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Freedom of expression online in Saudi Arabia from a liberal, individualistic and a collectivistic perspective

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This paper aims to explore freedom of expression on the Saudi internet from both a Western philosophical perspective and a Saudi Arabian cultural perspective. Specifically, the paper will explore the applicability of the Millian account of freedom of expression to the Saudi context and then present an argument from an Islamic collectivistic perspective in defence of restricting some kinds of speech online. We will argue that while Mill's views on freedom of expression may not apply to the Saudi context because of the importance Mill places on individualism and the importance the Saudi culture places on collectivism, Mill's harm principle was found to be a useful criterion for justifying restrictions on freedom of expression. To provide context, the paper will discuss the factors that could be responsible for limiting freedom of expression online in Saudi Arabia and some of the groups of people who are especially affected by the limitations on freedom of expression on the internet. The basis of this discussion will be findings obtained from several studies conducted by the first author between 2006 and 2009. Towards the end, the paper will attempt to couch the discussion about the harm principle in terms of the Saudi culture.

Introduction

According to the Universal Declaration of Human Rights of 1948, restricting freedom of opinion and expression is a violation of a human right. Article 19 states: 'Everyone

has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers' (UDHR 1948). The right to freedom of expression, however, is not an absolute right. Most of the advocates of liberal individualism place some restrictions on freedom of opinion and expression including John Stuart Mill who, in *On liberty*, introduced the harm principle as a criterion for restricting freedom of opinion and expression. According to Mill, people can do anything they like as long as it does not harm others.

But is this right applicable to all cultures? When the human rights were drafted not all members of the United Nations General Assembly at the time voted in favour. Saudi Arabia, for example, refused to ratify arguing: 'The authors of the draft declaration had, for the most part, taken into consideration only the standards recognised by Western civilisation and had ignored more ancient civilisations which were past the experimental stage' (Ignatieff 2001: 103). That said, Mill would probably deny that society ever gets beyond the experimental stage and that there would always be room for improvement. However, while the fact that not all members of the General Assembly ratified the UNHR does not mean that the right to freedom of expression is not applicable to all cultures, it does suggest that freedom of expression is more valued in some cultures than in others and its importance is closely linked with views on liberal individualism and collectivism.

In this paper, we will analyse freedom of opinion and expression in Saudi Arabia from the perspectives of liberal individualism and the collectivistic nature of the Saudi culture. We will argue that while Mill's views on freedom of expression may not

apply to the Saudi context because of the importance Mill places on individualism and the importance the Saudi culture places on collectivism, Mill's harm principle could be seen as a useful criterion for justifying restrictions on freedom of expression, although we acknowledge that this is not in the spirit of Mill.

After the introduction and a quick background about the internet in Saudi Arabia, a brief overview of the research from which the results were obtained will be presented. To allow the reader the opportunity to gain an insight into the challenges that Saudis face online, we will discuss the factors that could be responsible for limiting freedom of expression online and some of the groups of people, specifically women, political dissidents, and liberals, who are especially affected by the limitations on freedom of expression on the internet. We will end with an attempt to couch Mill's harm principle in terms of the Saudi culture.

There is no doubt restriction on freedom of expression is a problem for people everywhere. However, given that the restriction in Saudi Arabia is excessive, it is even more problematic and more worrying. What is more worrying but not unanticipated knowing it is a sensitive, and possibly dangerous, topic to study is that researchers in Saudi Arabia have not seriously looked at the situation in their country. These factors make any research that looks into freedom of expression in Saudi Arabia a significant contribution to the dialogue about the topic. Researching freedom of expression on the Saudi internet from both Western philosophical and cultural perspectives is also important for enriching the argument about liberal freedoms being in tension with collectivist understandings in the Arab world. While this paper will only scratch the surface of this argument, it is hoped that this research will encourage

researchers from other Arab countries to look at the applicability of utilitarian liberal ethics to their own contexts. That said, most of the Arabs share similar cultural traditions and religious values. Most Arabs also suffer similar political destinies in that most Arab regimes are repressive when it comes to freedom of expression online; thus results of studies conducted in other Arab countries should not be too dissimilar with the ones described here.

