

Protecting Fundamental Rights and Freedom of Expression

**Lessons Learned From Covid-19
Presentation**

By

**Prof. Daniel O. Awodiya
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The Rise of Empires and Autocracy

We did not come by Human Rights & The Free Press by Accident!

- The fundamental nature of man as autocratic—wants to rule with unlimited, brute powers and is answerable to no other person. Dynastic rulership and hegemonies.
- The Egypto-Greco-Roman civilizations---the birth of democracy, republic, human rights, and civic responsibilities.
- The rise of civil, democratic societies---1200 England and Magna Carta /The Bill of Rights (1798).
- The Rise of Libertarianism and The Free Press---The Fourth Estate of the Realm (1787 – Edmund burke).
- Propaganda and Ideological Press---Conservatives, Neo Conservatives, Liberalism and Neo-Liberalism (1980 –Present).
- The oligarchy of the money and ideological classes.

ORIGINS OF DEMOCRACY

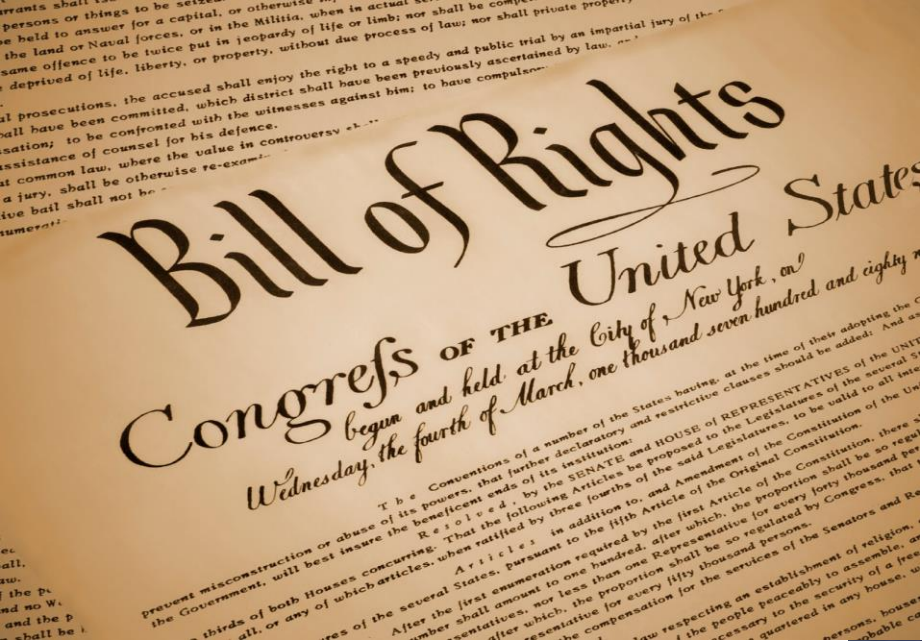
- Comes from 2 Greek words: demos (the people) & kratos (rule or power)
- Greece - Athenian direct democracy
- Rome - Republic (indirect or representative democracy) - what we have



The sovereign is subject to the rule of law. Documenting the liberties held by ‘free men,’ the **Magna Carta (1215)** provided the foundation for individual rights in Anglo-American jurisprudence.

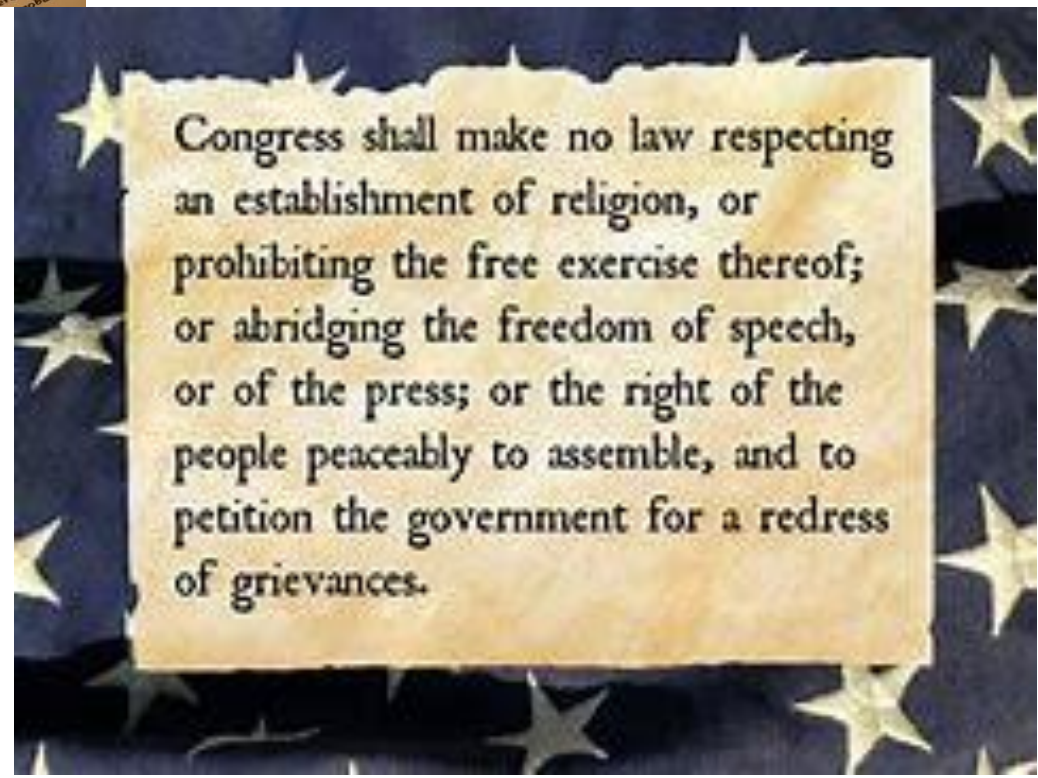
The Enduring Struggle
for Human Rights, Civil
Liberties, and Justice.





