



Freedom of Expression

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Alexandria, EGYPT

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INTRODUCTION TO THE SERIES

The idea of publishing this series started a few years ago. It was in response to the pressing demands of many to have written copies of speeches that I have had the honor to deliver on various occasions, or to seek reprints of chapters that I had devoted to particular topics in publications that may not be available to that particular audience.

The speeches covered many topics, and therefore I felt it appropriate to group them by topic. Each of these booklets deserved its own introduction, explaining the circumstances of the speeches and articles provided there and why they were grouped in this particular fashion, to bring a semblance of coherence to words, which at their inception, were not intended to be read as a single continuous text. I believe that they are readable, both individually and as a collection, with little difficulty.

However, as we progressed in the publication of these booklets, another issue came to the fore. Some of the essays or speeches fit naturally in more than one grouping. Addressing “Women in Science” could, and should, be part of a collection on *Science*, as well as a collection on gender issues. I therefore decided to include it in both, on the assumption that readers

of one may not be readers of the other. In some cases, and “Women in Science” is such a case, this was complementary to the production of a stand-alone monograph, due to the demand for this particular piece.

All these essays, speeches, chapters, or monographs are available electronically, online on my personal website (www.serageldin.com) as well as the website of the Bibliotheca Alexandrina (www.bibalex.org). Many, however, prefer the convenience of the printed form of the book. I believe it is a wonderful companion, which will continue to co-exist harmoniously with its electronic counterpart for a long time into the future.

Ismail Serageldin
Librarian of Alexandria
Director of the Bibliotheca Alexandrina

April 2007
Alexandria, Egypt

INTRODUCTION

It is with great pleasure that I find these four speeches going into print. They reflect our unwavering commitment to Freedom of Speech (broadly defined) which we see as the fundamental freedom that must be protected. For without free speech, there is no free flow of information, no accountability and no responsibility. Speaking truth to power remains the single most important task of the intellectual in every society.

In the past, the battle lines were easy to draw. A central authority was being challenged in the name of the inalienable right of the people. The domain of free speech had to be extended. Today, after the turbulent twentieth century, with its genocides and its wars, with its hatreds and its violence, we pause at some points. Does it make sense to protect those who use the banner of free speech to encourage hatred and incite violence against minorities? Does a Hutu radio station broadcasting the locations of Tutsis to be killed in Rwanda deserve to be protected as free speech? What about those who would use taxpayer money to subsidize works of art that are fundamentally offensive to the majority of the taxpayers concerned? The complexity of modern life within

the inter-connected world in which we live has raised many complicated issues, and developed lights and shadows on almost any issue.

The four speeches appearing in the following pages reflect four different moments in the history of the BA and of our Euro Mediterranean relations. The *first*, entitled “the First Freedom” was delivered in 2004 at the time of our launch of the Banned Books project in Egypt and the Arab world and where I explored some of the subtleties of contemporary issues. The *second* was at the IFLA conference in Oslo, August 2005, and raises questions about hate speech. The *third*, entitled “Accumulated fuels and dangerous sparks”, was an article that appeared in digital form in early 2006 at the time of the great cartoon controversy which exploded in late 2005. The *fourth*, a speech delivered on the occasion of a centennial celebration of Ibsen, in late 2006, is a plea to recognize the danger we are facing, with a rising current of obscurantism, fanaticism and xenophobia, that is actively trying to curtail our freedoms. Thus in addition to the traditional fears of government censorship, there is the new phenomenon of self-appointed censors of free speech in many societies. In some ways, the political pressure of social and religious groups in any society can prove lethal to free speech. They may force a form of self-censorship that can be more damaging and more

insidious than the formal government-organized censorship that every society has been used to from time immemorial. The last of the four essays is a call for all those who care to join in the protection of free speech, even that speech which we do not like or appreciate. For in the end, it is free speech for all, or it will be free speech for none.

As the reader shall see, I come down on the side of free speech every time. I also demand that greater social responsibility be demonstrated by those exercising their right of free speech. I want a tolerant, engaged societal consensus that would protect minorities and reject stereotypes. Above all, today, as these four essays go to print, I am struck by the fragility of the protections for free speech. Never have we needed free speech more, and never has it been so much at risk. Yet, I remain confident in the future. For those that oppose us are marching against the tide of history. The whole history of humanity in the last four hundred years is one of expanding horizons for the range of human expression, as we expand the choices of people, those choices that give meaning to liberty.

Ismail Serageldin
Librarian of Alexandria
Director of the Bibliotheca Alexandrina

April 2007
Alexandria, Egypt



THE FIRST FREEDOM

Opening address to the
International Conference on
the Beacon for Freedom of Expression

Bibliotheca Alexandrina
18 September 2004

Why Freedom of Expression?

Today, the Library of Alexandria lives again. By our gathering and our commitment, we represent the values that the Ancient Library stood for. By our presence and our actions, we give content to the slogans and take firm steps on the path of asserting the principles we stand for.

Freedom of expression is today recognized as a universal gain. It was not always so. Even in the golden age of ancient Greece, Socrates was put to death, and Plato's republic was an Orwellian nightmare. The last few millennia have been one long struggle for the acceptance of human rights, of expanding the scope for freedom of choice and of action ... all of which would not have been possible without the freedom of expression, gained slowly and at great cost, and persistently defended again and again, at all times, in all places, against

the incursions that are constantly waged against it by the forces of societal repression.

We value freedom of expression above all other freedoms because it is the foundation of self-fulfillment. “The right to express one’s thoughts and to communicate freely with others affirms the dignity and worth of each and every member of society, and allows each individual to realize his or her full human potential. Thus, freedom of expression is an end in itself—and as such, deserves society’s greatest protection.”

American Civil Liberties Union (ACLU)

Without free speech, no search for truth is possible, no discovery of truth is useful, and no progress is possible. Without freedom of inquiry, and of expression, there can be no scientific advancement. Freedom, as much as imagination and boldness, is at the heart of the search for the truth and the attainment of knowledge. The history of science is replete with official repression, from Hypatia to Galileo. Even today, there are those who would restrict the teaching of evolution, or dismiss the findings of genetics.

It is necessary to any viable system of self-government. If people are to make decisions and elect their government, if they are to check its excesses and root out corruption, they must be well-informed and have access to different ideas and points of view. Mass ignorance is a breeding ground for

intolerance and bigotry, which in turn leads to oppression and tyranny. John Stuart Mill, contended that enlightened judgment is possible only if one considers all facts and ideas, from whatever source, and tests one's own conclusions against opposing views.