Internet service in Saudi Arabia

Saudis gained access to the internet on 15 December 1998. Since then, the number of internet users in the country grew from 200,000 in 2000 to 7.7 million internet users as of the end of 2008. Today, there are 9.8 million internet users in the country, which is about 38 per cent of the total population (CITC 2010). While in the early years the vast majority of people in Saudi Arabia accessed the internet through dial-up telephone lines and modems, which meant accessing the internet was slow and frustrating, in recent years only half of the internet population still uses dial-up telephone lines; the rest uses DSL/Broadband connections (ibid). The Internet Services Unit (ISU), a department of King Abdulaziz City for Science and Technology (KACST), is the unit responsible for providing internet services in Saudi Arabia. All the ISPs, government organisations, and universities obtain their access to the internet through the ISU. In addition to supplying access to the internet, initially the ISU was also acting as the regulatory body. Later, in 2003, the governance of the internet was relegated to Communication and Information Technology Commission (CITC).

The Saudi blogosphere is not as active as other online political spheres in the country. Political online communities based on public discussion forums, however, have

always been popular and their effect has always been significant. One of the reasons these communities became popular was because they enabled people from all backgrounds to express themselves thus overcoming the barrier of limitation on freedom of expression. Moreover, social network sites such as YouTube and Facebook also offered the public mediums that the government has less control over.

Saudis used YouTube during the Jeddah 2009 floods (which resulted in 120 deaths) very effectively. People on YouTube not only immediately posted hundreds, if not thousands, of videos capturing the tragedy as it occurred, but also demanded action to be taken. Moreover, watching the 2009 floods crisis unfold on YouTube encouraged many Saudis to use Facebook to organise themselves before they went to the streets of Jeddah to help with the rescue efforts.

The research

This research describes freedom of expression on the Saudi internet by synthesising findings of several studies on the internet in Saudi Arabia conducted by the first author between 2006 and 2009. The broader aim of those studies was to provide a rich description of what Saudis did online, how they used the technology and how the technology affected them. The aim of those studies was achieved through a qualitative research design that adopted the method of ethnography. The research used three ethnographic techniques: semi-structured in-depth interviews with key informants (both online and face to face); silent observation of several online forums; and thematic content analysis of several online forums.

Silent observation of several online forums was conducted over a year in the case of some online forums and a year and a half in the case of some others. Thematic content

analysis was also used to examine thousands of topics (and their replies) that were posted on these forums. The focus of the analysis of these topics was on the occurrence of selected themes within each topic. The analysis of these topics was carried out using a software program developed by the first author using Microsoft Access. In addition, the first author also conducted online in-depth interviews and face to face in-depth interviews with tens of key informants who were selected from the observed online forums.

Both of these types of interviews which were conducted in Arabic had a semi-structured format and open-ended questions. Data obtained from all the above techniques, except for thematic content analysis, were analysed with the help of NVIVO, a software package for managing qualitative data. Once themes that revolved around specific concepts were coded as nodes, which held all the information covering a specific theme, they were further divided into groups or categories so that a broader sense about the results could be gained.

Factors that could be responsible for limiting freedom of expression online

While there are several factors that could be responsible for limiting freedom of expression on the Saudi internet the most problematic of these factors is the censorship of the internet. The Saudi government applies strict filtering to its internet. Internet sites that contain pornography or harmful, illegal, anti-Islamic or offensive material are blocked. Sites that contain criticism of Saudi Arabia, the Royal Family, or the other Gulf states are also blocked (Al-Saggaf, Himma, and Kharabsheh, 2008). In addition, sites that contain information about drugs, alcohol, gambling or terrorism are also blocked (Al-Saggaf, Himma, and Kharabsheh, 2008). Although the internet access for the whole country is now controlled by three nodes, that is, three data

service providers, unlike in the past only a single node was used, that approach still makes the government the sole authority over the selection of sites to view online because all these three data service providers receive the same list of banned sites from the government internet regulator (CITC 2010). Controlling the internet in this way earned Saudi Arabia a reputation for being one of the repressive countries of freedom of expression (Reporters Without Borders 2010).

