

## Chapter 4

### **FREEDOM OF EXPRESSION IN ACADEMIA AND THE MEDIA**

Freedom of expression has become “a highly regarded concept around the world.”<sup>1</sup> Its value has become so common and acknowledged in the western liberal countries, that Robert Trager and Donna Dickerson even argue that “Americans have a tendency to believe that the freedom to express their beliefs is a basic part of what it means to be an American.”<sup>2</sup> Even though its breadth and depth differ from country to country, more than 60 countries have freedom-of-expression provisions in their constitutions.<sup>3</sup> The fact that freedom of expression is included in so many constitutions and in every universal or international document on human rights, “says that there is some level of consensus about its value.”<sup>4</sup> However, its content, boundaries, and practice are not very clear, and sometimes even vague and disputable. There is always tension between our desire to maximize freedom of expression and between other considerations, some of which are moral or normative. The tension between social and political desires to intensify freedom of expression and aesthetical and ethical considerations become very complicated vis-à-vis the media and academia. Both domains usually enjoy some extent of immunity against censorship, and we are very careful to avoid limiting the range of their freedoms and particularly the freedom to broadcast things that we basically loathe. We believe that the independence of editors, reporters, and university professors is beneficial for society, and their autonomy is a significant part of their

<sup>1</sup> Trager Robert, and Dickerson Donna L. *Freedom of Expression in the 21st Century*. Pine Forge Press, Inc. Thousand Oaks. 1999. p. 92.

<sup>2</sup> Ibid, p. 91.

<sup>3</sup> Ibid, p. 92.

<sup>4</sup> Ibid, p. 98.

journalistic mission and their creative activity. In college campuses, academic freedom has become almost sacred and we will not tolerate the possibility that political or economical interests or considerations would affect the curricula or the contents of courses given in academic institutions. We think that academic freedom is crucially important for the progress and creativity of scientific work, and hence ascribe full autonomy to research teams in the universities as well as to the lecturers.

This chapter examines issues of freedom of expression in the academia and the media, in specific contexts that are purposely abhorrent to most of us. It is when this freedom is used to air repugnant opinions or abhorrent televised news footage, that these can be viewed as “test cases” to examine the limits and boundaries of our acceptance of freedom of speech.

We may discover that even though we strongly reject external censorship on the media, we sometimes expect them to operate self-censorship and abstain from publicizing certain views or pictures or films which we consider to be inappropriate. We believe that it is the media’s duty to report and cover every issue, which the editors regard as having public interest, but the way they do so should be intelligent and relevant. In the first part of this chapter I deal with two examples, which appear to me as inappropriate attempts to use the media for malicious aims, and argue that these are the sorts of cases where the media should impose restrictions and limitations on themselves.

The case of academic freedom is a slightly different issue. We respect it as something that possesses intrinsic value, and we think that it is a unique privilege that those who work in academic institutions should enjoy, due to their special status as researchers. Even though we know that this freedom can sometimes be abused by lecturers and researchers, we are usually tolerant toward this abuse, since we are more afraid of its curtailment by external authorities or interests. The second part of this chapter deals with an example where we might think that we should restrict this freedom. However, even in the unusual case with which I deal in that part of the chapter, I will argue that we should respect freedom of expression, even if, as in this particular example it irritates us and we think that this specific use of academic freedom is outrageous.

## **CASE 1**

In the first part of this chapter I examine the question of the airing of appalling footage in the public media of television. I deal here with two cases, which occurred more or less at the same time—during the year 2000.

The first case was the broadcasting of a videotape on television that was photographed by a rapist, in which he documented the cruel abuse and torture of his victim during the attack and the rape. The videotape was shown in the main news edition of the Israeli Broadcasting Authority—Channel 1, which is shown