Freedom of expression is needed, because there is no telling when a minority view—often considered “bad” or socially harmful—will become a majority view ... So much of what we take for granted today, such as independence for the colonies, abolition of slavery, universal suffrage, basic human rights and women's rights not to mention children's rights, were all once considered dangerously seditious. In the end, only ideas defeat ideas. Victor Hugo is quoted as saying that invading armies can be defeated, but you cannot defeat an idea whose time has come! Society benefits by having a marketplace of ideas.

Finally, expression is not just in language, in its spoken or written form. It is also in the language of art as much as of science. That is why Egyptian Law No.1 for 2001 concerning the Library of Alexandria, Article 1, stated that [the Bibliotheca Alexandrina (BA) should be concerned with] “all products of the human mind, in all languages, from all cultures, ancient and recent.” It recognizes the language of music and painting and sculpture as much as the language

of words and sentences. The BA is dedicated to all forms of expression.

Egypt Today

The New Bibliotheca Alexandrina was born in Egypt during interesting times. Much has been done to liberalize the climate of debate and discussion in Egypt, and much remains to be done. Compare the situation in Egypt today with what it was like in the 1980s. Just in terms of numbers:

- Licensed newspapers increased from 27 in 1982, to 504 today, not counting about 1100 journals (of which approximately 585 are scholarly)
- Radio and broadcasting channels went from 106 in 1982, to 529 today
- Public TV channels jumped from only 2 in 1982, to 32 today, in addition to 6 privately-owned channels.

Of course, today, TV channels from all over the world are available on cable and satellite, and the number of choices that one has to access news and entertainment is enormous.

However, the real revolution is happening on the World Wide Web. From 1996/97 to 2004, the number of websites located in Egypt (ending in “.eg”) increased from 591 to 24,226, while the number of ISPs rose from 40 to over

200, and subscribers went from 75,000 to 3.3 million. I will have more to say about these other forms of expression: Broadcasting (Radio and TV) and the Internet.

Just let me add that the number of books published in 2003 was 7675, and in 2004 from January to August, over 5000 books have been published.

There is a wide margin of freedom of expression, and governmental legal censorship is light by any standard. Nevertheless, a vigorous form of political and intellectual censorship by self-appointed groups is effectively curtailing the full use of the available freedoms. Different segments of society are struggling to set the boundaries of the permissible and the acceptable. This is a struggle that must be joined on the side of liberty and freedom of thought and expression by all caring individuals. In its essence, it is no different from the ongoing struggles that all societies confront at all times.

Societal Quandaries

If societies have increasingly come to accept that freedom of expression is beneficial and should be protected, they have also sought to limit it in various ways. This is true in varying degrees of all societies. It holds for France and the United States, as much as for Egypt and other Arab countries. My colleagues and I have prepared some thoughtful studies on

issues of censorship in the Arab world and have documented some testimonials and case studies of interest.

Leaving the extreme cases, it makes sense to consider what form of boundaries, if any, should be placed on free speech. Most societies legislate to strike a balance between the interests of the community and the rights of the individual. That boundary is never absolute. Recall the words of American Justice Holmes “The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing panic”.¹ However, most cases are seldom so clear-cut!

Since we are talking of books and art, let us focus on a few of the key cases that have been much in the press in Egypt in the past few years, specifically the issues of the presence of books in libraries as opposed to distribution, and the right of the artist to have the state subsidize their work with taxpayer money.

Those concerned with this issue inevitably cite the cases of the storm over the book of *Haidar Haidar* (*A Banquet for Seaweed*), the case of Maxime Rodinson’s book on Prophet Muhammad (*Peace Be Upon Him*) at the American University of Cairo (AUC) and the three books that were being

¹Oliver Wendell Holmes, Jr. (1841–1935), Supreme Court opinion, *Schenk vs. United States*, *Baer vs. United States*, 249 US 52 (1919).

published by the Ministry of Culture and were withdrawn under a barrage of objections. All of these cases are real, but are rather misinterpreted.

In every society, there is an ongoing debate about the boundaries of the socially acceptable, especially for schools and for taxpayer-supported activities. Thus the United States, considered by most journalists to be the paragon of free speech, saw a vociferous minority effectively block the teaching of Darwin in the State of Kansas. This is less than ten years ago, where for two years evolution was not taught in the schools of Kansas until the governmental decision was rescinded as a result of a direct campaign by American scientists. School districts in Florida and Texas have raised questions about the suitability of J.D. Salinger's *Catcher in the Rye* and the appropriateness of the image of blacks in Mark Twain's *Huckleberry Finn*. Efforts to ban these books from the schools and from the shelves of the public libraries continue to this day.

Regardless of the merits of the cases concerned, they all highlight the fact that society makes a distinction between what is the right of Twain or Salinger to write or say, and what is appropriate to be in a school curriculum. The question of Rodinson's biography of the Prophet Muhammad (*Peace Be Upon Him*) falls into the same category. Whether

the AUC, as a private institution should be forced to abide by a majority view, or even to take into account the views of irate parents or even of the Minister of Higher Education, is another matter.

The objections of the majority, or even a vocal minority, to what they deem to be offensive in what others consider to be works of art is as old as art itself. The church fathers found Michelangelo's Sistine Chapel offensive, and even forced some additional painting to cover the genitalia of the nudes. That gesture is today viewed with derision, but in its day, it reflected a timeless conflict between conservative views and art. More recently, in the United States, the conflict over what constitutes art, and what is acceptable to view in public, has been tested all the way to the Supreme Court, leading to the famous statement by Justice Potter Stewart that while he could not define pornography legally, he could recognize it when he saw it. The inherently subjective boundaries of the acceptable are defined by communities differently at different times and different places. This is a societal function, where the rights of the minority view to exist, does not mean that the majority has to condone it or support it. All societies try to protect children and the weak from "inappropriate material"... That is why we have ratings to guide parents

taking children to films, but we do not forbid the production of the films.

However, should the State (with taxpayer money) subsidize the production of works that are inherently offensive to the vast majority of these taxpayers?

That question was brought into vivid relief in the USA by the cases of the Maplethorpe exhibit and the Seranno sculpture. In the 1990s, Robert Maplethorpe's portfolio of pictures, largely erotic and homosexual, was deemed pornographic, and the Corcoran gallery cancelled the show under intense pressure, while Serano's *Crucifix in Urine* resulted in a debate in congress on the appropriateness of using taxpayer money to support activities that were deemed offensive by the vast majority of those paying the taxes. That is the same issue that underlies the question of the three books withdrawn by the Egyptian Ministry of Culture under intense public pressure.

