



2026

REPORT ON THE STATE OF FREEDOM TO PUBLISH GLOBALLY

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INTERNATIONAL PUBLISHERS ASSOCIATION
PRESENTS

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EXECUTIVE SUMMARY

This report, commissioned by the International Publishers Association and prepared by research students at the Geneva Graduate Institute, examines the state of the freedom to publish across twenty-two countries. In 1980, Peter Calvocoressi told the IPA's Stockholm Congress that publishers were “mostly free and never safe.” That core insight holds true today, though the mechanics of suppression have transformed. Forty years ago, censorship announced itself through state banning orders and criminal prosecutions. Today, it operates far more insidiously appearing as a predatory lawsuit against an independent press, a distributor's decision to drop a title, a government directive overriding local libraries, or a quiet compromise made in the editorial room before anyone outside knows the book exists.

The Shift from Direct to Structural Constraint

Across the twenty-two countries examined, the censor is more likely to be a market configuration, a litigation threat, or a quiet internal calculation than an official with a mandate. A Tamil author in India writes that there is now a censor inside him. In Türkiye, publishers carry out legal reviews of manuscripts before any authority has asked them to. In Japan, the practice of reading the air, of anticipating social backlash before any pressure materializes, shapes editorial decisions as reliably as any formal prohibition. In Egypt, publishers adjust content at the commissioning stage to meet the anticipated standards of Gulf export markets, before a single book crosses a border. The mechanism differs from case to case; the effect on what is published and what is not is structurally consistent.

Methodology

The study draws primarily on semi-structured interviews with representatives of IPA member associations and other publishing-sector actors in seventeen of the twenty-two countries, together with written information provided by the French Publishers Association (SNE), analysed through the Framework Method developed by Ritchie and Spencer and supplemented by the constant comparative technique from constructivist grounded theory. Reporters Without Borders, V-Dem, and Freedom House data are used as contextual anchors and are read alongside qualitative evidence that in several cases substantially complicates their aggregate assessments. Countries were selected through maximum variation sampling, seeking diversity across political regime, geographic region, publishing market size, legal tradition, and linguistic context. Four of the twenty-two cases: Australia, Hungary, India, and Nigeria, rely on secondary sources alone, as no interview was available within the project's constraints.

The Markers Framework

The study's original contribution is a markers framework: four diagnostic lenses through which any publishing environment can be assessed. These are instruments designed to capture what standard press freedom indices routinely miss.

The first, *legal environment*, looks beyond the presence of formal protections to examine their reliability in practice, and the degree to which legal instruments, including colonial-era statutes, national security provisions, and defamation laws carrying custodial sentences, can be turned against publishers regardless of what the law formally guarantees. The second, *political climate*, addresses the informal risk generated by political polarization, opportunistic use of institutional power, and the absence of consequences for political actors who promote censorship, pressures that operate outside the law and cannot be contested in court. The third, *structural enabling conditions*, is where the study departs most significantly from existing frameworks: it examines the practical conditions of publishing in different contexts, from literacy rates and distribution infrastructure to market concentration, platform dependence, and production economics, independently of what the law formally permits. The fourth, *the gap between formal and substantive freedom*, is the overarching diagnostic variable, measuring the distance between what can legally be published and what can be written, produced, distributed, and read.

Key Findings

Self-censorship is the most consistent finding across the cases, present in all but a small number of them, and the form of constraint this study treats as most consequential, since it operates without an order, a named defendant or a court record. Three distinct forms emerge from the evidence. *Anticipatory self-censorship* operates through the internalization of risk drawn from the observable fates of other publishers and requires no external enforcement, since publishers self-enforce. *Reactive self-censorship*, the withdrawal of content after pressure has been applied, matters most for its signalling function across the wider sector, as each high-profile withdrawal communicates to other publishers what types of content produce the kind of attention that leads to withdrawal. *Market-driven self-censorship*, the avoidance of commercially precarious content regardless of any legal or political pressure, is structurally distinct from the other two and likely the most under-documented form. In all three cases, self-censorship is not a freely made editorial choice but the rational outcome of an environment in which publishing certain content carries costs that have been rendered high enough to deter it.