The culture of the society itself is another factor. Saudis are largely religious. Most people's practices are influenced by their religion. A harsh criticism of a high profile religious scholar, for example, is considered a sin and thus many people would feel uncomfortable doing that. Saudis are also traditionalists in that many of people's practices do not necessarily stem from religion. An example of this is hierarchy in family structure or power distance as Hofstede (1997) calls it, which was observed to have also been carried over to the online world. Online commentators with excellent artistic skills enjoy high status and much of the attention while those with basic writing skills are often ignored. It is possible that this practice discouraged many individuals from speaking up their minds in online forums. If they felt they will not be noticed when they post comments in comparison to the well-known commentators they may wonder why bother commenting. These cultural barriers mean many people will not fully use the internet to express themselves.

Men in Saudi Arabia regard discussing national politics online as their favourite activity because doing that in the offline world is risky given freedom of expression in Saudi Arabia particularly in relation to political views is a little limited. But not everything can be said online as content posted on the internet is systematically

monitored by moderators who quite often delete certain content and also by the government officials who sometimes arrest online commentators. In one study, several interviewees have mentioned during the interviews that they had been arrested by the police and some were detained for months because their writings in online forums had touched on one of the taboo topics namely those that support the terrorist ideology or Bin Laden or Islamic militants in Iraq and Afghanistan or Saad Al-Fagiah (a political dissident) or those topics that vilify the government or high profile public figures or the religious police (Al-Saggaf, Himma, and Kharabsheh, 2008). This suggests that fear of being caught for uttering derogatory remarks against an individual or a government authority put a lot of pressure on what people can say online. Detention incidents like the above will no doubt make online commentators think twice before they voice their opinions.

Saudis affected by restricting freedom of expression online: A few examples

A study by the first author revealed a notable absence of females in political forums (Al-Saggaf and Weckert 2005). But this absence was not also witnessed in the other forums like 'the social', 'the women issues only' and the 'beauty and fashion' forums. This suggests that only in political forums the vast majority of topics and discussions were dominated by men. One reason for the notable absence of females in political forums could be because women in Saudi Arabia are less interested in discussing politics and public affairs compared to men or discussing politics is not among their favourite topics (Al-Saggaf and Weckert 2005). Another, could be because men are less tolerant towards women when it comes to discussing politics particularly those men who consider politics a 'male thing' (Al-Saggaf and Weckert 2004). A third reason could be because discussing politics sometimes involves 'talking back' and engaging in confrontations and upfront arguments which are things Saudi women

normally try to avoid as these things do not go along with the traditions of Arab women (Al-Saggaf and Weckert 2004). However, women's exclusion from the online political public sphere may make it difficult for them to improve their situation, for example demand the government to grant them the right to drive cars.

Political dissidents are another group of people who are ostracised from the online political public sphere. Although, Saudis accessing the internet from overseas or through satellite or via proxies can still access political dissidents' sits, the government has always denied local internet users access to political dissidents' sits (Al-Saggaf, 2007). Regardless how frequently these political dissidents changed the domain names of their web servers, the Saudi government would always swiftly update their list of banned sites. But the internet is not the only medium where political dissidents are not allowed to express their views. They are also not welcomed in local radios, satellite television satiations and local newspapers although their own satellite television satiation which they recently established can easily arrive at Saudis' television screens. This no doubt will make political dissidents' mission to introduce reform in the country a lot tougher. One reason the government does not like political dissidents is because of their ability to disturb social order or create chaos threatening the country's stability and national security (Al-Saggaf, 2007).