Indeed it is relevant to highlight that [in *NEA vs. Finley et al.* 1998] the Supreme Court of the USA found that not being funded by the State for your artistic project does not constitute a first amendment breach against your freedom of expression. What about cases where the State effectively controls most of the forums of expression?

Finding a balance between the wishes of the majority and the rights of the minority is what it is all about. The same situation arises in other contexts and other countries as well. The questions are difficult to answer, and every society has to define its own boundaries.

Yet, this is not a case of moral relativism, for no society should be allowed to define its own boundaries in ways that infringe upon the fundamental rights of the minority. Any local perception of boundaries must, at a minimum, respect what has been defined in the universal declaration of human rights. The universal declaration represents that core set of rights that individuals possess by virtue of being human, without regard to the society to which they belong. Not all great democracies can pass that test either: the USA still favors the death penalty and a number of European countries have refused to extradite persons to the USA for that reason.

Back to the issues of censorship. In the case of the United States, the questioning of the use of public funds to finance artistic products that the majority of taxpayers find offensive is no different than the questioning of the Egyptian Ministry of Culture about its publication and distribution of three books that many Egyptians find offensive. The case of the pressures exercised on the Corcoran gallery to cancel the Maplethorpe

exhibit are the same as the pressures exercised by segments of society in Egypt to withdraw from circulation the *Haidar* book. The pressures on the Kansas schools to forbid the teaching of evolution, and the public school reading lists and public library shelves under assault from conservative forces in the American society are no different than the Egyptian conservatives assault on the AUC curriculum and the public distribution of books they find offensive. In the case of the USA, the sources of the conservative wing tend to be Christian, while in Egypt they tend to be Muslim. It is to be expected given the religious affiliations of the majority of the population in the two countries.

These clashes over boundaries are really clashes between the conservative and liberal wings of any society, and tend to be fought over time and again.

There can be no question as to my personal position on these issues. Our presence here attests to our collective commitment to freedom of expression.

One more societal quandary must be mentioned. The new media, from TV to the Internet are amazingly ubiquitous. They effectively can intrude into our living rooms, in our very homes. The chance of exposure of the very young to materials that we as parents may not consider them ready to see, or to have them preyed on by pedophiles, is real. It is a

different matter than saying that if you do not like a book, you do not have to buy it, or that if you do not like a movie, do not go to see it. Yet, freedom of expression is as important in these new media as anywhere. We must defend it even there. It is here that parental involvement and guidance may be more important than direct government intervention. Definitely some wise balances will have to be tracked. It is a societal quandary for the new century.

Let me address a bit the more insidious form of censorship that forged in the crucible of religious or political intolerance and societal indifference or acceptance.

Indirect Censorship

The public discourse in any country is dominated by the views of the majority, which in times of stress can be whipped up by an active minority to a high degree of intolerance. This has been seen in the USA following the disastrous monstrosity of 11 September where the Patriot Act was passed and sweeping powers granted to the Government, raising questions of basic civil and political rights so cherished by Americans and enshrined in the American Constitution and its Bill of Rights. It is found in other societies as well.

In Egypt today, the climate of concern, and the general feeling of anger and frustration with a world that seems to

many Arabs and Muslims to be hostile to the aspirations of the entire Muslim and Arab peoples, leads many to seek a lost purity and a sense of security in a golden mythical past. This forces a discourse where deviations from appearances of religiosity and adherence to the prevailing political views of the majority is severely sanctioned socially and in vehement political attacks, and even occasionally in physical threats, abuse and even assassination. It takes courage to stand up for the contrarian view. Frequently, people give in to this tide of obscurantism and xenophobia and undergo a self-censorship that is as draconian as any that is imposed by the State.

It is here that principle must triumph over pragmatism. It is here that ideas of tolerance, rationality and pluralism must be advanced and defended. It is here that the BA stands as a rallying point for those who support such values.

Libraries have a major role to play, and the BA has an especially relevant role to play here ... The availability of this material somewhere is not only needed for the collective memory of a society, or even for a balanced view of the world, it is very much what people expect of libraries. Libraries are the champions of freedom of expression, because it is their vocation to be custodians of the products of the human mind. Indeed, it is not surprising to note that the Boston Coalition for Freedom of Expression, which started offering awards in

1990, gave its first award to the ACLU, and its second award to the American Library Association.

I recently answered a question by someone concerned about whether an offensive book could be found in the Library, and why it should be there. My answer was that there is a difference between the availability of material sitting passively in a library and the active distribution of material to the public. There is a difference between scholarly gatherings and mass events. Besides, if that concerned person wanted to write a rebuttal to that book he found so offensive, where would he go to find a copy, if not at a library?

Indeed reference libraries, such as the Vatican Library, held copies of all the banned books, even at times when people were being burned at the stake for reading these banned works!

The real issues of censorship: from Taha Hussain to Nasr Hamid Abu Zeid, are not so much government actions or the legislative climate, even if that can certainly be improved ... The real issue is in the intolerance that permeates a society, the unwillingness to recognize that the only legitimate way to defeat an idea is with another idea, not by harassment or banning of books.

The BA is committed to help create this space of freedom for dialogue between individuals, cultures and civilizations.

Banned Books

The Banned Books of the world represent a strange mixture of great classics and marginal and obscure works. Yet, they have succeeded at some level to challenge the conventions of their times and place and to force people to think ... even if to reject the offending material ... Such books represent an important research resource for scholars from all over the world, and the affirmation of the importance of their presence somewhere is an affirmation of the importance that we attach to freedom of expression. In the end, it is offending speech that needs protection, not acceptable speech. Societies are well-served if they remember that and recall Voltaire's dictum "I may differ with your views, but I am willing to lay down my life to protect your right to express these views I disagree with"...

Today, at the BA, with our distinguished visitors and many friends, we assert that right by housing a bibliographic listing of all those books.

Today, by our international conference we assert our commitment to freedom of expression.

Today, in a world riven by hate, suspicion and war, we affirm the vision of the BA as a place of openness, dialogue and understanding.

Today, we confirm that scientific research as much as artistic expression require freedom.

Today, we assert once more that freedom of expression and democracy are indivisible.

Today, remembering our annual display of the World Press Photo exhibition in our Main Reading Hall, we underline our link to the press of the world and to the mirror that they hold to our societies where we still spend 14 times more on military than on development.

Today, the BA stands proudly to house the Beacon for Freedom Project and the Arab Reform Forum, and we look forward to working with all like-minded persons to advance these goals...

The Dawn of a New Era

As we look into the past history of humanity: banned books and works of art have been part of the long struggle for emancipation. We have discussed the special role of libraries in this matrix of issues that each society struggles with ... Today at the BA, we are also conscious that we need to open up the windows, and in the words of Gandhi, engraved under his bust in the Library:

“I do not want my windows to be stuffed ... I want all the cultures of the world to blow about my house freely, but I refuse to be blown off my feet by any.”

