easy to find a right balance between rights to dignity, safety, and privacy. Most limits are based on these tensions.

*“Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.* (Article 19, Universal Declaration of Human Rights, 1948)

*“Everyone shall have the right to hold opinions without interference. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice”* (Article 19, International Covenant on Civil and Political Rights, 1966)

The term “freedom of expression” itself had existed since ancient times, dating back at least to the Greek Athenian era more than 2400 years ago! However, this particular form of freedom of expression was actually very limited and reserved to a very small group of the population. Since then, the term “freedom of expression” has been so widely used and conceptualised (and reconceptualised) by different groups – including scholars, politicians, activists, and laypersons – that it can mean

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different things to different people, which may differ again according to the time and place. Nevertheless, the following are some of the most commonly agreed upon definitions of freedom of expression that are considered as valid international standards:

*“Freedom of expression, which encompasses the right to ‘seek, receive and impart information and ideas of all kinds’, includes both the right to impart or express information and ideas, and the right to access information “ (International Society of Human Rights)*

## 2. Why does freedom of expression matter?

There are many reasons why proponents of freedom of expression care so much about it. While there are myriad of opinions concerning freedom of expression, at the core of the matter there is a consensus that countries and their people can only truly progress and develop if there are free and open outlets of expression. Also, on a psychological level, it has been argued that need to express ourselves is a universal human condition—and we humans have been expressing ourselves for a very long time.

### Quick Question:

**Do you think you have freedom of expression? When was the last time you exercised your freedom of expression?**

In general, freedom of expression matters in four important ways<sup>5</sup>. First, freedom of expression is “essential as a mean of assuring individual self-fulfilment”, and for individuals to reach their full potential. The second is the search for truth and the advancement of knowledge; in other words, “an individual who seeks knowledge and truth must hear all sides of the question, consider all the alternatives, test his judgment by exposing it to opposition, and make full use of different minds”. Third, freedom of expression is important for people to be able to participate in the decision-making process, especially in the political arena. Finally, freedom of expression enables a society (and country) to achieve stability and adaptability. Short term suppression of the freedom of expression can ultimately be secured by brute force, but such actions

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breed instability because the society becomes rigid and unable to adapt to changes.

Freedom of expression issues are multi-faceted and complex. On the one hand, there are situations that are easy to define and categorize. An example is where the dominant group

### What does it mean?

Article 19 of the UDHR means that you have the right to have your own opinions, and also to express them. You should be able to share your opinions with others through any ways or format, including people from other countries.

As we move through the Toolkit, we will come back to these definitions from time to time to see how they can be applied to actual cases of freedom of expression.

in a society bans public expression of certain views by enacting laws or by intimidation, simply because those views go against the norm of the powerful. On the other hand, there are situations that are subtle and nuanced, so subtle in fact; that even the oppressed group may not know they are being denied their freedom of expression. We will discuss these scenarios and many others with real examples as we continue through the Toolkit.

At present, most individuals exercise freedom of expression to varying degrees. You experience freedom of expression when you express your preference for a cup of coffee instead of a cup of tea. You may even openly criticize the drink as much as you want in most cases—for being too sweet, too cold, too bitter, too bland, etc. Likewise, you express your artistic freedom when you draw a picture of a flower in your garden. These are relatively innocuous expressions which very few people, if any, would be troubled by.

Things change, however, when you express your preference for one politician over another, or when you criticize the legitimacy of a particular religion. You may even get into a lot of trouble for painting the picture of certain racist symbols or religious figures and start uploading them to your webpage or blog. In fact, people have been reprimanded, attacked, sued, jailed, and even killed for expressing such things.

### What is the difference between the different types of expressions?

The consequences between drawing a picture of a flower and a picture of a religious figure are different because we as people assign different values to them<sup>6</sup>.

The drawing of a flower is regarded, understood, and valued differently from the draw-

ing of a revered political or religious figure and subsequently they are treated differently. Each community often assigns a different value to different objects, individuals, and even ideas.

Although the Toolkit is about freedom of expression in general, the majority of the examples and case studies are concerned with freedom of expression in the context of politics, religion, culture, and the press. This does not necessarily mean that the freedom to paint a picture of a flower is less important than the freedom to talk about religion or politics, but simply that religious or political issues attract far more scrutiny and threats than criticizing one's artistic rendition of flora, or a poorly brewed cup of coffee. This Toolkit aims to enhance our understanding of freedom of expression on critical and sensitive issues, and also in identifying the right conditions or the enabling environment for the promotion of freedom of expression as well as potential threats to the very same freedom.

## Toolbox I Summary

How would you define freedom of expression? Create your own definition of freedom of expression.

How often do you think about your own freedom of expression? When was the last time you exercised your freedom of expression?

What are some of the interchangeable terms/phrases for freedom of expression?