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**TO WHAT EXTENT EXPRESSION IS FREE ON SOCIAL MEDIA
IN MOROCCO?**

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Research Article

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Abstract:

Since the emergence of social media, they have become the most common worldwide platforms of information and exchange. They did not only make the world smaller and access to information and news easier but they also provided a safe ground for people to express their ideas, share their thoughts and voice out their opinions. Throughout the past few years, social media have given out voices to millions of people with no boundaries. The main aim of this research paper is to study the current web regulations in Morocco and the status of the freedom of speech on social media in Morocco. To approach to the subject empirically, a survey was undertaken for a total number of 100 respondents. The paper puts together findings on people's attitudes towards free speech, the limits of freedom of expression, and in which areas limitations of freedom of expression might be acceptable. Overall, the majority of the people supports the principle of the freedom of speech. Yet, at the same time they support the existence of some restrictions for various reasons. Hence, they are with a free speech as long as people's integrity is protected.

Key words: Freedom of Expression, Social Media, Technology, Restrictions, Human Rights.

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Introduction:

In every modern democracy, the right to freedom of speech and expression by citizens, is a key bastion of democratic values which is now globally pervasive. In this wise, there are constitutional guarantees in every modern State which protects the right of citizens to freely express themselves. Even in autocratic and despotic systems, the right to freedom of expression is provided for, albeit such rights are constantly infringed upon by the State. Be that as it may, the central point is – freedom of expression is an existential right in every modern State and Society. Supporting this view, scholars have copiously written on the subject of constitutional guarantee of rights of individuals to express themselves in a sane society. So popular are the views of scholars on this subject, that they have invariably influenced the development of various international instruments which have sought to protect the sanctity of human right to freedom of expression amongst other inalienable human rights

Commenting on the subject of freedom of expression, Carlsson & Weibull (2018) noted that freedom of expression is a matter of law, but also a question of ethics and morality.³ Explaining the basic idea of freedom of expression and speech, Gracyal & Viswam (2018) wrote as follows:

Freedom of speech is the right to express any opinion without censorship or restraint. “Speech” is more than written or spoken words; while the dictionary definition may be limited to the written or spoken word, we are really looking at all types of expression. This applies to both visual interpretations and artistic forms of speech.⁴

Going further, Gracyal & Viswam (2018) made the following important observation on the universality of human right to freedom of expression:

Freedom of speech and expression is authorized to every person. Whether rich or poor, young or old, every person holds a different opinion and it’s his/her right to express it. The definition of freedom of speech is that every person has the right to express his/her opinion without fear of government or society.⁵

Calsson & Weibull (2018) have equally noted that freedom of expression is a cornerstone in any functional democracy.⁶ For Axberger (1984), freedom of expression is founded on the fundamental value and rights of individuals.⁷ Kierulf & Renning (2009) have argued that the freedom of expression is not an absolute right.⁸ According to these scholars, freedom of expression is presumably an assumption of personal responsibility and observance of mutual respect.⁹ They equally noted that the limits to freedom of expression are not consistent, but are heavily dependent on prevalent cultural and social contexts.¹⁰

³ U. Carlsson & L. Weibull, *Freedom of Expression in the Digital Media Culture: A Study of Public Opinion in Sweden*, Nordicom, University of Gothenberg, 2018.

⁴ D.G. Gracyal & D. Viswam, “Freedom of Expression in Social Media: A Political Perspective” in *International Journal of Multidisciplinary*, (2008), Vol. 03, Issue 01.

⁵ Ibid.

⁶ U. Carlsson & L. Weibull, *Freedom of Expression in the Digital Media Culture: A Study of Public Opinion in Sweden*, Nordicom, University of Gothenberg, 2018.

⁷ H. Axberger, (1984) *Tryckfrihetens gränser* [The Limits of Freedom of the Press]. Stockholm: Liber forlag.

⁸ A.Kierulf & H.Renning, (2009), *Freedom of Speech Abridged? Cultural, Legal and Philosophical Challenges*, Goteborg:Nordicom, Goteborgs Universitet.

⁹ Ibid.