We are at the dawn of a new age, where the digital future beckons, and calls to us into lands unknown ... Where copyright and legal issues will be different, but where the greatest dreams become possible ... To have all material available at all times from anywhere to everywhere ... The Internet will make this possible ... and the BA is proud to be the only existing back-up center for the Internet Archive outside California. The new revolution in ICT makes practices of the past moot, and confounds old legal definitions of what is published publicly and what is private ... Whether this new world will be a libertarian jungle, with no rules other than the market remains to be seen ... The market is a good servant but a bad master...

This is the task for the future ... To create some order out of chaos, to make the valuable more readily accessible, while seeking to protect the rights of all to freedom of expression ... To build this new digital world of connectivity and content, we must go forth and fashion the wise constraints that make people free...



CHALLENGING CENSORSHIP, DEFENDING FREEDOM

Opening remarks delivered at the
**International Federation of Library Associations and
Institutions (IFLA)/ Free Access to Information and
Freedom of Expression (FAIFE) Conference**

Oslo, Norway
11 August 2005

I am honored to be with you in this event celebrating the greatest of human virtues: the respect for free expression. Without it, we cannot survive on this planet, speaking hundreds of languages, holding a wide range of political opinions and displaying a bewildering array of social attitudes and cultural attributes. Our creative diversity—if it is to survive the growing interaction between peoples—requires that tolerance become inbred, and further that it must be nurtured to go beyond acceptance of the principle of freedom of expression to the commitment to defend that right for all those with whom we disagree.

It is precisely offensive speech and obnoxious views that require protection in the name of freedom of expression. Surely conventional thoughts and mainstream speech do

not require protection, because they are so acceptable to the majority.

I will not belabor the point as to what constitutes free expression as that has benefited from several centuries of debate with generations of free spirits willing to put their well-being and even their very lives on the line to defend the crucial rights that we now have learned to take for granted. Today, it is expression in any medium, including and especially the Internet, and using any form of expression, be it language, music or the arts.

Such rights need to be defended again and again. The natural response of society every time it feels threatened is to stifle dissent and restrict the hard-won freedoms of its citizens in the name of national security and the public good.

In these perilous times of international terrorism, permeable borders, global markets, and the all-encompassing Internet, there is enormous attraction in the argument that to protect against the horrific misdeeds of extremists, each of us has to give up a little bit of our comfort, a little bit of our privacy, a little bit of our rights ... We willingly accept. Who denies the need for searches at the airports, or the screening of luggage before we board the airplane?

In these perilous times of international terrorism, where information is so freely available, where the availability of

weapons is so pervasive, where payment for the arms can be cleverly hidden by dummy accounts in the most God-forsaken places ... does it not make sense to ask citizens to subject their financial transactions to additional scrutiny? To catch the terrorists as they are getting prepared to finance their deadly operations. We willingly submit to a little more exposure of our affairs, a little more reduction in our privacy. Let a more knowledgeable government protect us by limiting the action of those madmen. Who would deny that good intelligence to prevent criminal acts of mass murder is indeed preferable to awaiting the horrible unfolding of heinous crimes and then trying to track down the perpetrators and punishing them? Prevention is always better than cure ... Or is it not?

Regretfully, in our concern to curb terrorism, we sometimes are willing to give up too easily the hard-won freedoms that we have come to take for granted in the democratic societies of today. Protections against unreasonable search and seizure, guarantees of due process, even *Habeas Corpus*, are all subject to being temporarily suspended. The emergency demands it. National security requires it. From there it is but a small step to acquiesce in questioning the talk of people and even their private reading material and their thoughts as being dangerous, for if they think it, they are likely to do it. Who is to judge which thoughts are acceptable and which

are not? Can we possibly forget that our hard-won freedoms, our rights of citizenship, are all based on freedom of speech and freedom of thought?

In these perilous times, we must remember that many of the rights that we hold dear were once considered seditious thoughts. Consider questioning the divine right of kings, ending colonialism, ending slavery, the right to vote, the rights of women, religious freedom were all considered dangerous, unacceptable thoughts when they were first advocated by visionary thinkers. So let us today celebrate these hard-won freedoms and rededicate ourselves to the defense of the most important, the first freedom, the freedom of speech in its broadest sense, whether it is expressed in terms of the spoken or written word, or through the language of music and art, whether the medium is the printed page or the electronic web.

Freedom is not license. It involves responsibility on the part of those who exercise these rights of free speech. So where do the boundaries of free speech lie? Obviously, there must be protection of the rights of others. Not just by protection from slander and libel, but from the incitement to hatred and violence. We must remember that the promoters of hate use speech to create the climate where large scale persecution

can take place. We see this happening in so many places to this day, that it requires a brief pause in this paean to freedom of speech.

The Rwandan genocide reminds us, like the holocaust before it, that to move to the large scale persecution of a people, to wage ethnic cleansing and even genocide against them, the future criminals must first start by identifying the group they intend to attack and ascribe to them collective characteristics (they are all liars, thieves, unclean, etc.). Note we are not talking of a person as being a criminal or a group of individuals being thieves ... The telltale point is when the negative qualities are ascribed to an entire group of disparate individuals ... The next milestone on the path to disaster is starting to define them as not being human (they are cockroaches ... They are subhuman...) and then de-humanizing the enemy. Eventually defining them as “the enemy”... They no longer have an identity, a culture ... They are collectively the enemy, and the enemy must be extirpated, it must be destroyed. Notice how smoothly one shifts from “they” to “it”.

Notice how every army in the world uses such euphemisms to describe their opponents and the actions they intend to take. They refer to “the enemy” that must be “taken out” or “destroyed”. They always avoid the use of the words like

“kill” or “murder”. Orders are given to “cut off the enemy’s escape routes and pound them with ordnance, take out their forward position and then destroy the main concentration of enemy forces”. No commander would dream of saying about the enemy “reflect that our opponents are young men and women who have parents and sons and daughters and families who love them, and who have probably been drafted into service by a government that they probably do not know” and now we are going to “box them into a trap and then unleash the power of our weapons and murder a large number of them and maim the rest and we will call that a victory for our side ... More, we will call it a glorious victory for our flag”.

Orwell warned us of doublespeak, and the misuse of discourse to create illusions that can hide reality from the people.