While liberals are very active in their own forums like Tomaar.net and also in the local press such as in Alsaraq Al Awsat, Al Hayat, Al-Riyadh, and Al-Watan, they are not only prevented from co-existing in political discussion forums dominated by fundamentalists, but even in their own forums they receive intense criticism from these fundamentalists (Al-Saggaf, Himma, and Kharabsheh, 2008). The reason

liberals are not given a chance to operate in these other political sites is because the majority of members in these sites are Islamic fundamentalists who do not like liberals because they fear liberals will change their approach to life and to practising their religion (Al-Saggaf, Himma, and Kharabsheh, 2008). Liberals question why, for example, women cannot work along side men and why can't they drive cars like men. They want to see theatres, cinemas, and discos in the country. But Islamic fundamentalists do not want all that and that is why they try to fight them in every way they can (Al-Saggaf, Himma, and Kharabsheh, 2008). Liberals' exclusion from the online political public sphere will result in an absence of a dialogue between the two parties that could make each group become less misguided about each others' values and become more accepting of others and more open-minded in their views.

Freedom of expression from a Western philosophical perspective

Attempts to restrict freedom of expression are often hotly contested in liberal democratic societies but in Saudi Arabia, which holds on to its tradition and values through isolation among other things, they are hardly even mentioned in the local media and the press. That is why online commentators who write material that support extremism or liberalist ideals, or question why women are not allowed to drive cars or call for strikes to demand reforms or argue in favour of the rights of minorities such as the Shiites are understandably threatening. That is why also it is not surprising to learn that the Ministry of Interior arrested many online commentators particularly those with extremist views who supported terrorism. While Saudis themselves, motivated by political and cultural concerns, play a significant part in restricting freedom of expression, censorship, which the government in Saudi Arabia applies strictly, is the number one enemy to freedom of expression there. It would appear from the interviews with some of the online commentators that while they have a deep

understanding of what freedom of expression means to them and how important it is in their lives, the government, however, does not share that understanding with its citizens as evidenced by the arrests and detentions of dozens of online commentators that the interviewees reported. With this in mind, can we make a moral case for individuals' right to freedom of expression? While there several reasons why we value freedom of expression, is there any general moral principle from which the right to freedom of expression follows? Perhaps the most obvious is the liberal utilitarian one put forward by John Stuart Mill.

One of Mill's arguments is that an opinion which is not allowed to be heard might just be true, and the second that it might contain some truth. Therefore restrictions on the freedom of opinion can, and most probably will, deprive the world of some truths. His third reason is that unless beliefs and opinions are vigorously challenged, they will be held as mere prejudices, and finally, those opinions are themselves in danger of dying if never contested, simply because there is never any need to think about them. Mill has another argument concerning his conception of a good human life, which for him is one in which we think, reflect and rationally choose for ourselves from different beliefs and lifestyles according to what seems most true or meaningful to us. His central tenet here is that people ought to be allowed to express their individuality as they please "so long as it is at their own risk and peril" (Mill 1859: 53).

The basic argument is that the diversity created has many benefits. One is that "the human faculties of perception, judgement, discriminative feeling, mental activity, and even moral preference, are exercised only in making a choice" (ibid: 55). And exercising this choice makes it less likely that we will be under the sway of the

'despotism of custom' (Mill 1858: 66). If there is this diversity, each human will be more aware of the various options available, and so more competent to make informed choices in lifestyle and self expression.

These and other such arguments for freedom of speech and expression do support the claims for lack of restrictions on internet content in general. However the support is qualified for several reasons. Some of the arguments, particularly the first mentioned, only apply where there is some information or opinion given, that can enhance the search for truth, and second, one person's right to freedom of speech or expression can infringe on another's rights, and can clash with other goods. For example, my freedom to openly talk of your financial or medical situation would infringe your rights to privacy, and I clearly cannot be allowed the freedom to express myself through torturing you. It follows then that the idea of complete freedom of expression for everyone is not a viable option.

The boundaries of what is acceptable freedom and what is not must be established. As mentioned earlier, Mill's 'harm to others' principle is endorsed by many. I should have complete freedom of expression providing I harm nobody else. Admittedly this is not without problems, because many actions which appear to be self-regarding in Mill's sense, that is, they harm nobody except the person performing the action, can harm others indirectly, although he qualifies this by saying that he is talking of action that harm others 'directly, and in the first instance', but even this does not make the distinction clear and sharp. However, it is a useful criterion for all that. Many distinctions that are more or less vague are useful, for example, that between day and night.