¹⁰ Ibid.

For Tiwari & Gosh (2018), freedom of speech and expression may be comprehensively understood as the idea that every person has the natural right to freely express their views via any media without a latent fear of censorship, prosecution, reprisal or punishment.¹¹ Sharing the earlier mentioned views of Kierulf & Renning (2009), Tiwari & Gosh (2018) also noted that freedom of expression is not an absolute right because it carries with it, special duties and responsibilities on the part of the individual exercising such rights.¹² Tiwari & Gosh (2018) also observed that freedom of expression and speech is inseparable from the concept of democracy.¹³ Citing the writings of Alexander Meiklejohn to defend this point, Tiwari & Gosh (2018) wrote as follows:

Democracy means self-government by the people and for the proper functioning of which, an informed electorate is indispensable which, in turn, requires that there be no constraints on the free flow of information and ideas. Democracy will not be true to its essential ideal if those in power are able to manipulate the electorate by withholding information and stifling criticism.¹⁴

Kowtowing with the foregoing, Calsson & Weibull (2018) have contended that the idea that freedom of expression is of key importance to the public sphere, is a fundamental assumption in Western conceptions of democracy.¹⁵ They argued, and rightly so, that the media has a key function to play in ensuring the free flow of information through their exercise of freedom of expression. In their exact words:

By virtue of their professional scrutiny and gatekeeping function, media can provide citizens with impartial and reliable information, thereby enabling them to form and exchange their views and engage in critical reflections – activities critical to the vitality of democratic society.¹⁶

In a modern world like ours in which the social media is a ubiquitous phenomenon, the right to free speech and expression is increasingly being exercised through social media. According to Roy (2015), the social media provides an opportunity for netizens to freely express their views and opinions on various issues – including political issues.¹⁷

Summarizing the findings of a controlled study, Graciyal (2018) concluded that freedom of expression is exercised in social media to an enormous extent.¹⁸ According to Chidiac & El Hajj (2019), social media affords political candidates, media scholars, business owners and regular citizens the privilege to share their thoughts to a wide and diverse audience.¹⁹ Chidiac & El Hajj however warned that:

Even though it (social media) can constitute for many people a great opportunity to foster democracy and the freedom of speech; it can be

11 S. Tiwari & G. Ghosh, (2018), "Social Media and Freedom of Speech and Expression: Challenges before the Indian Law", ResearchGate.

12 Ibid.

13 Ibid.

14 Ibid.

15 U. Carlsson & L. Weibull, Freedom of Expression in the Digital Media Culture: A Study of Public Opinion in Sweden, Nordicom, University of Gothenberg, 2018.

16 Ibid.

17 D. Roy, "Social Media – The New Weapon in Indian Democracy", (2015), International Journal of Interdisciplinary and Multidisciplinary Studies (IJIMS), Vol. 2(7), pp. 49-54.

18 D.G. Graciyal & D. Viswam, "Freedom of Expression in Social Media: A Political Perspective" in International Journal of Multidisciplinary, (2008), Vol. 03, Issue 01.

19 M. Chidiac & M. C. El Hajj, "Digital Media and Freedom of Expression: Experiences, Challenges and Resolutions" (2019), Global Media Journal.

detrimental when used by forces that long to suppress opposition or spread their retrograde agendas.²⁰

On the basis of the aforesaid, these scholars averred that freedom of expression on social media could help those with malevolent intentions like terrorists, spread their views and philosophies to other innocent netizens.²¹ They also submitted brilliantly that freedom of expression on social media could facilitate the spread of racial hate, discrimination and hatred towards a particular group of people. In the light of the latent dangers of unregulated freedom of expression on social media, the tempo of calls for regulation of freedom of expression on social media, has increased.