Child protection is the most versatile justificatory frame for content restriction found across the twenty-two cases, deployed in contexts as different as Hungary, France, Türkiye, the United States, Brazil, and Australia, by actors ranging from authoritarian governments to progressive municipal administrations. It provides the most publicly defensible ground for restricting content that is, in most cases, targeted for other reasons, most commonly LGBTQ+ representation, sexuality, and material that challenges prevailing ideological norms.

Among the study's most analytically novel findings is the transnational dimension of constraint. Egyptian publishers must weigh commissioning decisions against the censorship standards of Gulf export markets before any book crosses a border, giving the most restrictive market in the export chain a structuring influence over publishing decisions in a different country. Digital platforms, meanwhile, remove content across jurisdictions according to proprietary terms of service, without notice or possibility of judicial review, representing a form of gatekeeping that existing legal and conceptual frameworks were not designed to address.

Literacy and reading culture are the most consistently neglected dimensions of publishing freedom in existing frameworks. UNESCO's 2025 data documents 739 million adults worldwide who still lack basic literacy. In Nigeria, where roughly 38% of the population is illiterate and distribution networks remain thin outside the main cities, the obstacles to publishing diversity are as much structural as political. Formal freedom to publish is practically meaningless where there is no audience capable of sustaining it.

Policy Directions

Four directions emerge from the cross-case evidence. Colonial-era and overbroad legal frameworks require long-term reform, as statutes designed for different political conditions continue to provide the legal cover for contemporary censorship across multiple contexts. Structural policy support through public book purchasing, targeted subsidies for independent publishers, and distribution regulation can begin more immediately and protect publishing ecosystems from market capture. Independent institutional infrastructure requires medium-to-long-term investment whose value lies precisely in its durability across successive governments. This includes book agencies, constitutional safeguards for judicial independence, and standing commissions on freedom of expression of the kind Norway has convened three times since 1999, which review the conditions for public debate and report publicly (see the Norway case study).

Conclusion

The overarching conclusion of this study is that formal protections are necessary, but far from sufficient. The essential variable in characterizing any publishing environment is the widening divide between legal permission and practical feasibility. As this gap has subtly broadened over the four decades since Calvocoressi's study, traditional analytical tools have proved increasingly inadequate. This report introduces the conceptual tools required to address this blind spot, positioning itself as a first step toward a more rigorous, evidence-based approach to safeguarding expressive freedom. As Kristenn Einarsson, former CEO of the Norwegian Publishers Association and former Chair of the IPA Freedom to Publish Committee, observed during our research: what was considered impossible in Western democracies just five years ago is now happening. Freedom to publish does not maintain itself.



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I

INTRODUCTION

This is not the first time the International Publishers Association has commissioned an inquiry of this kind. In 1980, Peter Calvocoressi presented a report to the IPA's Stockholm Congress on the obstacles to freedom of publishing across member countries.¹ At the time, Calvocoressi concluded, with measured confidence, that “outside the world’s avowed ideological and military autocracies, freedom to publish is widespread but vulnerable.”² Calvocoressi was right about his moment, and what differentiates that moment from ours is the visibility of the threat. Books were pulled from shelves by officials, authors were prosecuted, manuscripts passed through pre-publication censorship agencies, and editions were burned by military decree. Whatever measures there were, they were rarely hidden.

By 2020, another IPA report³ found that, in addition to focusing on governmental censorship, imprisonment and harassment of publishers and authors, as we advance, the IPA and its Freedom to Publish Committee need to maintain focus on self-censorship, especially regarding politics and religion, as well as LGBTQ-related themes.

Six years after the initial 2020 assessments, evidence gathered across twenty-two national publishing environments confirms a profound shift. Direct state censorship has not been replaced; instead, it is now accompanied by structural mechanisms that leave no paper trail and produce no court record. The modern censor is rarely a person with a stamp and an office. Instead, censorship operates through market configurations, platform algorithms, weaponized litigation, and an internalized anticipation of consequences that never need to materialize. Uncovering these invisible barriers requires a new diagnostic framework—one tailored to modern realities. This study constructs that framework.

Not everything has changed. The 1980 report already understood that self-censorship is not always a voluntary act of editorial judgment but a response to structural conditions. It is, Calvocoressi wrote, “commonly brought into play when authority creates a situation in which it is dangerous for the publisher not to censor his own publication.” That insight, that the displacement of censorial agency onto publishers is itself a form of political power, runs through the case studies gathered here, and it is what connects this report most directly to its predecessor. What has changed is the scale. Self-censorship, a secondary pathology in 1980, is the most consistent finding across these cases, absent only in the strongest-performing environments, and its sources now reach well beyond the state actors Calvocoressi had in view.