We cannot tolerate that such social destruction be wreaked upon the wretched and the defenseless. Hate-mongering and incitation to violence against minorities must be reigned in. We must ask for social guarantees as well as the personal guarantees that libel and slander laws provide. Yet to do this, I believe that we need more free speech, not less. We need to be able to speak truth to power, to ensure that alternative voices are not silenced, that judicial restraint be arbitrated

in independent courts. We need the information that would unmask such Orwellian doublespeak to be available to all.

Society will thrive with more freedom of access to information. There is nothing that can destroy the rot of corruption, whether financial or moral, as much as the light of open scrutiny. That is why all tyrants fear it, and all those who seek to cross lines and know they are unjust avoid it. That is why executive power often resorts to censorship.

Today, as we approach the second part of World Summit on the Information Society (WSIS), it behooves us to remember freedom of access, as well as freedom of expression, as we discuss the technological marvels of information and communication technology. The power of public opinion is not to be underestimated. It needs to be given the facts, including the facts about censorship.

It is here that greater cooperation between NGOs and Civil Society Organizations can help safeguard the available documentation of censorship, as greater efforts are deployed to document it wherever it exists. As librarians dedicated to the collection, preservation, organization and dissemination of knowledge, we must be at the forefront of the institutional battles that help define the roles and responsibilities of NGOs and Civil Society Organizations in this new era of the Internet.

Let us try to ensure that equity and fairness are not forgotten and that large segments of the human family are not by-passed in this ICT revolution simply because they are too poor and live in the developing countries.

I say: Let freedom reign, let information flow, let all views be heard.

Let us also place warning signals as to how these freedoms should be exercised. Persons should be held responsible for what they say. Responsibility and accountability go hand-in-hand; they are two sides of the same coin. Freedom without boundaries is license. Let hate mongers beware ... We will not let you use the cover of freedom of expression to do your dastardly work. Let the oppressors beware ... For we will not let you use the cover of national security to muzzle dissent and the contrarian view. Let us reason together. Let us, together, design the wise constraints that make people free.

ACCUMULATED FUEL AND DANGEROUS SPARKS

Reflections on the Cartoons Controversy

The recent cartoon controversy that engaged the world showed that there was a profound gulf of misunderstanding between the Muslim world and the West. To many in the West, the publication of some offensive cartoons about the Prophet Muhammad (*Peace Be Upon Him*) in a Danish newspaper, and their subsequent reprinting in other Western papers, was just a matter of free expression and did not justify the anger that swept the Muslim world resulting in violence, death and destruction of properties and attacks on the embassies of countries traditionally friendly to the Arab and Muslim worlds, not to mention a boycott of Danish goods.

I believe that this sad affair shows several major misunderstandings—on both sides—that need to be clarified.

Accumulated Fuel and Dangerous Sparks

First, the enormous resentment that Muslims feel towards the West generally, and the USA particularly, is not fully understood or appreciated in the West. Even though this particular incident did not involve the USA, and that by

and large the American media response to the cartoons controversy was very balanced, there is much in current US policies that feeds this resentment towards the West. However, that resentment runs deep, and it is accompanied by a feeling of victimization that calls on memories from the crusades to colonialism. That feeling is exacerbated by perceived Western double standards in treating human rights issues in Palestine and the continued Israeli occupation of territories conquered in 1967. In addition, there is in some Arab and Muslim countries a deep sense of frustration at what they perceive to be the inability of their governments to respond to their aspirations or to stand up to the West. This resentment and deep sense of grievance has been accumulating like a dangerous store of combustible fuels. The cartoons provided a spark that triggered the explosion of anger and the ensuing fires, literally and metaphorically, on a global scale. There were also those who actively fanned the flames to advance their own political agendas. On the whole, it is a misunderstanding by the West to try to measure the result to the size of the spark, without trying to understand the accumulation of fuel.

Indeed, just a few months back, the explosions in the French suburbs that resulted in 18 days of rioting and curfews, did not have a spark that justified this reaction.

The accumulated sense of marginalization, of the unfulfilled promise of the western lifestyle, distinct feelings of being second-class citizens, unaddressed grievances and other issues all provided an accumulating stock of fuel, waiting for the right spark to ignite it into a roaring blaze.

In the USA in the 1960s, starting with the Watts riots and subsequently affecting many urban centers, blacks revolted and burned down entire areas of major cities, again with minimal sparks but with vast reservoirs of resentment and unmet demands for justice and equality.

So, the first misunderstanding is that it is the accumulation of fuels and not the spark that must be addressed. What is essential is to drain away those fuels and air out the receptacles that held them. That is exactly what the long and arduous work of those who promote the “Dialogue of Cultures” and the “Alliance of Civilizations” is all about. It is not just to confront a thesis of the clash of civilizations with another thesis that we are committed to these tasks. Rather, we work at it because of a genuine belief that we must work together to address the real grievances and dispel the misunderstandings and build a real basis for our collaboration between the West and the Muslim worlds.

There is no other way. The West is the rich, powerful part of the world population that controls the bulk of the world’s

wealth, and Muslims constitute over a billion people on this planet. Neither can afford to ignore the other. Furthermore, Islam is rapidly growing into the second religion in many western countries, and the growing communities of Muslims in these countries cannot be turned into targeted minorities. Far from showing that there is no possibility of dialogue between cultures or of alliance between civilizations, this episode highlighted the very real and urgent need to address the stock of grievances, and dispel the misunderstandings and change the policies that are contributing to this gulf of suspicion and to build a coherent framework of mutual respect and constructive collaboration for the construction of a better world for all.

The second misunderstanding is about the centrality of the Prophet in the Muslim consciousness. It is difficult to communicate to non-Muslims the sensitivity of this issue. Indeed, there is a reverence for the Prophet particularly, and more generally for all prophets mentioned in the Bible and the Quran, a reverence that does not allow for jesting. Indeed, in discussions with some of my co-religionists, when I pointed to some cartoons in the Arab and Muslim press that would be considered frankly anti-Semitic, the response was telling: these were cartoons of people, whether Israelis or Jews more generally, but there would be no cartoon about the Prophet Moses.

On Lessons of History and Double Standards

In the West, given the specificities of the history of the different countries there, it is probably easier for people to make cartoons of Moses, Jesus or even an anthropomorphic God, rather than make anti-Semitic cartoons showing Jews with crooked noses and bent backs, and promoting once again the stereotypes that led to the monstrosities of pogroms and the Holocaust.

To Muslims that is another example of double standards. Why is it possible to pass legislation that would ban attacks against Jews and forbid denial of the Holocaust and consider that this is compatible with free speech, but defend offense to Islam and Muslims in the name of free speech? Why is there a blasphemy statute on the books in the UK that tends to be extended to other non-Christian faiths but not to Islam? Or why is the ban against hate-mongering extended to some communities but not to Muslims?