Govindajaran & Nanditha (2016) in explaining the justification for censorship of freedom of expression on social media, argued that public consumption of unregulated information by social media users could disrupt the integrity and harmony of the State.²² Furthermore, they ratiocinated that while citizens should have a right to freedom of expression, regulation of free speech on social media is germane to preserve harmony among people and communities.²³ To borrow the words of Govindajaran & Nanditha (2016):

There can be no such thing as complete freedom of expression because it could lead to unrest in some form or the other... the government would have to serve as a watchdog now and then, in the larger interest of the country.²⁴

They however noted that censoring unregulated free speech on social media is difficult because when it comes to social media, there are no international borders.²⁵

In Morocco, the nexus between political participation, freedom of expression, social media, and democracy, is not difficult to spot. According to Chalfouat (2015) in his seminal paper titled “Media, Freedom of Expression and Democratization in Morocco”, incessant mass communication attempts in Morocco and shuffling audience priorities explain the parallel histories of the media, freedom of expression and democratization.²⁶

There is strong evidence, according to Chalfouat (2015), that the Moroccan regime censors free speech on social media.²⁷ Adducing proofs for this, Chalfouat (2015) cited the case of Driss Chatan (the editor of Al-Michaal Weekly) who was imprisoned for a year in 2009 for questioning the health condition of the monarch.²⁸

Equally, Chalfouat (2015) cited the example of the conviction of Rachid Nini (Former Editor of Al-Massae) for constant criticism of the Moroccan regime, as one of the several instances of censorship of free speech on social media.

²⁰ Ibid.

²¹ Ibid.

²² G. Govindarajam & N. Ravindar, “Freedom of Expression on Social Media: Myth or Reality” (2016) *Global Media Journal -Indian Edition*, Vol. 7, No.1.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ A. Chalfouat, “Media, Freedom of Expression and Democratization in Morocco” in *Free Speech and Censorship Around the Globe*, P. Molnar (Eds.), 2015, Central European University Press, Budapest.

²⁷ Ibid.

²⁸ Ibid.

It appears that – while regulation of free speech on social media is necessary – it is a malevolent tool for despotic regimes like the Moroccan monarchy to repress citizens' right to free speech. According to Schwenk (2020), arrests and prison time for critical social media posts have become fairly common in Morocco.²⁹

Summarily, it is deducible that freedom of expression is a constitutionally guaranteed in most free States globally. However, this right is a qualified one with the limits being where such freedom could be used to incite violence, hate, or cause social disharmony. These unpleasant effects of unrestricted freedom of expression on social media, has necessitated relevant restrictions. In a bid to this, States are increasingly breaching citizens' rights to free speech. A notable example of this is the proposed social media law draft in Morocco which contains several provisions inconsistent with international standards on freedom of expression online. Following heavy criticisms, the Moroccan government has now backpedaled on the law. In spite of this, conceiving such law to limit citizen's right to free speech, mirrors the government's desperation to curtail citizens' right to free speech beyond acceptable limits.

Results and Interpretation

The objective of this study is to investigate the freedom of expression on Moroccan social media. To achieve this objective, a mixed method research approach was employed. Based on this, a hybrid questionnaire was used as a data collection tool. The survey method was used to obtain responses from different age groups in different Moroccan locations.

This section presents the results and discussion of the research carried out on the study aimed at exploring to what extent citizens are free to express themselves on Moroccan social networks. We conducted a survey among people who uses social networks frequently. Some of the questions listed in the survey were:

1. Which one of these social media do you use the most?
2. On a regular day, how much time do you spend on social media?
3. Do you have public or private profiles?
4. What do you share most on social media?
5. What do you use your social networks for?
6. Do you feel comfortable sharing your ideas and opinions?
7. In average, how often do you post on social media?
8. If you are not allowed to express freely over social media, what do you do to express yourself?
9. When you use social media to express yourself, you do it as a means of?
10. Your online freedom of expression is restricted by?
11. Do you know of a legal system in place that can safeguard your political/civil rights (particularly online freedom of expression)?
12. Do you experience a difference between the limits on freedom of expression you exercise virtually and in the physical world?
13. According to you, what needs to be tackled more over social networks?
14. Which social networks trigger or alert freedom of speech authorities more?
15. According to you, to what extent speech should be free over social networks?

²⁹ K. Schwenk, "Morocco's Eroding Digital Freedoms" (InsideArabia, Feb 27, 2020) < <https://insidearabia.com/moroccos-eroding-digital-freedoms/> > Last accessed 14th December, 2020.

