

Research Article

THE ANALYSIS OF IMPACTS ON FREEDOM OF EXPRESSION ON OPINION RIGHT: THE CASE OF CIVIL SOCIETY IN MONGOLIA

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Received 12th September 2022; Accepted 13th October 2022; Published online 30th November 2022

ABSTRACT

Our study seeks to determine the correlations between demonstration right, freedom of speech, and freedom expression for human rights by civil society in Mongolian case. Every day in every part of the world, civil society contributes to the promotion, protection, and advancement of human rights. In the last years, respecting human rights is an essential element of democracy. As individuals or part of civil society organizations, human rights activists and defenders identify, document, and denounce human rights violations, help mainstream human rights into legislation, and shore up existing rights. In this way, they also generally strengthen a culture of personal and collective rights and freedoms. Media play an active, essential role in a pluralistic democracy, they uphold freedom of speech and inform citizens. The ability to assemble and act collectively is vital to democratic, economic, social, and personal development, to the expression of ideas and to fostering engaged citizenry. Yet despite the increasingly prominent role that assemblies play in today's world, there is sometimes a lack of clear understanding of the applicable international human rights law and standards. Then we analyze about demonstration freedom, media freedom, speech freedom of expression opinion right freedom by SMART PLS 3.0 software in our study.

Keywords: demonstration freedom, media freedom, speech freedom, expression opinion right freedom.

INTRODUCTION

Strongly reaffirming that everyone has the right, individually and in association with others, to promote and strive for the protection and realization of human rights and fundamental freedoms at regional, national, and international levels, as laid out in the UN Declaration on Human Rights Defenders, and, as recalled by the UN General Assembly Resolution 72/247 of 24 December 2017

on the 20th anniversary and promotion of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, encouraging leaders in all sectors of society and in their respective communities, including political, military, social and religious leaders and leaders in business and the media, to express public support for human rights defenders in society, including women human rights defenders, and in cases of threat, harassment, violence, discrimination, racism and other violations and abuses committed against them, including murder, to take a clear stance in rejection of such practices and offences¹.

CONCEPTUAL FRAMEWORK AND HYPOTHESIS

The expression right

In Mongolia, the law provides for freedom of expression, including for the press, and the government generally respected this right, although it imposed some content restrictions, licensing could be problematic, and there was reported harassment of journalists. By law individuals and groups may engage in the peaceful expression of views on the internet. These problems contributed to occasional self-censorship. Press and Media Freedom: Globe International, a local NGO specializing in freedom of the press and media, reported continued pressure from police, politicians, and large business entities on local

media and press outlets. The ownership and political affiliations of the media often were not disclosed to the public, and a Globe International survey found that 23.3 percent of journalists reported they did not cover some stories due to their media outlet's financial and personal relationships with political officials and business elites. The Mongolian Center for Investigative Journalism also reported that journalists sometimes practiced self-censorship for the same reasons².

Demonstration and expression right

The exercise of these freedoms, since it carries with it duties and responsibilities, may be subject to such formalities, conditions, restrictions, or penalties as are prescribed by law and are necessary in a democratic society³. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers⁴. In the interests of national security, territorial disorder, or crime, for the protection of health or morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

Freedom of media and expression right

Freedom of the media is in fact essential for the protection of all other human rights. Instances of torture, discrimination, corruption, or misuse of power many times have come to light because of the work of investigative journalists⁵. Making the facts known to the public is often the first, essential step to start redressing human rights violations and hold governments accountable.

¹<https://www.amnesty.org/en/what-we-do/freedom-of-expression/>

²<https://mn.usembassy.gov/our-relationship/official-reports/2018-human-rights-report/>

³<https://www.equalityhumanrights.com/en/human-rights-act/article-10-freedom-expression>