It is difficult for many Muslims, whose history has not brought them into contact with the darker aspects of World War II, to understand the depth of the Nazi horror and the feelings of profound revulsion, fear and guilt that many European countries feel towards that sinister chapter of human history. To some, as in Egypt, the face of Germany in World War II was that of Erwin Rommel, the dashing leader

of the Africa Corps, who was, and still is, widely respected as a soldier among the allies themselves. He is the one who was pushing the British back, at a time that the British occupation of Egypt continued. It becomes easier for some to dismiss, as propaganda by the victors, the crimes of the Nazis. No person of conscience who has seen the evidence and studied the facts can react with anything but revulsion and horror at the atrocities committed by the Nazis. One can understand that European societies can, and perhaps should limit free speech in some areas out of fear that it resurrect past specters, and lead once again to a repetition of the violence and monstrosities against the Jews. Such stereotyping and derogatory hate-mongering has also been used to justify horrors to other minorities in Europe such as the gypsies, or more recently the Muslims in the Balkans. Similar stereotyping and derogatory hate-mongering has also been used as a prelude to genocide in Rwanda and to sectarian violence and mass murders in many places from Africa to Indonesia. So what should our reactions be when stereotyping and derogatory hate-mongering is addressed to the Muslim minorities in European countries?

Even then, one does not argue easily to limit the freedom of expression. For without it, there can be no transparency, no accountability and no social progress. I consider freedom of expression to be “the first freedom”, and have so named

an essay devoted to it. All other freedoms devolve from it. Freedom is not chaos, and liberty is not license. Let us review a few facts, drawing on the US experience, where the freedom of expression and first amendment rights play a major role. It is noteworthy that the US press refrained from reprinting the offensive cartoons, covering the unfolding story with text descriptions only.

The US Experience

On the surface, one finds that the USA does indeed allow unlimited freedom of expression, even allowing the burning of the American flag as a form of political expression. Not only is there a legal right for the formal existence of an American Nazi Party, but its right to assemble and march was defended by the ACLU in a famous case in Skokie, Illinois. This seems in striking contrast to the legislation in some European countries, where, for example, the Nazi Party is not allowed in Germany. Again, it is legal in the US to trade in Nazi paraphernalia, but not in several European countries. This last fact created a problem a few years back for Internet trade in such items, as to whose laws should prevail, those in the selling country or those in the buying country.

The USA, like most societies, legislates to strike a balance between the interests of the community and the rights of the

individual. That boundary is never absolute. Recall the words of American Justice Holmes “The most stringent protection of free speech would not protect a man in falsely shouting fire in a theater and causing panic”.¹ However, most cases are seldom as clear-cut as falsely crying fire in a crowded theater. In general, the “freedom of speech” protected by the Constitution is not absolute at all times and under all circumstances, and there are well-defined and narrowly-limited classes of speech, the prevention and punishment of which does not raise any constitutional problem, including the lewd and obscene, the profane, the libelous, and the insulting or “fighting words” which by their very utterance inflict injury or tend to incite an immediate breach of the peace.²

What is meant by the so-called “fighting words” doctrine? These are words which, by their very utterance, inflict injury or tend to incite an immediate breach of the peace, having direct tendency to cause acts of violence by the persons to whom the remark is addressed.³ The test is what persons of

¹Oliver Wendell Holmes, Jr. (1841–1935), Supreme Court opinion, *Schenk vs. United States*, *Baer vs. United States*, 249 US 52 (1919).

²Black’s Law Dictionary, Sixth Edition.

³*Chaplinsky vs. New Hampshire*, 315 U.S. 568, 62 S.Ct. 766, 86 L.Ed. 1031.

common intelligence would understand to be words likely to cause an average addressee to fight.⁴ Subsequent narrowing of the doctrine by the Supreme Court held that the utterance must be likely to lead to violence. Being abusive and insulting was not enough. The utterances are not constitutionally protected as free speech if they are inherently likely to provoke a violent response from the audience.⁵

In the case of the cartoons controversy, the cartoons did lead to violence, destruction of property and loss of life. So it is not a question of likelihood anymore. Whether or not such legal reasoning applies to the case of the cartoons, is moot. I simply wanted to show that even in the United States, where freedom of expression and first amendment rights are central to the functioning of society; there have been debates about placing limits on how it is practiced.

As Martin Luther King Jr. said about civil rights legislation:

“Morality cannot be legislated, but behavior can be regulated. Judicial decrees may not change the heart but they can restrain the heartless.”

⁴City of Seattle vs. Camby, 104 Wash.2d 49, 701 P.2d 499, 500.

⁵N.A.A.C.P. vs. Clairborne Hardware Co., Miss., 458 U.S. 886, 102 S.Ct. 3409, 73 L.Ed.2d 1215 (1982).

So we are now up against subtle and not so subtle behavior that needs changing.

Where do we go from here?

Social Consciousness and Acceptable Behavior

I do not seek legislation, but social consciousness. For it is social consciousness that establishes the norms of acceptable behavior. Freedom of expression remains our most precious right, and how we practice it tends to be conditioned more by social consciousness than by legislation. In the US, where stereotypes were widespread, and epithets for the various ethnic groups that constitute the American population were commonplace, it is no longer admissible to mock the Jews or to make racist remarks about the blacks, or to show Native Americans as bloodthirsty savages. Movies and shows that featured “Steppin Fetchit” and “Amos and Andy” have given way to shows like “Roots” and to films that show blacks as well-rounded human beings. Gradually, every group is allowed to retain its dignity, and children are taught to exercise mutual respect when talking of or to others. Stereotyping and derogatory remarks based on race, religion, or national origin are rejected by society as unacceptable.... When will the norm of unacceptability of such behavior towards Arabs and Muslims become widespread in Western societies?

In the presence of such norms, of such societal rejection of the abusive epithets of the Islamophobes, the occasional trespass would not matter. It would be dismissed as the action of marginal extremists, the price we all end up paying for ensuring that free speech, with all the benefits it brings, endures.

This brings me back to the cartoons ... If indeed the overwhelming majority of western society, including its political leaders, would have condemned the cartoons, without necessarily having restricted the right of the newspaper to publish them, the same way as they would have condemned an anti-Semitic paper for its attacks against Jews or a racist paper for its attack against blacks or Orientals ... If that had been the reaction, then it is likely that this would have gone a long way towards healing past wounds, establishing trust and diffusing the issue. It might even have been a first step towards draining or at least lowering the level of the combustible fuel I started with.

Conclusions

Looking back at the months of controversy, it is clear that extremists on both sides have benefited from this episode. There are those who would fan the embers into flames again. We must work doubly hard to set it behind us and move on.

