

MEDIA



Freedom With Responsibility

Article 19 UDHR: Everyone has the right to freedom of opinion and expression



Opinion article by Reverend Akuila Yabaki

The right to freedom of expression upholds the rights of all to express their views and opinions freely. Although it is a right which should be promoted to the maximum extent, there may be certain extreme forms which need to be restricted for the protection of other human rights.

The 1991 Rwandan "incitement" or hate speech is an example of this extreme form of free speech which was played by Radio & Television and led to the 1994 Rwanda genocide killing up to 1 million people. The 'media trial' was historical in issuing an international landmark on the right to freedom of expression by declaring that those who exercised their right to freedom of expression were indeed responsible for the Rwandan genocide.

There is, therefore, a fine balance between upholding rights to freedom of expression and upholding other human rights. In Fiji's recent history, this fine line has been put to the extreme test as was the case during the political upheavals of 1987 and 2000. While ethno-nationalist politicians exercised their right to express their views, they also abused the rights of others by creating a division between the two major ethnic groups in the country.

Activists of the iTaukei Movement used their freedom of expression as a tool to create fear amongst the iTaukei, that their land and their tradition and cultures will be overtaken by the Indo Fijians which led to racial tensions and targeted violence which eventually led to instability and political unrest.

This precaution against racial antagonism is provided under section 17 of the Fiji Public Order Act 1976. Any person who by words, likely to incite racial dislike or ha-

tred, between different races shall be guilty of an offence and is liable on conviction to imprisonment.

So the question arises; "Is there a need for the continued imposition of the Public Emergency Regulations (PER) 2009 which gives the Permanent Secretary of Information wide ranging powers to control broadcasts or publications that may give rise to disorder when the Public Order Act 1976 already has such provisions?"

Following the Fiji Report to UN ICERD Committee 2007 the Committee recommended Fiji to adopt a comprehensive anti-racist legislation designed to prevent situations which may give rise to public disorder.

So while freedom of expression is essential in enabling democracy to work and for the general public to have a chance of enjoying participation in decision-making there are limits set to guard against extremism.

Violations of freedom of expression often go hand in hand with other violations such as violation of freedom of association and assembly.

However, with this freedom comes certain responsibilities and the onus is on the media to ensure that one's rights is not breached by exercising the right to freedom of expression.



What is freedom of expression to you?



Inoke Yauvoli (19) Nadawa

Freedom of expression does not exist due to cultural restrictions. Our culture of silence is stronger than our right to voice our opinions.



Theresa Kean (16) Samabula

The ability to express myself in front of my parents and teachers without being thought as insolent.



Mohammad Iraz (55) Flagstaff

It means that I am free to voice my opinions anywhere I wish. However, there is a responsibility to respect others views.



Pakivula Rewa (59) Cunningham

Ability to express myself in my community, without having the fear of being judged.