Method marks the two studies apart as much as circumstance does. Calvocoressi was candid about his evidence: a restricted number of countries, a sample, and behind it his own long experience of publishing. The present study works the other way round. Countries were chosen for the variation between them, in regime type, region, market structure, legal tradition and language, and each case was built from an interview, read against court records, statutes, press reporting and the international indices. What the two reports offer, then, is not a smaller and a larger sample but a private judgement and a traceable one. The limits of the second kind are of their own sort, and Section II sets them out.

1 Peter Calvocoressi, *Freedom to Publish: A Report on Obstacles to Freedom in Publishing Presented to the Stockholm Congress* (Stockholm: Almqvist & Wiksell International / International Publishers Association, 1980), 14.

2 Calvocoressi, *Freedom to Publish*, 14.

3 International Publishers Association, *Freedom to Publish: Challenges, Violations and Countries of Concern* (Geneva: International Publishers Association, 2020), <https://internationalpublishers.org/freedom-to-publish/>. See also International Publishers Association, *Annual Freedom to Publish Global Reports, 2020–2024*.

I.I. DEFINING FREEDOM TO PUBLISH

Freedom to publish is a specific, operationally distinct dimension of the broader right to freedom of expression. The IPA defines it as the right of publishers to produce and disseminate works without interference, subject only to restrictions that are necessary, proportionate, and consistent with international human rights law.⁴ The UN Human Rights Committee's General Comment 34 establishes that any restriction on expression must meet a three-part test: it must be provided by law, it must serve a legitimate aim, and it must be necessary and proportionate to that aim.⁵ Freedom to publish inherits these constraints: a restriction that is legally framed but disproportionate, or that pursues an ostensible aim to conceal another motive, violates the standard even if it passes formal legal review.

Freedom to publish, in this study, runs the length of the editorial chain. It begins with the decision to commission a work, carries through the making of it, and does not end until the book is somewhere a reader can find it. The definition must reach that far because a book can be stopped at any point along the way, and rarely at the point the law watches.

The IPA and its partner organizations have articulated freedom to publish as one element of what they term a 'trinity of freedoms': the freedom to write, the freedom to publish, and the freedom to read.⁶ These three freedoms are structurally interdependent. A publisher may be formally free to produce a work while authors face criminal exposure for writing it, or while readers are denied meaningful access through illiteracy, poverty, or the absence of distribution infrastructure. The present study treats this interdependence as analytically foundational. Constraints on any one element of the trinity compromise the others, and an assessment of freedom to publish that ignores the conditions of writing and reading captures only a fraction of what is at stake.

Freedom to publish is also, in this study, treated as a spectrum. No publishing environment is either perfectly free or absolutely unfree, every context involves some combination of legal protections and vulnerabilities, enabling conditions and structural constraints. Therefore, the analytical task for this report was not to classify countries as free or unfree but to characterize the specific configuration of forces that shapes each publishing environment, and to identify the mechanisms through which the gap between formal and substantive freedom opens, or closes.

I.II. CENSORSHIP AND ITS FORMS

The concept of censorship that animates this study is considerably broader than its common usage implies. In everyday discourse, censorship refers to the formal suppression of content by state authority, the banned book, the confiscated edition, the criminal prosecution of an author. These forms are documented across multiple cases and are analytically important, but they account for a diminishing share of the mechanisms through which publishing freedom is curtailed, even in consolidated authoritarian contexts.

4 International Publishers Association, *Freedom to Publish*, IPA Policy Statement (Geneva: IPA, 2022-2023), <https://internationalpublishers.org/wp-content/uploads/2022/12/ipa-annual-report-2022-23.pdf>.

5 United Nations Human Rights Committee, *General Comment No. 34: Freedoms of Opinion and Expression*, UN Doc. CCPR/C/GC/34 (Geneva: UN, 2011), para. 11.

6 Hugo Setzer, 'The Trinity of Freedoms,' International Publishers Association, 11 February 2025, <https://internationalpublishers.org/the-trinity-of-freedoms/>. The concept has been jointly articulated by the IPA, PEN International, the International Authors Forum, the European and International Booksellers Federation, and the International Federation of Library Associations and Institutions.