Move on by addressing the root causes, not the symptoms. The fuel, not the sparks.

Some have used this episode to reinforce their negative stereotypes of Islam and Muslims. Some have used it to argue against free speech. Some have used it to stoke the fires of hatred and fear of the other, to build upon the cumulative distrust and suspicion that has built up over the decades between the Muslims and the West.

Let us, instead, use this episode as a call to action. A call to all of us who believe in building bridges of understanding and of promoting dialogue and peace, a call to redouble our efforts to assert our common humanity and the universal values which we all share. Let us build that “Alliance of Civilizations” that will advance the cause of freedom as it promotes mutual respect and common understanding.

In these redoubled efforts, as we drain the cumulated combustible fuel, we should be wary of the sparks, especially when they have no socially redeeming value commensurate with the harm that they do ... We should look at those who initiate the sparks, those who would light the fires, recognize them for what they are and use the words of the Prophet Muhammad (*Peace Be Upon Him*) when he was being stoned and insulted by the non-believers: “God guide them to the

right path, for they know not what they do"... Almost the same words that Jesus used before him.

We should move from confrontation to dialogue, and from dialogue to understanding, and from understanding to a working alliance for the common good of all humanity. Let the constraints on our speech be those of self-imposed civility and honesty. Let us dismiss and ignore those who will not adhere to that minimum of decency that all societies demand towards their minorities. Let us together "fashion those wise constraints that make people free".



**FREEDOM OF EXPRESSION ...
AT THE CLOSE OF 2006**

Remarks delivered at the close of the

Ibsen Centennial Celebration

Bibliotheca Alexandrina

29 October 2006

We Live in a Time ...

Consider the paradox of our times. We live in a time of peerless communication, where news is instantaneous, and more information—and disinformation—is available on the Internet for all, at all times. The Information and Communication Technology (ICT) revolution is creating a more connected world, a more informed world, and a world with much more in common than we ever had before. Yet, it is a world where the individual differences are being asserted, sometimes benevolently as when common bonds help promote solidarity and social support. Sometimes negatively, when the result is to accentuate the exclusionary character of the boundaries of where the “us” ends and the “them” begins. These new “frontiers of the mind” contrast sharply with the evidence of our common humanity. Yet they

are there, these “murderous identities” as Lebanese/French writer Amin Maalouf referred to them.

UNESCO was created on the premise of the need to know other cultures to avoid the horrors of war. Yet, today, sixty years later, the wars we are witnessing are all between people who have grown up together, who know each other as neighbors, and have lived together for generations.

We live in a time where people are being murdered on the basis of their ethnic or religious affiliation. Ethnic and/or religious cleansing is an ugly reality.

We live in a time where a local event or activity in one place can have repercussions halfway around the planet, sometimes to the level of life and death.

We live in a time where the collective memory of the atrocities of the past century should inform our actions in the new century.

We live in a time where, despite enormous advances, humanity still seems determined to repeat past errors and horrors.

We live in a time where despite our collective commitment to the Millennium Development Goals (MDGs), military spending is still 14 times greater than development spending.

We live in a time where more is known by more people than at any time before ... Where democracy and freedom of expression have been formally recognized as central themes for all societies with the possible exception of a few remaining outposts of totalitarianism such as North Korea and Myanmar.

Perceived Risks

We also live in a time where hate-mongering, pedophilia, disinformation and every other form of eminently undesirable material can apply the same new technologies to spread their poison to the unsuspecting and the young.

There are those who view such possibilities with justified alarm and want to rush to curb the extent of free speech by legislation.

There are those who actively constrain it by societal pressure that can lead to ostracism, social sanctions and even assassination for those holding contrarian views.

There are those who actively use these fears to promote their own political agendas.

How does one generate the sense of societal responsibility that can protect minorities from abuse and avoid potential conflict, while reinforcing the conviction of the need to protect freedom of expression? That, in many ways, is the

dilemma facing all democratic societies at the beginning of this new century.

The issues are exacerbated because of the potential and the peril of the revolution in Information and Communication Technology that give many more people the opportunity to express themselves, yet provide the means of dissemination of messages of hatred and fear.

The problems are magnified because of the accelerating pace of change in our societies, and change is always uncomfortable for the people who have to endure it. It brings uncertainty, and with it anxiety and fear.

Fear of the unknown, fear of the future, fear of the other...

It is in such circumstance that people seek the false security of group identities. These tend to simplify our complex pluri-dimensional realities into one-dimensional labels and create Amin Maalouf's "murderous identities"—for the other side of the identity coin is the exclusionary, intolerant and insecure character of these types of self-definitions.

The need to defend that against any attack, real or perceived, or real because it is perceived to be so.

Changing times are precisely the times where conventions are flouted, and boundaries tested. It is in such times that we redefine the acceptable. Changing times impose a process

of weeding out the old-fashioned from the timeless, the wheat from the chaff. Such a process inevitably touches the raw nerves of the insecure, and the probing and testing unavoidably hurts many to the quick. The temptation to close the windows, to shut out the disturbing message becomes exceptionally strong. It is precisely at these times that tolerance of the contrarian view must be maximized.

Do not legislate against free speech in a moment of fear or of appeasement.

Do not forget that the best cure for the ills of free speech is more free speech.

The timely tests that come our way are but reminders that the fight for freedom of expression is never done. Victories are tenuous. Ground once gained must be regained or defended against the attacks of those who believe in an inherent right to curtail the freedom of others.

We, in the BA, intend to live up to that high standard that Voltaire stated:

“I may disagree with your views, but I will lay down my life to defend your right to express your views.”

The Virtues of Free Speech

I say to my countrymen and my co-religionists: do not underestimate the benefits of free speech:

- The rights of Muslims in the West are no less protected by free speech than are those of minorities in the Muslim world.
- The rights of those who would reform religion must be protected no less than the rights of those who defend tradition and maintain the *status quo*. Each is advancing the right cause as he or she sees the right to be.

In this tolerant and open framework there are some exceptions. It is time to call things by their rightful names: discrimination cannot, and should not, be tolerated.

Let us recognize that the claims of cultural specificity that would deprive women of their basic human rights, or mutilate girls in the name of convention, should not be given sanction, especially by those who, like myself, are proud of their Arab and Muslim identity and do not want to see the essence of that tradition debased by such claims.

Let us recognize that no society has progressed without making a major effort at empowering its women, through education and ending discrimination.

This is not “tradition” that is being defended, it is a distorted form of political pseudo-theological “inquisition”

that is being proposed, that would limit the freedoms of the non-Muslim minorities and would circumscribe the Muslim majority within the confines of dogmas articulated by a tiny minority.

