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THE FREEDOM OF SPEECH AND AN ADOLESCENT INDIA:

- **Introduction:**

- The capacity of its population to act responsibly in the face of societal change was how Tocqueville assessed the maturity of a country.
- Because of the swift ascent to power of the country and the unrestricted freedom of economic power, Indians today have something that our ancestors never had.
- The wave of events that simultaneously shook the world and India did not spare them. In light of everything said, what does this signify for India's behaviour? Can India do it? Let's put this to the test in terms of the right to free expression.

- **Freedom of speech and expression (FSE):**

- The ability to express oneself freely is among the most treasured human liberties. Although the Indian Constitution recognises that this freedom is a fundamental human right, it also states that it must not be allowed to compromise India's sovereignty or integrity.
- We presume that the Constitution's framers approved of this compromise of this fundamental right because they did not understand the concept of full freedom of expression.

- **Article 19(1) of the Indian Constitution states that:**

- (1) Every citizen shall have the right to:
 - (a) to exercise their right to expression;
 - b) assemble peacefully and without weapons;
 - (b) to establish groups or unions;
 - d) be free to move about India without restrictions;
 - (e) to live on Indian territory and build a permanent home there; and
 - (f) to engage in any activity related to a profession, trade, or business.

- It is an unalienable right that the legal system upholds.

- **The evolution of the free speech movement:**

- Free speech is a concept that originated in the West. Despite the possibility that some form of freedom existed in ancient Greece, Voltaire and Rousseau are credited with developing the idea of true free speech as we know it today. Voltaire did not refer to the liberalism-based freedom when he said, "I entirely disapprove of what you say and will defend to the death your right to voice it."
- Nothing in our soil demonstrates that this freedom took root here. B.R. Ambedkar notes the following about ancient India in his Writings and Speeches: "As to freedom of speech, it exists. It is, however, restricted to those who uphold the social order."
- There is evidence that the right to free speech existed within government-built facilities. The conversation subjects between Adi Shankara and Saint Thirugnana Sambandar appear to be very open. The king or his regal policies were not subject to criticism as a result of this independence. A man who insulted a monarch did not live long enough to see the results of his actions. As a result, only those places were allowed for free expression.

- On the other hand, western philosophers were inspired by their liberation from these limitations. Bertrand Russell charts the evolution of free thought to the point where exercising one's freedom to free thought comes before abiding by the law in his masterpiece on western philosophy. The freedom to express one's disagreement with the government and to form one's own opinions is highly valued in Western ideas of democracy.
- Under the British Raj, free speech was categorically not tolerated, and up until 1947, our minds were controlled. Our nation was established in 1947, and suddenly, in 1950, we were given the right to express ourselves.
- **That which has been lagging forward:**
- The first 50 years of independence were spent establishing its bounds. A number of court decisions that limited its recognition and characterised it more as an exception than a norm helped to refine the precise understanding of this freedom. This faltering progress is characteristic of a young nation attempting to define its relationship with its citizens.
- We arrived to the current decade as a result of the transition from childhood to adolescence and the unprecedented economic success of the 1990s and 2000s. This puberty hasn't ushered in free thought; instead, it has been roundly rejected by other Indians who have different beliefs.
- Through the use of mob power, defamation lawsuits, social media blackouts, vetoes, and other strategies, unpopular ideas are being silenced. Requests for book and movie bans and boycotts are made for the most ridiculous reasons.
- Consequently, we notice for the first time that dangers to the right to free speech originate from the state as well as on a more general level (that is to say, from other citizens).
- Free speech is unpopular when it upsets the status quo. People grow uneasy when someone stands up and claims that we have been acting improperly and that things need to change.
- As a result, people suppress oppositional expression in order to maintain the status quo. This enables the government to define the boundaries of free expression. We are left with nothing more than the impression of free expression when this happens, and actual freedom is lost.

- **The dangers of the gang:**
- Indians attempt to quiet people when they see their ideas and actions to be a danger. All of the oppressive behaviours we've seen above are manifestations of the insecurity and rage that define adolescence. We search for strength in numbers. We can silence divergent opinions and ideologies thanks to the security and anonymity provided by the mob. Until all opposing thought is muted, we will only be able to find perspectives that accord with our own.
- A nation's citizens may cede their independence to a totalitarian popular opinion if this tendency persists. This results in people becoming totally dependent on a kind, parental, guardian state.
- The Supreme Court of India ruled in the Kaushal Kishore case in 2023, stating that the basic rights of Indians can be exercised both vertically and horizontally.
- The Supreme Court had to determine whether fundamental rights, like the right to free speech, may be invoked against entities other than the government or its agents in this case. The Court came to the judgement that people other than the government and its representatives could be punished using these fundamental rights.
- **Conclusion:**
- The key to India's transition out of adolescence lies in this decision. If every citizen fiercely defends their fundamental rights both against the government and other people, we will regain the ability to define our own liberty. If we don't do this, the population will become obedient and implicitly believe that nothing can be done unless it is explicitly authorised.