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# Freedom of Speech and Expression vs. Nationalism

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Usha Kiran

LL.B., M.A. English

## ABSTRACT:

Freedom of speech and expression is the most precious gift of democracy, emerged during time of European enlightenment. Actually the Right to Freedom of Expression is synonymous with the freedom of speech. Nationalism, on the other hand is a feeling that people have of being loyal to and proud of their country. Both are different, however the line often gets blurred between Nationalism and Jingoism.

“I may disagree with what you say. But, I will defend to the death, your right to say it.” -  
Voltaire

## KEYWORDS:

Freedom of Speech and Expression  
VS.Nationalism.

## INTRODUCTION:

Freedom of speech is recognized as a right to freedom among the fundamental rights in our constitution. Freedom of speech is a powerful instrument for all civilized and democratic nations of the world. Now-a-days we are living in a world dominated by mass media. Sometimes media becomes biased but a free press can be very helpful in removing the evils from the society. NGO's are also playing a vital role in spreading awareness of democratic rights. But the freedom is not absolute, it is certainly limited by our social obligations and responsibilities.

The concept “Freedom of Speech” emerged gradually during the European enlightenment. This concept was inspired by the declaration of the rights of man and of citizen adopted during the French revolution in 1789. Earlier England's Bill of Rights (1689) granted freedom of speech on parliament, the Rowlatt Act in 1919 gave extensive powers to the British government and to the police to control individual rights and freedoms like restriction on public gatherings, censorship of the media and publications etc. public opposition to obedience movement throughout the country under the leadership of ‘Mahatma Gandhiji’.

And from that point on Freedom of Expression became the main issue of nationalism. Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights (ICCPR) guarantee the right to freedom of speech and expression.

Right is of extreme importance in the sense that it facilitates attainment of other human rights as well. This freedom of expression is applicable on two levels, at individual level and at state level. At the level of individual this freedom allows one to understand surrounding environment and the world as a whole by the exchange of information, ideology, and opinions etc. people are able to express their views freely as their rights are secured and ensured by the state. On the other hand, at the state level freedom of speech and expression becomes vital for social, economic and political advancements of a nation as a whole.

Nationalism has emerged as a modern concept. Nationalism is a salt of adhesive which keeps the members of a particular territory to identify themselves as a single unit. Some historians are of the opinion that it emerged in 19<sup>th</sup> century, thus regarded as a modern concept. As it facilitates growth and development so it is always being seen with a mark of reverence. State intervenes with its various organs to ensure welfare of its citizens. And in this processing, the citizens of the state form a sense of cohesion. The binding forces are our freedom struggle, culture, language etc. and all these forces make us feel pride for our country.

But another aspect that can be called a dark side of it is, that is the quest of nationalism and a typical sense of pride that makes the members of the state ultranationalist. Inadequate values of tolerance towards others results often, in infringement of their rights. The recent case of JNU in 2016, an incident occurred where sloganeering took place rather jeering which provoked nationalistic sentiments. It was a gathering where students had assembled to condemn the capital punishment handed out to Afzal Guru. There were also some elements in the crowd that resorted to sloganeering against India, calling for its disintegration. The issue got blown out of proportion due to three reasons mainly:-

1. Sloganeering by the elements gathered inside against India.
2. Police excesses and misinterpretation of facts in front of public.
3. Media scrutiny and hype that was created.

To the worsening of things, more students were frisked out by the police on trumped up charges. They also got manhandling in the court premises in front of camera. All this fueled up the debate

of freedom of speech and expression vs. nationalism.

Similar another event in 2016 in the Maharashtra assembly, a member was forced to chant a particular slogan. Members of a particular community in India need not always show their allegiance to the nation by shouting a particular slogan. And it gets further reinforcement by the fact that Freedom of speech and expression also includes right to be silent. Forcing someone to say something is an infringement of this right. Moreover nationalism is not just manifested by shouting a particular slogan. We follow the tenets of our constitution in letter and spirit, which will be true nationalism.