The study distinguishes three broad families of censorship mechanisms, which interact and overlap in ways the analytical framework must be capable of tracing: i) *Direct or state-driven censorship* comprises explicit bans, criminal prosecution of publishers and authors, administrative gatekeeping of distribution channels, and what the Türkiye case identifies as positive censorship — the definition of permissible content through official recommended lists, which constrains editorial behaviour through the construction of orthodoxy instead of the punishment of deviance; ii) *Indirect or structural censorship* includes market capture and distribution control, strategic lawsuits against public participation (SLAPPs),⁷ platform and algorithmic gatekeeping by transnational digital actors, and the use of social media pressure and denunciation campaigns to induce withdrawal without formal prohibition, and iii) *Self-censorship*, the most pervasive and least visible form across the great majority of cases, encompasses anticipatory avoidance of content through the pre-emptive alteration of works based on perceived risks, caution shaped by past restrictions and reprisals against colleagues, operating in the shadow of prior or possible threats, reactive withdrawal following applied pressure, and market-driven avoidance for commercial reasons. The social-psychological mechanism underlying the first two forms was theorized by Elisabeth Noelle-Neumann as the ‘spiral of silence’: individuals who perceive their views to be losing ground in the social environment withdraw from public expression, which reinforces the apparent dominance of the prevailing opinion and produces further withdrawal in a self-reinforcing cycle.⁸

In all its forms, self-censorship is a response to a structural environment in which the costs of publishing certain content have been rendered sufficiently high, by state action, by market conditions, or by the accumulated signalling effect of other publishers’ withdrawals, such that avoidance becomes rational.

Across the twenty-two case studies, what unites the most consequential constraints is the displacement of censorial agency from the state to the publisher. The specific mechanisms through which this occurs, from the Japanese practice of reading the air to Turkish publishers’ routine pre-submission legal manuscript reviews to Egyptian publishers calibrating their lists against Gulf export market standards, are developed in the cross-case synthesis in Section IV. The result, as Calvocoressi already intuited at the margins of his analysis, is a censorship that leaves few visible traces and produces no court record, but which his analytical framework was not designed to measure.

A further consequence of this shift is the growing role of non-state actors in shaping what is published and what is not. Habermas’s foundational account of the public sphere located the primary threat to expressive freedom in the state, and that diagnosis retains structural validity: even where private actors are the proximate source of pressure, state frameworks, and state failures of accountability typically provide the conditions in which private power over publishing operates without constraint.⁹ However, the actors capable of imposing that power informally have multiplied. The acquisition of a publishing house by a media conglomerate does not constitute censorship in any formal sense; its effects on editorial diversity may nonetheless be significant and durable. The case of Vincent Bolloré’s media acquisitions in France (see France’s case study below), and in particular Vivendi’s takeover of *Hachette Livre*, illustrates this dynamic, showing

7 Strategic Lawsuits Against Public Participation (SLAPPs) are legal actions (civil or criminal, including defamation suits) initiated not with the primary aim of winning in court but of imposing financial, reputational, and psychological costs on the defendant sufficient to deter publication or public commentary. Their censorial effect operates independently of outcome: the burden of litigation itself functions as punishment. On the EU legislative response, see Directive (EU) 2024/1069 of the European Parliament and of the Council on Protecting Persons Who Engage in Public Participation from Manifestly Unfounded Claims or Abusive Court Proceedings.

8 Elisabeth Noelle-Neumann, ‘The Spiral of Silence: A Theory of Public Opinion,’ *Journal of Communication* 24, no. 2 (1974): 43–51. Noelle-Neumann’s mechanism has a direct application to publishing: a small number of visible withdrawal events (reactive self-censorship) communicates to other publishers’ which kinds of content produce the kind of attention that leads to withdrawal, thereby generating anticipatory self-censorship at sector level without any direct pressure being applied.

9 Jürgen Habermas, *The Structural Transformation of the Public Sphere: An Inquiry into a Category of Bourgeois Society*, trans. Thomas Burger (Cambridge, MA: MIT Press, 1989), 181–195.

how even when no book is banned, editorial selection processes, author relationships, and commissioning priorities are restructured through the logic of ownership.¹⁰ Digital platforms that remove content across national jurisdictions according to proprietary terms of service, without notice and without the possibility of judicial review, represent a qualitatively new form of gatekeeping that neither the 1980 report's analytical framework nor the existing conceptual tools for freedom to publish were designed to address.