There are all sorts of restrictions on what can be said, and in general there is little opposition to this. There are libel and defamation laws and laws against perjury, blasphemy, abusive language, disclosing personal information, and so on. There is debate about what should and what should not be allowed, but little argument that anything and everything ought to be. The value in having some restrictions on what may be said seems just too obvious. Mill also recognised this, and claimed that if some kinds of utterances are likely to cause riots for example, there ought to be restrictions placed on them (Mill 1859: 53).

While it might be argued that it is the violence that may occur during these riots that could cause the harm and not the utterances, if the utterances are highly likely to incite the hatred and violence that leads to harm, a strong case can be made on Millian grounds that the there should be restrictions on the utterances (as Mill does in the example above). While Mill's views on freedom of expression may not apply to the Saudi context because of the importance Mill places on individualism (as seen above) and the importance the Saudi culture places on collectivism (as discussed below), it would appear that Mill's harm principle can be used as a useful criterion for justifying restrictions on freedom of expression in Saudi Arabia (for more details on this see final section).

Freedom of expression from a collectivistic/Islamic perspective

While in most parts of the world restriction on freedom of expression is the result of censorship of the internet and government's control of what can be said online, in the case of Saudi Arabia it is also a manifestation of people's political orientations and culture. People's freedom of expression online especially women, political dissidents,

and liberals, is adversely affected by these two last factors. While it is unusual it should not be surprising. The Saudis live in a collectivistic culture. Collectivism emphasises the pursuit of common interests and the belonging to a set of hierarchical groups where, for example, the family need might be placed above the individual need. The demands on group members are different to those on non group members.

Individualism, on other hand, emphasises self-interest and promotes the self-realisation of talent and potential. Its demands are presumably universal. Persons living in individualistic cultures tend to have self-based, idiocentric values and behaviours, while those living in collectivistic cultures tend to have allocentric values and behaviours. Arabs for instance emphasise society wellbeing, communal feeling, and social usefulness. The individual in the Arabic culture is subordinated more and high conformity and submission to authority is expected from him/her (Berry, Poortinga, Segall and Dasen 1992). Australians, on the other hand, value freedom of the individual, freedom of speech and egalitarianism.

That the dissenter Dr. Saad Al-Fagih, for example, is rejected by the majority of the members of the society is not to be unexpected. Al-Fagih not only exposed the 'prevalent malpractices of the government' and educated the public about their rights as citizens but he also raised their awareness about how to demand these rights. He also championed demonstrations and protests that resulted in several arrests among those who participated in them. These actions are no doubt unacceptable and intolerable by the standard of the majority of the members of the society. If he was allowed to continue to talk online, his speeches could have created more chaos in the society and possibly incited violence. Sacrificing his freedom of expression for the

sake of protecting the society from his harmful views was the right thing to do in this case from the point of view of his society. That is why most of the members of the political online forums always took it on their shoulders to give him a hard time online if he tried to talk, which should make sense if the perspective taken is that of a collectivist. In a collectivistic society, people flourish better within groups and communities than when they are individuals living alone. This suggests that peoples' lives are better off by having a stronger group; which underpins the idea of individual's right within a group. That is, the individual's right is maintained when the group right is maintained; because group rights are needed to protect individual rights (Ignatieff 2001). In this case, if a dissenter tries to weaken the group by, for example, inciting violence, people can stop him/her from doing that because in the collectivist model the community is more important than individual rights and order is more important than democracy and individual freedom (ibid).

But even if a dissident's comments are not likely to incite violence, the majority of online commentators (most likely Islamic fundamentalists) would still make his/her life online very difficult simply because exposure to the dissident's ideas and views (liberals and Shi'ites as well for that matter) could challenge the orthodox convictions of certain individuals, such as the young and the uneducated, about their religion and make them confused. Taking the concern over influence of the Shi'ites as an example, Muslims (Sunnis or Shi'ites) develop their faith and receive their religious teachings through parents' enculturation and school education. They grow up convinced that their religion is true and perfect and thus unquestionable. At the same time, given their young age or lack of knowledge or poor intellectual development, they are the ones who are less likely to handle challenging questions capably , such as 'if

Mohammed (saw) himself nominated Ali (Muhammad's cousin and son-in-law) to be his successor, why was Abu Bakr appointed as the Caliph?' If these individuals venture into these kinds of questions and engage in complex philosophical debates, there is a chance they will either feel completely lost or totally confused about already established ideas and beliefs. While some, for example Mill, may see this confusion as healthy, others, say traditional Islamists, may see it as a bad thing. In view of the fact that Muslims in general regard their religion as the handbook, or manual, for leading a desired life, becoming confused carries serious consequences for these individuals' well-being.