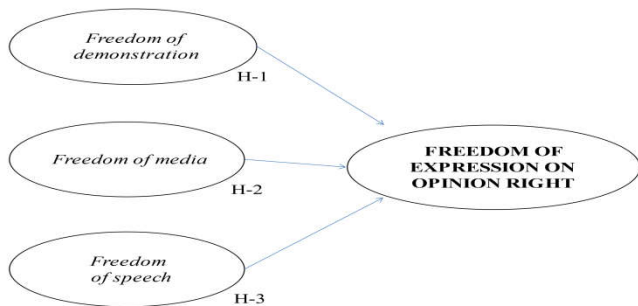
⁴<https://www.coe.int/en/web/commissioner/thematic-work/media-freedom>

⁵<https://www.coe.int/en/web/commissioner/thematic-work/media-freedom>

Freedom of speech and expression right

People have the right to say what you think, share information, and demand a better world. The people also have the right to agree or disagree with those in power, and to express these opinions in peaceful protests. Freedom of speech, or freedom of expression, applies to ideas of all kinds, including those that may be sometimes deeply offensive. While international law protects free speech, there are instances where speech can legitimately be restricted under the same law – such as when it violates the rights of others, or advocates hatred and incites discrimination or violence. However, any restrictions on freedom of expression must be provided by law, protect certain public interests or the rights of others and, be clearly necessary for that purpose.

Figure 1. Conceptual model on freedom of expression on opinion right



Hypothesis 1.

Freedom of demonstration will positively impact on freedom of expression on opinion right.

Hypothesis 2.

Freedom of media will positively impact on freedom of expression on opinion right.

Hypothesis 3.

Freedom of speech will positively impact on freedom of expression on opinion right.