Eternal vigilance is the antidote to the abridgement of human rights, but a vigilante society cannot be trusted with guaranteeing human rights.

Many Congresses are at best divided and self-serving. Most Congresses acquiesce with the Executive Branch to violate and suppress human rights and suffrages.



The rights as set out in the Human Rights Act, 1998 are as follows:

the right to life

freedom from torture and degraded treatment

freedom from slavery and forced labour

the right to liberty

the right to a fair trial

the right not to be punished for something that wasn't a crime when you did it

the right to respect for private and family life

freedom of thought, conscience and religion

freedom of expression

freedom of assembly and association

the right to marry or form a civil partnership and start a family

the right not to be discriminated against in respect of these rights and freedoms

the right to own property

the right to an education

the right to participate in free elections and cultural life

the right to a nationality.

There must be the declaration of an emergency for a democratic government to have the power to restrict civil liberties.

Citizen Journalism is an Irritant and Covid-19 Pandemic, a Pretext.

Just when the world needed defenders of democracy and universal coalitions against oppression and violations the most, the world is witnessing the rise of ethnic nationalism and retreat from international collaborations for the common, human good.

Governments are in the race to censure, censor, and sanction professional journalists. And as for citizen journalists, governments are confused as to what to do to make them go away! Some ignore them to their own peril; some fear them and rightfully so; some have regrouped and are consolidating their powers. Some journalists' digital footprints are monitored and used to level charges against them.

Striking a tricky balance between human rights of free expression, travel and assembly and protecting the citizenry from the pandemic is a herculean task for truly democratic governments.

But for autocratic regimes, it is a pretext to control information, freedom of expression, and right to liberty...

Impact on Free Speech

PEN, found that in 2019,

One out of every six writers, was self-censoring in the U.S. as a result of Edward Snowden's revelations about government surveillance. (Unlawful Possession of Classified Data).

PEN's survey of 772 writers from 50 countries Results: Thirty-four percent of writers in free countries, 44 percent in partly-free countries, and 61 percent in not free countries are actively self-censoring, and they are avoiding certain topics on social media.

Now many writers have become too afraid to write certain stories. (Digital Footprint Can be Actionable in Law).

Source: Deji Olukotun- *Nigerians in Space. Digital Commons*

Remedies

- New ordinances and laws are needed to guarantee free movements of journalists and the media, even in a pandemic or other emergencies.
- Technological algorithmic innovation needed to identify, fact-check, and prevent disinformation and incendiary speech.
- Protection of digital rights, including encryption of digital communication for journalists.
- Policies and laws are needed to ensure accountability of social media providers and that of their users.
- Education of law enforcement community to recognize and accord special privileges to the press as guaranteed by law.

Remedies

- Education of the general public on the dangers of social media propaganda.
- Mandate the procurement of warrants from judges before any journalist can be intercepted in the course covering and reporting events.
- Expedited adjudication of free press infringement cases in the courts.
- Robust freedom of information act.
- Abrogate obnoxious hate speech laws – Libel/slander and defamation laws are sufficient.
- Set up civil liberty unions to advocate and defend freedom of expression, of the press, and other human rights in the courts.
- Set up NGOs to monitor and seek expedited legal redress for citizens whose rights have been violated.