Results

A total of 135 respondents completed the survey, majority are female (56%) and 44% are male. Although majority of them are in the 15-25 age group (42.2%), there were respondents from other age groups like 26-29 (32.6%), and 30+ (25.2%). A whopping 50% of the respondents uses Instagram, 40.3% uses Facebook, 1.5% uses Twitter and 8.2 uses Other social networks.

Table 4.1: Respondents' sociodemographic details.

VARIABLE		FREQUENCY	PERCENTAGE (%)
Age	15-25 Years	57	42.2
	26-29 Years	44	32.6
	30+ Years	34	25.2
Gender	Male	59	44.0
	Female	75	56.0
Social media	Facebook	54	40.3
	Instagram	67	50.0
	Others	11	8.1
	Twitter	2	1.5

Figure 1: Distribution of respondents by Gender

Figure 2: Distribution of respondents by Age

Figure 3: Distribution of respondents by Which social media they use most

4.2: Freedom Of Expression Over Social Media

Table 4.2 revealed the usage of social media, how social media is perceived and to what extent are the citizens free to express themselves on social media. Sixty-two respondents (45.9%) spend more than 3 hours a day, 50 respondents (37%) spend about 1-3 hours a day, and 17% of the respondents spend less than 1 hour a day on social networks. 106 (78.5%) of the respondents have private profiles. Majority of the respondents 41(30.4%) share entertainment and fun on social media, 21.5% share educational things, 24(17.8%) of the respondents share information, opinions and ideas, 20(14.8%) share personal things, 11(8.1) share nothing while 10(7.1) share other stuffs like hobbies, memes and daily routine and political issues on social media. Majority 40(29.6) use social media for communication and connecting with friends, 36(26.75) of the respondents use social networks for browsing and getting to know what is going on around the world, 29(21.5%) use it for Entertainment and fun, 19(14.1) of the respondents use it for educational and Business purposes while 11(8.1) uses it for other things like expressing thoughts and opinion, and to access information. Furthermore, 56(41.5%) of the respondents agree that they feel comfortable sharing their ideas and opinions on social media while 3(2.2%) of the respondents did not give a response to the question. However, majority 40(32.8%) post on social media every week, 25(20.5%) post every month, 27(22.1%) post every 3-4 months, 19(15.6%) post everyday 11(9.0%) do not post on social media, and 13 respondents do not give any response to the question.

Also, 40(45.5%) of the respondents express themselves through face to face conversation if they are not allowed to use social media while majority of them (47) do not give a response. Majority of the respondents 77(60.2%) uses social network as a means of talking to their friends and family while 7(5.2%) of the respondents do not give a response to the question. In addition, 39(35.5) of the respondents agreed that their online expression is being restricted by both government/state entity and corporate entity while 25 of them do not give any response.

The Majority 117(95.1%) of the respondents do not know of any legal system that can safeguard their online freedom of expression while 12 respondents do not give a response. 74(61.7%) of the respondents experience a difference between the limits on freedom of expression they exercise virtually and in the physical world while 46(38.3%) do not experience a difference, also 25 respondents do not give any response. Majority 47(37.6%) of the respondents agreed that social issues (poverty, divorce) needs to be tackled more over social networks while 10(7.4%) of them gave no response to the question.

A majority 73(60.3%) of the respondents felt that Facebook is the social network that trigger or alert freedom of speech authorities more. More significantly, a majority 42(35.9%) felt speech should be free to a moderate extent over social networks, 25(21.4%) believed speech should be free to a very great extent, 18(15.4%) want freedom of expression to a certain extent, 17(14.5%) of the respondents want it to a great extent, 8(6.8%) do not want freedom of expression, 7(6.0%) of the respondents want freedom of expression over social networks to a small extent and 18(13.3%) of the respondents do not give any response.