I.III. THE PUBLISHING ECOSYSTEM AND THE SCOPE OF THIS STUDY

The term 'publishing' encompasses a range of distinct sectors with different market structures, different relationships to the state, and different vulnerabilities to constraint. This study focuses primarily on three *publishing sectors*:

Academic Publishing

Academic publishing aims¹¹ to validate and communicate scientific findings in accordance with core principles of research integrity and publication ethics (transparency, reproducibility, objectivity, and editorial independence). However, contentious content, geopolitics, and other disputes can affect this sector¹².

In knowledge production and communication, freedom to publish protects academic freedom. Hook defines¹³ academic freedom as "professionally qualified persons to inquire, discover, publish, and teach the truth as they see it in the field of their competence". He notes how interventions in the publication process can limit the production and circulation of scholarly knowledge."

Academic publishing relies on openness to ongoing debate, being challenged, and revision. Council of Europe experts¹⁴ argue that "the critical conscience" of society can be compromised when scholars self-censor. If allowed to grow, this "spiral of silence" can erode academic freedom, even without formal prohibitions.

Moreover, research often involves international collaboration and major publishers, preprint servers, and scholarly infrastructures operate across borders. However, the institutions and funding bodies that sustain research are largely national, shaped by domestic agendas and policy frameworks. This local-global tension can affect freedom to publish, particularly when disseminating work deemed contentious. National funding priorities can steer research agendas or away from more sensitive lines of inquiry, and pressures in countries with large shares of global research (e.g., United States and China) echo internationally.

Educational Publishing

Educational publishing refers to the development, production, and distribution of materials designed for formal teaching and learning, including textbooks, workbooks, teachers' guides, assessment materials,

10 Kaye Wiggins, 'Media Empire Raises Fears of Editorial Interference,' *Financial Times*, 4 March 2024.

11 Ithaka S+R, *Common Scholarly Communication Infrastructure: Landscape Review*, 2024, <https://sr.ithaka.org/publications/common-scholarly-communication-infrastructure-landscape-review/>.

12 Jennifer Wright – Ann Avouris – Matthew Frost – Sally Hoffmann, *Supporting academic freedom as a human right: challenges and solutions in academic publishing*, «The International Journal of Human Rights», 26 (2022), 10, pp. 1741-1760, DOI: doi.org/10.1080/13642987.2022.2088520.

13 Sidney Hook, *Academic Freedom and Academic Anarchy*, New York: Dell, 1969. <https://philpapers.org/rec/KURAFA>.

14 Council of Europe, *Self-censorship in academia*, <https://www.coe.int/en/web/education/self-censorship-in-academia>.

and digital learning resources for primary, secondary, and tertiary education.¹⁵ Although mostly commercially driven, educational publishing is tightly controlled by state-led policies around national curricula, government purchasing power, public investments, and regulatory or copyright frameworks. The release of national and state standards shapes new material, with publishers aligning with these standards¹⁶. As such, policymaker editorial decisions can act as regulatory censorship, even unintentionally.

Regulatory mechanisms can support but also undermine a pluralistic educational publishing ecosystem. State-led controls vary in intensity and form, spanning indirect mechanisms (approval or recommendation processes), to direct interventions (legislative market closure and state-imposed monopolies).

In Canada, copyright disruption threatens viability. The 2012 expansion of “fair dealing”, enabled educational institutions to widely copy materials without licensing, causing revenues to collapse¹⁷ and eroding publishers’ capacity to invest in new materials. In this context, freedom to publish is not suppressed by censorship but by the erosion of the economic conditions necessary for publication itself.

Elsewhere, industry bodies argue that the UK government’s Oak National Academy platform’s free, curriculum-aligned digital resources¹⁸ distort competition. This “crowding out” occurs when publicly funded platforms absorb audience share, potentially “starving commercial media”¹⁹. Thus, state investment limits freedom through disproportionate market power.

State policy plays a powerful role in ensuring a pluralistic publishing landscape as part of the education ecosystem. Ultimately, freedom to publish requires protection from direct censorship, as well as stable legal frameworks and fair competition.

Trade Publishing

Trade publishing comprises all books that are written for a non-specialist readership and sold through general retail. As the public face of publishing that often forms an indispensable part of public conversation and public culture²⁰, it strengthens cultural plurality and democratic discourse. However, as trade publishing is sensitive to economic, political and social pressures, the sector’s freedom to publish can also be endangered.