While exposure to views and opinions that are contradictory to Islam may not be a cause for concern for some people, particularly those who are sympathetic with Mill's (1975) views about freedom of expression, in the case of Saudis it is of great concern. For instance, philosophical debates were never part of the Saudi Islamic practice and most prominent Saudi Islamic scholars always argued against studying philosophy, which is a view not unique to the Islamic religion in that some Christian theologians in the past also held similar beliefs including the German theologian, pastor, and church reformer, Martin Luther, who was once quoted as saying 'reason is the devil's whore'. The Saudi Islamic scholars concern over the influence of the non-Muslims is mainly based on the rule of thumb in Islam that says "to ward away the harm, takes precedence over bringing about good". But the influence of the non-Muslims was a concern even for renowned Islamic philosophers.

The great Islamic philosopher Al-Ghazali, for example, has an interesting view regarding the above. He drew two analogies: one between Al-Qur'an and 'food'; the

other between theology and 'medicine'. He argued that Al-Qur'an is like 'food', everyone benefits from it; whereas philosophy is like 'medicine' since only certain individuals benefit from it while the majority are harmed by it. By that of course Al-Ghazali means the lay person, whose faith and beliefs are strong needs only the guidance of the Qur'an to live satisfactorily. Similarly the great 7th century jurist al-Shafi'i was reported to have said: 'I hate nothing more than theology and theologians'. Indeed, most Islamic scholars and educators in Saudi Arabia subscribe to this view; that is why philosophy is not taught in schools. This also explains why Islamic fundamentalists work hard on dispossessing liberals, Shiites and political dissidents of the right to express themselves freely in online forums.

Concluding remarks

The paper discussed freedom of expression from both a Western perspective and a Saudi cultural perspective. We argued that restricting some kind of speech online is justified on the ground that the Saudi society is a collectivistic society, which puts order ahead of individual freedom. At the same time, given that the interference of these online forum members is to stop harm to the society, it could easily be interpreted as an application of Mill's harm principle. As mentioned above, when an opinion is likely to cause harm to others such as inciting violence as in the case of Dr Saad Al-Fagih's opinions, Mill allows for some restriction on freedom of speech and expression.

Fair enough, but what about Dr Saad Al-Fagih's opinions that are not likely going to incite any violence? Can the online forum members' interference be justified on the basis of Mill's harm principle? Certainly the line between what can incite violence and what can't is grey, but it still makes sense from the Arabs' point of view to

restrict someone's freedom if some of what that person says may cause harm to others. This is based on the rule in Islam that mandates the prohibition of acts that may violate the law by blocking all the means that could lead to such a thing. After all this is a collectivistic society and the act is taken for the protection of the welfare, good, happiness, needs, interests and values of the society.

The Arabic perspective outlined above is rather different from a typical Western one. For Westerners, restricting the freedom of speech of a political dissident such as Dr Saad Al-Fagih is problematic not only because in his case some members of the society (other online forums members) may want to hear what Dr Saad Al-Fagih had to say but also because Westerners doubt that a political dissident normally causes harm to society. In fact, to many Westerners, political dissidents encourage people to think about issues that may actually be useful to the society.

One interesting question that was not answered here because it is beyond the scope of the research for this article is whether it is possible for Saudis (specifically the traditionalists) to also embrace a western perspective to freedom of expression and if that happens how will they reconcile this western perspective with their traditional perspective. While it would appear Saudis are not immune to the individualist western tradition, only further research will reveal the answer to this question. This article hoped only to scratch the surface for future research about freedom of expression on the Saudi internet.

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