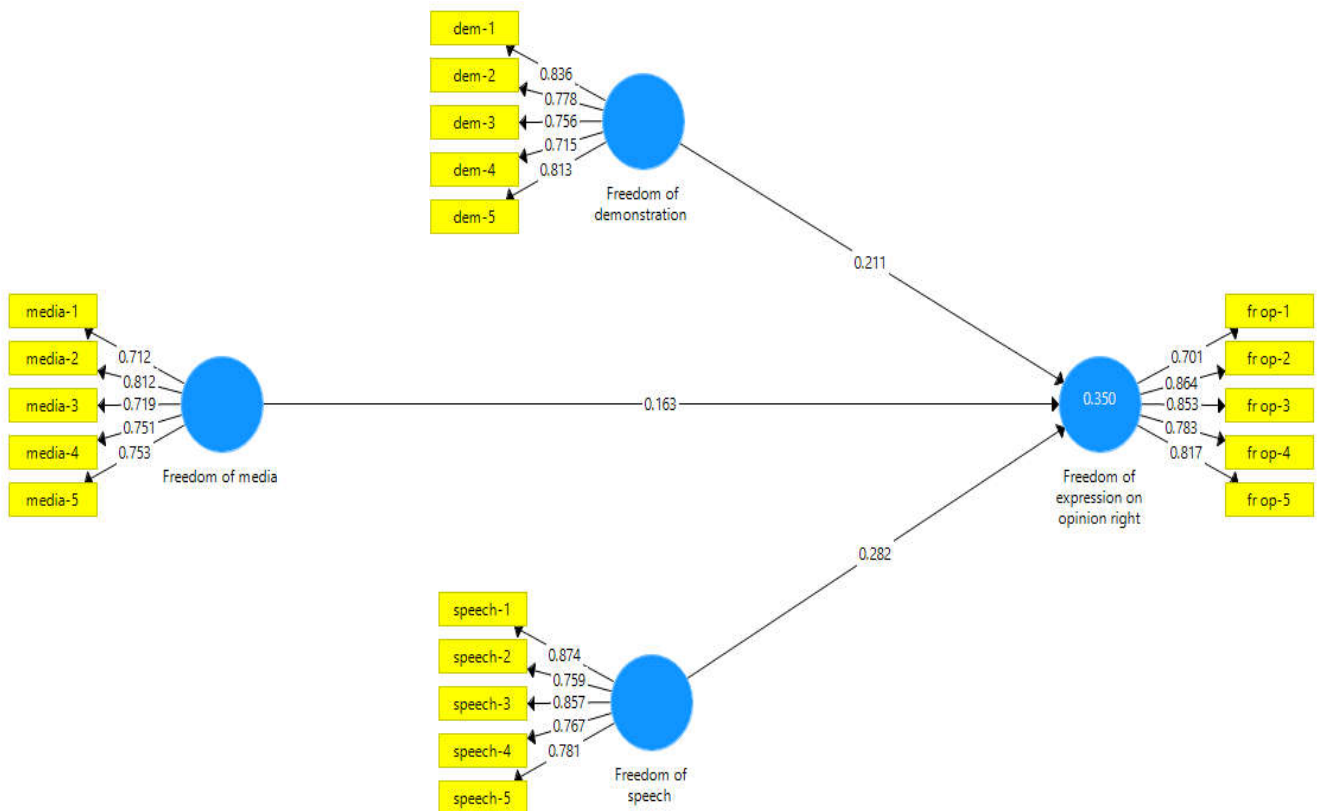
RESEARCH METHODOLOGY

Data collection and questionnaire design

The purpose of our study is to find out the variables of results on expression right. Our study includes two kinds of problems in terms of theoretical and practical frameworks. The first, in theoretical frameworks, previous researchers demand attention on expression right. Second, from the practical frameworks deemed attention in a fiscal year in 2022.

Selection of SPSS and Smart-PLS software program

Figure 3.1. Results of Structure Analysis of respondents (algorithm)



Noted: dem-demonstration freedom, media-media freedom, speech-speech freedom, fr op-expression opinion right freedom

Table 1. List of Items for each Construct of respondents

Factors	items	results of items	Cronbach's alpha	CR	AVE
Freedom of demonstration	dem-1	0.836	0.841	0.886	0.609
	dem-2	0.778			
	dem-3	0.756			
	dem-4	0.715			
	dem-5	0.813			

In table, in the items for each construct of freedom of demonstration of 5 items measuring ranged from **0.715-0.836**, Cronbach's alpha of **0.841**, Composite reliability /CR/ of **0.886** and Average Variance Extracted /AVE/ was **0.609**.

Table 2. List of Items for each Construct of respondents

Factors	items	results of items	Cronbach's alpha	CR	AVE
Freedom of media	media-1	0.712	0.805	0.865	0.563
	media-2	0.812			
	media-3	0.719			
	media-4	0.751			
	media-5	0.753			

In table, in the items for each construct of freedom of media of 5 items measuring ranged from **0.712-0.812**, Cronbach's alpha of **0.805**, Composite reliability /CR/ of **0.865** and Average Variance Extracted /AVE/ was **0.563**.

Table 3. List of Items for each Construct of respondents

Factors	items	results of items	Cronbach's alpha	CR	AVE
Freedom of speech	speech-1	0.874	0.868	0.904	0.654
	speech-2	0.759			
	speech-3	0.857			
	speech-4	0.767			
	speech-5	0.781			

In table, in the items for each construct of freedom of speech of 5 items measuring ranged from **0.759-0.874**, Cronbach's alpha of **0.868**, Composite reliability /CR/ of **0.904** and Average Variance Extracted /AVE/ was **0.654**.

Table 4. List of Items for each Construct of respondents

Factors	items	results of items	Cronbach's alpha	CR	AVE
Freedom of expression on opinion right	fr op-1	0.701	0.863	0.904	0.649
	fr op-2	0.864			
	fr op-3	0.853			
	fr op-4	0.783			
	fr op-5	0.817			

In table, in the items for each construct of freedom of expression on opinion right of 5 items measuring ranged from **0.701-0.864**, Cronbach's alpha of **0.863**, Composite reliability /CR/ of **0.904** and Average Variance Extracted /AVE/ was **0.649**.

We scrutinized 3 hypotheses in our study, but all hypotheses were not related to freedom of expression on opinion right. Then, we will analyze other factors which are related on the freedom of expression on opinion right.