According to the International Publishers Association²¹, freedom to publish challenges in trade publishing often manifest through book bans, threats against authors, pressure campaigns from activist groups, and economic coercion. PEN America reported over 4,000 bans in U.S. schools and libraries between 2021 and 2023, highlighting a growing trend of organized ideological intervention in cultural markets²². While these

15 Christoph Bläsi, “Educational Publishers and Educational Publishing,” in *The Palgrave Handbook of Textbook Studies*, ed. Eckhardt Fuchs and Annekatrin Bock (New York: Palgrave Macmillan, 2018), 73–93; on public procurement and the state’s role in textbook provision, UNESCO Global Education Monitoring Report, *Every Child Should Have a Textbook*, Policy Paper 23 (Paris: UNESCO, January 2016), <https://unesdoc.unesco.org/ark:/48223/pf0000243321>; International Publishers Association, “Educational Publishers Forum: Who We Are,” <https://www.internationalpublishers.org/our-work/educational-publishing/91-educational-publishing/educational-publishers-forum/who-we-are>.

16 M. G. Watt, “*The Role of Curriculum Resources in Three Countries*” (doctoral dissertation, 2004), ERIC, <https://files.eric.ed.gov/fulltext/ED490549.pdf>.

17 Publishers Canada, “Impacts of the Education Sector’s Interpretation of Fair Dealing,” July 17, 2023, <https://publishers.ca/access-copyright-downsizing/>.

18 Publishers Association, “Publishers Association CEO Dan Conway Writes to the Chancellor of Oak National Academy,” February 10, 2025, <https://www.publishers.org.uk/publishers-association-ceo-dan-conway-writes-to-chancellor-on-oak-national-academy/>.

19 Annika Sehl, Richard Fletcher, and Robert G. Picard, “Crowding Out: Is There Evidence That Public Service Media Harm Markets?,” *European Journal of Communication* 35, no. 4 (2020): 389–409, <https://doi.org/10.1177/0267323120903688>.

20 John B. Thompson, “Trade Publishing,” in *The Oxford Handbook of Publishing*, ed. Angus Phillips and Michael Bhaskar (Oxford: Oxford University Press, 2019).

21 International Publishers Association & Norwegian Publishers Association, *Freedom to publish: Challenges, violations and countries of concern*. 2023.

22 PEN America, Scholastic urged to explore other options instead of limiting or partitioning diverse book titles at schoolbook fairs. *PEN America*. 2023.

bans target libraries and do not prevent the sale of books, they are nonetheless a powerful indicator of rising levels of censorship in the sector.

Market concentration can also affect the autonomy of trade publishers. Concerns have been raised over the dominance of Amazon in book retail, with the European Commission noting Amazon’s “structural power over price, discoverability, and access to consumers”²³. This imbalance can impact the ability of publishers to maintain diverse lists, as algorithms disproportionately favour bestsellers²⁴.

The structural conditions of publishing are inseparable from the conditions of reading. UNESCO’s 2025 literacy factsheet reports that 739 million adults worldwide still lack basic literacy skills, with nearly 77% concentrated in sub-Saharan Africa and Central and Southern Asia.²⁵ In these contexts, formal freedom to publish is, in the terms of this study’s third marker, practically hollow: there is no audience capable of sustaining a diverse publishing ecosystem, and the economic conditions necessary for publication itself cannot form. In that sense, the study treats literacy and reading culture as structural enabling conditions for freedom to publish, not only as background context, but also as a dimension that existing freedom to publish frameworks sometimes neglect.

I.IV. THE MARKERS FRAMEWORK: *THE STUDY’S CONTRIBUTION*

The analytical output of this study is what we called *the markers framework*: a set of qualitatively identified signals whose presence, absence, or intensity points toward the degree of publishing freedom operating in each context. Markers are distinct from formal indicators in the technical sense, which require operationalization and predetermined measurement rules. For this report, markers are the conceptual building blocks from which indicators could subsequently be developed, which at the end can become the first generation of analytical vocabulary for a field that, despite forty-five years of IPA engagement, still lacks one.