Then, Srinagar issue came up in the National Institute of Technology (NIT) at the time when the pot was already boiling. When India was defeated by West Indies in T-20 World Cup in 2016, in NIT students were divided for and against India. The local students cheered for West Indies and Non-Locals who outnumbered the locals inside the campus cheered for India. The issue became altogether different with new dimensions as it got connected to political issue of secession of Kashmir from India. Security was beefed up in the campus and made it even worse by presenting a picture of battle zone.

In fact freedom of speech and expression is recognized as a right to freedom under Article 19-22 of our constitution. It is the freedom to speak without censorship or limitation but no doubt, it is nor absolute. It is recognized as a human right under Article 19 of the Universal Declaration of human rights. The writers of our constitution regarded democracy of no avail if civil liberties like freedom of speech and religion were not recognized and protected by the state. According to them, democracy is, in essence a government by opinion and therefore,



the means of formulating public opinion should be secured to the people of a democratic nation like India. For this purpose, our constitution guaranteed to all citizens of India, the freedom of speech and expression in the form of fundamental rights.

## **FREEDOM OF SPEECH AND EXPRESSION- A POWERFUL INSTRUMENT BUT NATIONALISM ITSELF CANNOT REGULATE IT:**

Freedom of speech and expression is a powerful instrument for all civilized and democratic nations of the world. In democracy, freedom of speech mainly means freedom of press. The phrase "Freedom of Press" has not been used in the Article 19 of our constitution but freedom of expression includes freedom of press. By the press, we mean all the media of mass communication. Free press generally means the right to publish, the right to confidentiality of sources and the right to access. Not only is the press an integral part of the freedom of speech, but it is a part of a system of social control, whereby relationships between individuals and institutions are adjusted. In fact the press has the power to monitor all the important social institutions of society like family, religion, law, polity etc.

**MASS MEDIA** is the chief component of make-up of present world. It has been moving steadily to take center stage in our lives. It acts as an effective catalyst for change in our society. A newspaper is a mirror of the times and has become a part and parcel of our life. The press in India has a very high tradition. Many newspapers of past times like BalGangadharTilak's 'Kesari' and 'Maratha',

Gandhi ji's 'Horizon' etc. roused the wave of nationalism in India. The Indian press played then a very crucial role during the freedom struggle. Today also the press plays a very important role in our society. It serves the society by highlighting the crimes, nepotism and corruption in our country. It serves as a link between the people and the government. It becomes duty of the press to highlight the grievances of the people. With the passage of time, the media is increasingly adopting a proactive role in curbing the ills of the society and making it a better place.

No doubt there have been coming allegations regarding press being partial and unpatriotic. The editorials of the newspapers and news coverage on television channels are not often objective and impartial but colored and motivated. Actually media is controlled and owned by media barons, major corporate giants, chief industrial houses of the country and it is often used by its lords to advance their own motives and interest. And the media men try to please their lords and patrons and thus their coverage becomes partial, motivated and biased. As a result of this common person feels cheated, ignored and think that sufferings of them go unnoticed and ignored. In that way the press is distrusted by the masses.

And same is the case with Electronic media, namely the television, internet, social sites etc. but, here arises the question of social responsibility as the right to freedom of speech and expression is not absolute. It must be exercised with caution, keeping in mind other's sensitivities, and otherwise it misuses its application.



## **CONCLUSION:**

Freedom of speech and expression and nationalism can co-exist. They are not mutually exclusive. However there are certain red lines to be drawn on both sides. Jingoism or ultranationalism should not stifle freedom of speech and expression. Similarly, there are some restrictions on freedom of speech which must be adhered to and expressing slogans for destruction of India is uncalled for.

Pope John Paul II rightly observed:-

“the challenge that is already with us is the temptation to accept as true freedom, what in reality is only a new form of slavery.”

As pervading nationalism imposes its domination on man today in various forms and with aggressiveness that spares no one.

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