Table 5. Estimated Path Coefficients of freedom for expression on opinion right

Hypothesis	Standard deviation	T statistic	P value	Results
Freedom of demonstration → Freedom of expression on opinion right	0.173	1.220	0.223	no supported
Freedom of media → Freedom of expression on opinion right	0.180	0.911	0.363	no supported
Freedom of speech → Freedom of expression on opinion right	0.205	1.375	0.170	no supported

Note: Result of study

CONCLUSION

There are many scholars globally studying the relationship between freedom of demonstration, freedom of media, freedom of speech on freedom of expression on opinion right. The right to freedom of opinion is the right to hold opinions without interference and cannot be subject to any exception or restriction. The right to freedom of expression extends to any medium, including written and oral communications, the media, public protest, broadcasting, artistic works, and commercial advertising. The right is not absolute. It carries with it special responsibilities and may be restricted on several grounds. We scrutinized 3 hypotheses in our study, but all hypotheses were not related to freedom of expression on opinion right. Eventually, our study might be unique in ways when civil society in Mongolia, and future comparisons might reveal important similarities and differences across nations.

Limitation and Recommendations of our study:

1. Our study is limited in time as the third quarter fiscal year 2022.
2. Only limited study results by SMART PLS-3.0 were compared with other qualitative research methods.

CITATIONS AND BIBLIOGRAPHY

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5. Protecting the right to freedom of expression under the European convention on human rights, A handbook for legal practitioners
6. Disinformation and freedom of opinion and expression: report of the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression.

2022 Khshgbgl ENG.txt *KSHSHGBGL.splsm PLS Algorithm (Run No. 1)

Discriminant Validity

Fornell-Larcker Criterion Cross Loadings Heterotrait-Monotrait Ratio (HTMT) Heterotrait-Monotrait Ratio (HTMT)

	Freedom of demonstration	Freedom of expression on opinion right	Freedom of media	Freedom of speech
Freedom of demonstration	0.781			
Freedom of expression on opinion right	0.518	0.806		
Freedom of media	0.694	0.522	0.750	
Freedom of speech	0.685	0.549	0.750	0.809

2022 Khshgbgl ENG.txt *KSHSHGBGL.splsm PLS Algorithm (Run No. 1)

Construct Reliability and Validity

Matrix Cronbach's Alpha rho_A Composite Reliability Average Variance Extracted (AVE)

	Cronbach's Alpha	rho_A	Composite Reliability	Average Variance Extracted (AVE)
Freedom of demonstration	0.841	0.856	0.886	0.609
Freedom of expression on opinion right	0.863	0.868	0.902	0.649
Freedom of media	0.805	0.807	0.865	0.563
Freedom of speech	0.868	0.900	0.904	0.654

2022 Khshgbgl ENG.txt *KSHSHGBGL.splsm PLS Algorithm (Run No. 1)

R Square

Matrix R Square R Square Adjusted

	R Square	R Square Adjusted
Freedom of expression on opinion right	0.350	0.311

2022 Khshgbgl ENG.txt *KSHSHGBGL.splsm PLS Algorithm (Run No. 1) Bootstrapping (Run No. 1)

Path Coefficients

Mean, STDEV, T-Values, P-Values Confidence Intervals Confidence Intervals Bias Corrected Samples

	Original Sampl...	Sample Mean (...)	Standard Devia...	T Statistics (O/...	P Values
Freedom of demonstration -> Freedom of expression on opinion right	0.211	0.223	0.173	1.220	0.223
Freedom of media -> Freedom of expression on opinion right	0.163	0.188	0.180	0.911	0.363
Freedom of speech -> Freedom of expression on opinion right	0.282	0.267	0.205	1.375	0.170

2022 Khshgbgl ENG.txt *KSHSHGBGL.splsm PLS Algorithm (Run No. 1)

Outer Loadings

Matrix

	Freedom of demonstration	Freedom of expression on opinion right	Freedom of media	Freedom of speech
dem-1	0.836			
dem-2	0.778			
dem-3	0.756			
dem-4	0.715			
dem-5	0.813			
fr op-1		0.701		
fr op-2		0.864		
fr op-3		0.853		
fr op-4		0.783		
fr op-5		0.817		
media-1			0.712	
media-2			0.812	
media-3			0.719	
media-4			0.751	
media-5			0.753	
speech-1				0.874
speech-2				0.759
speech-3				0.857
speech-4				0.767
speech-5				0.781