Freedom of expression is sacred.

For believers everywhere I say: remember that the word of God was spread by the ability of his Prophets to spread the message and to be heard. They encountered opposition and coercion from those who would silence them.

Prophet Muhammad (*Peace Be Upon Him*) spent 13 years in Mecca under the persecution of Quraish and then emigrated to Medina with his few converts. The war with Quraish started with the Prophet being able to muster only 300 men at Badr. In the subsequent six years, from his base in Medina the Prophet confronted Quraish at Hodaibeia with only 2000 men. He made a truce that many of his followers considered too onerous on the Muslims but he insisted that he wanted peace, not war.

Two years later, it was Quraish who broke the peace, and then the Prophet marched onto Mecca with 10,000 men, entered the city without a fight and gave amnesty to all his former enemies.

In the two years of peace, where the freedom of speech for the Prophet and his disciples was allowed, the number of Muslims quintupled!

Within another two years of additional peace, all the tribes of the Arabian Peninsula had converted to Islam. Who can say that Islam was spread by the sword?

Security and Freedom

It is a truism that all communities, all nations are more tolerant when they feel secure. In the United States, when confronted with the specter of the civil war Lincoln suspended *habeas corpus*. In the aftermath of Pearl Harbor, Roosevelt interred 100,000 Americans of Japanese descent. In the 1950s, US paranoia about communism tolerated the rise of “McCarthyism”. In response to the horrible events of 11 September 2001, the Patriot Act was passed, abridging many of the legal protections of citizens.

To these cases, I say: Remember the words of one of the wisest of the founding fathers of the US, Benjamin Franklin who said:

“Any society that would give up a little liberty to gain a little security will deserve neither and lose both.”

Restating the Issues

Can a democratic society withstand any amount of free speech? Should we not be concerned by the demonization of minorities leading to monstrosities such as the Holocaust in Europe or genocide in Rwanda? Should fear of repetition of such action lead to curbs on free speech? Is there a limit on hate speech and how do you define it and who has the authority for setting such limits?

What about nascent democracies where societies have important cleavages and groups watch each other with suspicion? When are democracies strong enough to withstand the full onslaught of free speech?

Can any democracy function without free speech?

My Views

Personally, I believe that there should be no limit on free speech except the standard libel and slander laws.

It is best to think of issues surrounding regulations of free speech as guidelines for behavior rather than legally criminalized actions. Intemperate words, like boorish behavior is best countered by a societal rejection than a legal sanction. No one has yet been able to define the boundaries of acceptable speech in a legally precise and defensible manner.

So, how should societies raise awareness about the dangers of hate speech and generate the kind of social consensus that would close out the possibilities of the hate speech moving to incitement and ultimately evil against the targeted minorities?

I believe that it is through the emphasis on both human rights and the importance of freedom of speech as the first freedom.

A case in point would be the role of the ACLU in defending the American Nazi Party's right to peacefully demonstrate in Skokie, Illinois, in 1978/79. This famous case in the USA showed Jews defending the freedom of speech (and assembly) rights of the Nazis. They epitomized the Voltairian ideal. The ACLU initially lost a lot of members but ultimately emerged stronger for having stood on principle.

Today in many parts of the Arab and Muslim worlds, we have the problem of a language of extremism that is inciting people to violent action. Should such speech be protected?

Ideas must be defeated by ideas. The place to debate them is the marketplace of ideas, not in the courts. Legal restrictions should be on actions, and on incitement to action. Now how far does one go in prohibiting incitement to action? The slippery slope to censorship of ideas deemed dangerous, or seditious, is clear.

Laws to prohibit the articulation of an idea are not only an engagement on a dangerous path, but also they are counterproductive. Take the prohibition against denial of the Holocaust, an understandable reaction to the horrors of Nazi actions in Europe. It gives the Holocaust deniers, horrible as they may be, grist to their mill “See, they must legislate to forbid us from speaking because they cannot respond to our arguments”. We now see another law being passed in France to forbid the denial of the genocide against the Armenians in the early part of the 20th century. Given so many arguments including the impact of colonialism, communism, and so many other episodes of human history, how do we define the boundaries of acceptable legislation of this sort? Indeed, is any such legislation acceptable?

Affirmation of Principles

So, from this podium, I say clearly and unambiguously, that freedom of speech must be protected. For freedom of speech is the single guarantor of progress; and from freedom of speech all aspects of good governance flow. There can be no transparency, accountability, participation, or pluralism without freedom of speech protected by law, under the rule of law.

From this podium, I say clearly and unambiguously, that freedom of speech is at risk.

It is at risk from potential legislation to limit its application, starting many countries on a slippery slope of restriction and censorship.

It is at risk from intolerant social attitudes that decry offenses, real or imagined, and value their peace of mind more than they value the potential benefits of free speech. They should see these offenses as the short-term price we pay for the long-term benefits society gets from free speech.

It is at risk because the misunderstandings between the cultures of the world are increasing polarizations and limiting understanding. Whether because it serves their purposes or because they react to perceived grievances, some people are actively rejecting openness and the rising misunderstandings are creating tensions that will find their expression in curtailment of speech that is considered hateful.

It is at risk and it must be protected.

It must be protected by the practice of free speech in an ongoing fashion. That is part of democracy as well. Indeed, democracy is not just about the views of the majority prevailing ... It is about protecting the rights of the minority against the tyranny of the majority ... It is about creating a space where the marketplace of ideas can function in a level

playing field. It is about creating a civil discourse that allows the contrarian view to be heard and promotes pluralism without turning our public sphere into a battleground.

Without free speech, no search for truth is possible, no discovery of truth is useful, and no progress is possible. Without free speech, progress is checked and the nations no longer march forward toward the nobler life which the future holds for people. Better a thousand-fold abuse of speech than a denial of free speech. The abuse dies in a day, but the denial slays the life of the people, and entombs the hope of the human race.¹

With free speech, we can forge a future that was best expressed by the immortal words of Tagore in his Gitanjali.

We can create a future ...

*Where the mind is without fear and the head is held
high;*

Where knowledge is free;

*Where the world has not been broken into fragments
by narrow domestic walls;*

Where words come from the depth of truth;

¹Attributed to Charles Bradlaugh—Edmund Fuller, *Thesaurus of Quotations*, p. 398 (1941). Unverified.

*Where tireless striving stretches its arms towards
perfection;*

*Where the clear stream of reason has not lost its way
into the desert sand of dead habit;*

*Where the mind is led ... into ever-widening thought
and action—*

*Into that heaven of freedom [...] let my country
awake.*



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