

[Home](#) > [Debate](#) > [Blogs & Opinions](#) > Free speech, hate speech, fake speech

Free speech, hate speech, fake speech

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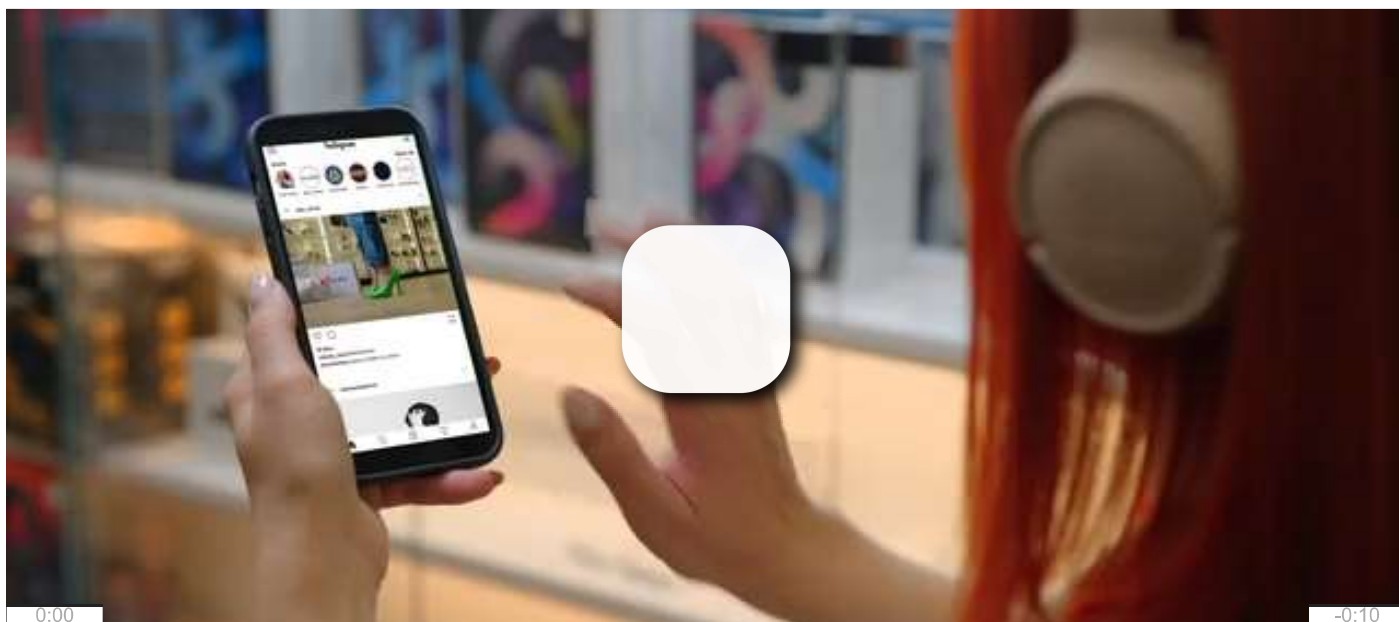
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Malta's media sphere frequently features news on freedom of speech, hate speech, fake news, and the like.

Different cases have been cited, involving people with different political and societal affiliations and narratives. In this article, I won't enter into the merits of any specific case, but I would like to make open observations on trends which strike me.



In the first instance, I would like to point out that when we refer to free speech, it needs to be contextualised. Freedom of speech has different meanings in different societies, and even within the same society, its meaning changes across space and time. For example in Malta, topics which we feel free to speak about today were taboo subjects just some years ago. At the same time, there seems to be increasing attention to discourses which 'shouldn't' be pronounced. Racism, sexism, xenophobia, and homophobia are some examples.

In this regard, freedom of speech is not an absolute. It is relational, where my freedom of speech may have an impact on your own freedoms. If for example, an influencer incites racial violence, this could have an impact on some people's behaviour and life experiences. But things are not always so clear cut.

What is hate speech after all? There are of course legal definitions of the term which, once again, need to be contextualised within specific jurisdictions. From my point of view, the term has to do with discourse which dehumanises others. The 'other' could refer to one's identity, political affiliation, race, gender, and even personhood. But I note that some identities may be more equal than others in this regard. For example, is it ok to insult someone because he happens to be in an opposing political camp? Can this not incite prejudice and hatred in just the same way as racism or homophobia does? On the other hand, is it acceptable to use the 'hate speech' card as an excuse to silence voices which do not fit one's narrative, but then to use equally hateful speech to address one's opponents?

In a context of snackable media, where sensationalism sells, and where likes attract sponsors, one may actually be incentivised to articulate discourse which is offensive or divisive. Within one's echo chamber or social media bubble, one may gain popularity for refusing to engage with the 'other', or to insult, dehumanise or misquote them. In a race for clickbait and news at the speed of light, one may be encouraged to publish at all costs, at the expense of fairness, ethics, and evidence. Seen openly, hate speech is not just about degenerating an identity, it could also be about providing

the public sphere, but the obvious question that comes to my mind is: are all voices equal? What about voices off-stage? What about those who do not have access to certain media, civil society, political, and/or business networks? What about behind-the-scenes activism, where stories may be concocted by interests with the intention to destroy the 'other'? What about financial interests and conflicts of interests behind certain discourses and stories? What about self-appointed experts who happen to be more present in the media than actual experts? Does anything go in the name of free speech?

The question which consequently comes to mind is: Should we regulate hate speech and fake speech in societies which value freedom? As things stand, liberal democracies and communication platforms do not have a definitive, singular answer. In some instances, private social media platforms such as Facebook and Twitter are trying to self-regulate. In others, countries such as EU member states are deliberating on legislation, but it is very difficult to draw a line between the freedom and policing of speech.

In this regard, I believe that free speech is an essential characteristic of democracy, and whilst one can use it as an indicator of a society's freedom, it should be analysed in terms of other variables such as responsibility, ethics, and deliberation.

For example, if I have the freedom to ridicule, to incite hatred, or to produce fake news, I should be responsible to pay for possible damages resulting in this regard, and courts should be equipped to deal with such instances equitably and efficiently.

Here I am not just referring to dehumanising someone because of their identity, but also to producing narratives on the media which distort the truth relating to specific situations. Let us keep in mind that readers have a right to factual information.

We should also invest in education which equips readers to decipher the difference between reliable information and fake news, teaching one about how to communicate ethically and to be aware of one's responsibilities, for example when posting on social media.

In this regard I see a huge imbalance, where, for example, on the one hand scholars are bound by ethical standards such as peer reviews when publishing, but on the other hand, communicators and influencers in various spheres are free to publish whatever they wish in the name of free speech. The press itself seems to be split in this regard: For there is a difference between news which is subject to rigorous editorial and ethical standards and clickbait characterised by opportunism, hatred and dishonesty.

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