**FREE SPEECH; A REALITY OR HOAX? By SEYI MOORE & ADESINA MUBARAK FOLUSO.**

While our ancestors have been around for about six million years, the modern form of humans only evolved about 200,000 years ago. Civilization as we know it is only about 6,000 years old, and industrialization started in the earnest only in the 1800s..." - (**Elizabeth Howell, 2015**)

During this space of time, humans have found a way to evolve alongside the development in the society; as technology became the vogue, it was soon pertinent and necessary for humans to adapt swiftly. Of course, the switch was not as fast and simple as "off and on" or "Abracadabra"; in short it had nothing to do with Mystic Falls.

Drifting a little, one of the ways humans have tried keeping the peace amongst themselves is by ensuring certain laws, precepts, rules, principles and order are kept in place. You can assume a world without laws. Yes! your assumption is becoming obscure because the world painted by your imagination is nothing but a textbook case of ANARCHY. Moving on, these body of rules have in turn created rights and obligations in the human society and a popular one amongst them is the **FREE SPEECH**.

Free Speech or Freedom of speech, as it is popularly termed, is a principle that supports the freedom of an individual or a community to articulate their opinions and ideas without fear of retaliation, censorship, or legal sanction. The term "Freedom of expression" is sometimes used synonymously with "Freedom of Speech" but includes any act of seeking, receiving, and imparting information or ideas, regardless of the medium used.**Article 19 of the UDHR** states that "Everyone shall have the right to hold opinions without interference" and "Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice".While the principle of **FREE SPEECH** has also been incorporated in many Municipal Laws around the globe and upheld in plethora of cases I wish not want to bore you with, it has severely been used as a measurement for Democratization in today's world.However, the recent happenings in **The United States Of America** will make one question the hype about FREE SPEECH.It is no news that the current President Of the United States, Donald Trump has been banned from Twitter, Facebook and several other social media platforms on the premise of him sharing false and endangering information. This was sequel to the riot which saw Mr Trump's supporters violently break into the US Capitol building to try to stop President-Elect Joe Biden being certified as the next president. Four civilians and a police officer died- BBC (UK) reports.**Andrew Doyle**, Writer and Comedian argued, that giving the tech giants like Facebook and Twitter the monopoly to decide what the public say or read is endangering in themselves. People should have the liberty to choose what they listen to.**COMMUNICATIONS ACT, 2003** in Section 127 criminalizes anything that could be interpreted as "grossly offensive." Andrew further argued that "this is incredibly subjective term, and I don't trust these companies or the state to make those distinctions" He believes that "it gives people on the right, to people like ALEX JONES because it creates a kind of martyrdom around them, it gives them this odd kind of credence that they really don't deserve""How can it be FREE SPEECH when the tech giants have control over what we post or read?" Some have constantly asked. A critical thought of this will then raise the unavoidable question of whether or not FREE SPEECH is a reality or hoax.

This article is not only predicated on giving straight answers to the poser, but also aimed at unfolding and revealing facts that may aid or guide readers in their train of thoughts as regards maintaining a position in this instant issue.

A glimpse into the legal framework of most world countries reveals that the right to freedom of speech is recognized as a constitutional or fundamental right. This right is not limited to being observed and sanctioned by States alone, it also extends to Organizations and any faction or congregation within and outside States (Companies, Factories, Firms, Industries, etc included.)

However, in a bid to curb certain excesses that have emanated from the absolute enjoyment of such right, countries have seen themselves making rules and laws to restrict the exercise of this right; International bodies, Organizations, and Companies likewise.

For instance, with reference to the report of **Library of Congress** in June 2019 on **Limits on Freedom of Speech** "Germany, Israel, and the Netherlands specifically recognize limits on speech that constitutes a denial or praise for atrocities committed during the Holocaust, with German law prohibiting disturbance of “the public peace in a manner that violates the dignity of the victims [of the Nazi regime] by approving of, glorifying, or justifying the National Socialist rule of arbitrary force.” In France the denial or minimization of recognized crimes against humanity, in particular the Holocaust, are considered prohibited hate speech."

In the same vein of these restrictions on the right of freedom of speech, we have seen International Bodies slam bans and the likes on public figures and persons for one thing or the other termed as "gross misconduct" or any other thing specifically mentioned by them. An instance is the Manchester United striker Edinson Cavani who was recently fined and suspended for three matches by the Football Association. The FA issued the following statement:

“Edinson Cavani has been suspended for three games, fined £100,000 and must complete face-to-face education after admitting a charge for a breach of FA Rule E3 in relation to a social media post on Sunday 29 November 2020.

“A comment posted on the Manchester United FC striker’s Instagram page was insulting, abusive, improper and brought the game into disrepute contrary to FA Rule E3.1. The post also constitutes an “aggravated breach”, which is defined in FA Rule E3.2, as it included reference, whether express or implied, to colour and/or race and/or ethnic origin.

These restrictions have been purportedly put in place to ensure that while Freedom of Speech remains guaranteed, its use as a means to hurt others or create choas within any human faction or interaction is vehemently frowned at and possibly subjected to certain punitive measures.

With reference to Social Media, most platforms try to regulate what people read or get to see on their timeline in a bid to purportedly ensure nobody is subjected to cyber harassment or attack of any kind (Whether direct or indirect). For instance, Twitter has this "**Violent Threats Policy**" which amongst other things, states that "***You may not threaten violence against an individual or a group of people. We also prohibit the glorification of violence.***"

Also, Facebook ensured to put in place something similar: "***We aim to prevent potential offline harm that may be related to content on Facebook. While we understand that people commonly express disdain or disagreement by threatening or calling for violence in non-serious ways, we remove language that incites or facilitates serious violence.***"- **(Violence and Incitement)**

From the foregoing, a glance of these restrictions may suggest a breach of the "hallowed" right to freedom of speech, however, such restrictions have been justified over time as a means to regulate a balance; this is usually hinged on or termed as the relation between rights and duties; where the law gives a right to a citizen, it also imposes an obligation on the citizen not to use such right against others.

We are not in anyway turning blind eye to harmful effects of false and negative information, our argument is "**Let FREE SPEECH be FREE!**"

The criminal justice system exists for a reason; if anyone perceives that an information is harmful, it is for them to seek possible remedies through the stipulated laws of the land and ofcourse before a Court of Competent Jurisdiction. Anything short of this can only be rightly described as oppressive and draconian on the part of the 'giant tech'

Shutting out voices like that of President Trump, is no doubt a bad precedent and should be condemned in all ramifications. An attempt to justify it on any basis will be a direct attempt to aid and open support for **ANARCHY**.

One of the negative consequences of banning or suspending opposing views permanently is that some countries with anachronistic intentions will take undue advantage of it and misbehave in the near future. For instance, countries will soon start raising espousal flags for the signing of monstrous bills which in one way or the other regulates Social media or censor what her citizens share via several platforms, while citing United States of America as justification.

We should therefore, devoid of any sentiments with Trump, condemn in its entirety the banning and subsequent permanent suspensions by the "giant tech', not just for Trump, but for the global populace.