Table 4.2: Respondents' view on freedom of expression over social media

Parameters	Classification	Frequency	Percent (%)
On a regular day, how much time do you spend on social media?	Less than 1 hour per day	23	17.0
	About 1-3 hours per day	50	37.0
	More than 3 hours per day	62	45.9
	Total	135	100.0
Do you have public or private profiles ?	Public	29	21.5
	Private	106	78.5
	Total	135	100.0
What do you share most on social media ?	Personal things	20	14.8
	Educational things	29	21.5
	Entertainment and fun	41	30.4
	Information, opinion, and ideas	24	17.8
	Nothing	11	8.1
	Others	10	7.4

	Total	135	100.0
What do you use your social networks for?	Browsing and getting to know what is going on	36	26.7
	Communication and connecting with friends	40	29.6
	Educational and Business use	19	14.1
	Entertainment and Fun	29	21.5
	Others	11	8.1
	Total	135	100.0
I feel comfortable sharing my ideas and opinions	Strongly disagree	7	5.2
	Disagree	25	18.5
	Agree	56	41.5
	Strongly agree	44	32.6
	Total	132	100.0
In average, how often do you post on social media ?	Everyday	19	15.6
	Every week	40	32.8
	Every month	25	20.5
	Every 3-4 months	27	22.1
	Never	11	9.0
	Total	122	100.0
If you are not allowed to express freely over social media, what do you do to express yourself?	Writing diaries	7	8.0
	Face to face Conversation	40	45.5
	Nothing	18	20.5
	Others	23	26.1
	Total	88	100.0
When you use social media to express yourself, you do it as a means of?	Talking to your friends and family	77	60.2
	Talking to a faceless audience	15	11.7
	Talking to the stake holders of the state	6	4.7

	I never thought about that	30	23.4
	Total	128	100.0
Is your online freedom of expression restricted by?	Government/State Entity	34	30.9
	Corporate Entity	8	7.3
	Both	39	35.5
	Other	29	26.4
	Total	110	100.0
Do you know of a legal system in place that can safeguard your political/civil rights (particularly online freedom of expression)?	Yes	6	4.9
	No	117	95.1
	Total	123	100.0
Do you experience a difference between the limits on freedom of expression you exercise virtually and in the physical world?	Yes	74	61.7
	No	46	38.3
	Total	120	100.0
According to you, what needs to be tackled more over social networks ?	Political issues (liberties)	42	33.6
	Social issues (poverty, divorce)	47	37.6
	Economic issues (joblessness)	24	19.2
	Other	10	9.6
	Total	125	100.0
According to you, to what extent speech should be free over social networks?	Not at all	8	6.8
	To a small extent	7	6.0
	To a certain extent	18	15.4
	To a moderate extent	42	35.9
	To a great extent	17	14.5
	To a very great extent	25	21.4
	Total	117	100.0

Discussion of findings

This research aims at exploring to what extent citizens are free to express themselves on Moroccan social networks. Citizens' assessments of the social media might reasonably be assumed to influence their opinion about limiting freedom of expression. More of the respondents uses Facebook and the average time spent on social networks is more than 3 hours a day which shows how often social media is used.

It was also found out that majority share entertainment and fun on social media and also uses social networks to communicate, connect with friends and family, and also to know what's going on in the world for easy access to valuable information, all this point to the fact that legal act is been carried out on social media by the Moroccans.

The study also showed that freedom of expression over social media is perceived to be their civil right as citizens and that social issues (poverty, divorce) needs to be tackled more over social networks. However, it was discovered that online freedom of expression is being restricted by both government/state entity and corporate entity in morocco.

Lastly, the study showed that speech should be free to a moderate extent over social networks in order to create a balance between civil right and violation of social media ethics. The 2011 constitution-adopted by a referendum- honors freedom of expression and guarantees "freedom of thoughts", opinion, and expression in all its forms". It also recognizes freedom of creativity and publishing in the domains of literature, art and scientific research, while it bans any violation of the privacy of personal communication unless via judicial order in due cases. From all that has been discussed about social media freedom in this study and people's opinions about it, we have come to the conclusion that though individuals should have the freedom to express their opinions on social media, the government would not be wrong to regulate social media activity to an extent in order to preserve harmony among people and communities.

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