Four markers are proposed. The first, *legal environment*, concerns whether formal protections exist, if they are reliably enforced, and whether legal instruments are available that can be weaponized against publishers regardless of formal guarantees, including through strategic litigation whose chilling effect operates independently of outcome. The second, *political climate*, addresses the degree to which political polarization, opportunistic use of institutional power, and the absence of accountability for political actors who promote censorship combine to create risk that is neither codified in law nor enforceable in court. The third, *structural enabling conditions*, is where this study makes its contribution relative to both the 1980 report and existing press freedom indices, since it addresses the socioeconomic and cultural infrastructure, literacy and reading culture, distribution networks, market concentration, platform exposure, and production economics that determine whether publishing is practically possible regardless of what the law says. The fourth, *the gap between formal and substantive freedom to publish*, is the overarching diagnostic variable: the distance between what the law permits and what is publishable, distributable, and readable in each setting.

23 European Commission, *Antitrust case files on Amazon Marketplace practices*. 2021. https://ec.europa.eu/commission/presscorner/detail/en/ip_20_2077.

24 Filippo Carnovalini - Antonio Rodà - Geraint A. Wiggins, Popularity bias in recommender systems: The search for fairness in the long tail. *Information*, 16(2), 151. 2025.

25 UNESCO Institute for Statistics, *International Literacy Day 2025: Youth and Adult Literacy, Factsheet* (Paris: UNESCO, 2025). The factsheet reports that in 2024, 739 million adults worldwide still lacked basic literacy skills, with nearly 77 % concentrated in sub-Saharan Africa and Central and Southern Asia.

These four markers interact, reinforce, and sometimes substitute for one another. A highly robust legal environment can be partially offset by a hostile political climate. Weak structural enabling conditions compound the effects of an already precarious legal situation. The framework is most analytically powerful when the four markers are read together, and most misleading when any single marker is treated as sufficient to characterize a publishing environment. It should be noted, however, that the framework is interpretive in design. The markers are heuristic instruments through which qualitative evidence can be organized, compared, and communicated across diverse national contexts. This is consistent with the constructivist epistemology set out in Section II; the framework does not claim to discover a pre-existing, objectively measurable condition called “freedom to publish,” but is intended to construct a shared vocabulary for making sense of a phenomenon that is actively shaped by the actors who inhabit it. Those applying the markers in future research should treat them as a diagnostic lens, not as a universal metric.

I.V. RESEARCH QUESTIONS

The report is organized around two interrelated research questions, each operating at a different level of analysis.

The first asks: *What do international publishing markets look like, and how are they exposed to freedom to publish challenges?*

Understanding these dynamics requires looking beyond formal legal protections to examine the real-world gap between what the law permits and what can actually be published, distributed, and read. To that end, twenty-two national case studies form the empirical core of this report, analysed through a four-part framework to reveal how structural conditions generate vulnerability across diverse publishing environments.

The second asks: *What freedom to publish challenges do publishers face, and are there examples of successful responses?*

This moves from structural characterization to the lived experiences and asks whether, and how, those mechanisms have been significantly disrupted or mitigated. This second question is where the study’s qualitative, interview-based methodology is most analytically indispensable. Indices and legal frameworks can describe the environment, however, only the accounts of institutional actors can reveal how constraints are experienced, negotiated, and in some cases overcome.

Together, these questions position the study as a contribution to the practical knowledge base of the IPA and its member associations. Understanding how freedom to publish challenges manifest across diverse contexts and identifying which institutional responses have proven effective is a precondition for the kind of sustained, evidence-based advocacy that the defence of the freedom to publish requires.



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II

METHODOLOGY

II.I. EPISTEMOLOGICAL POSITION

This study is grounded in a constructivist epistemology following Crotty, meaning “is not discovered, but constructed,” and “different people may construct meaning in different ways, even in relation to the same phenomenon.”²⁶ This has direct consequences for how the study treats its object of inquiry. Thus, freedom to publish is understood here as a phenomenon whose scope and limits are actively negotiated by the actors who inhabit and shape it: i.e., publishers, associations, writers, and legal and political institutions. As a result, the study aims to identify the conditions under which freedom to publish is exercised, defended, and constrained across diverse national contexts, and to develop a set of cross-cutting markers capable of capturing these dynamics beyond what quantitative indices alone can reveal. The typologies presented in Section IV describe recurring patterns of constraint without ranking countries against one another in a simple hierarchy.

This epistemological stance also determines how international indices were used. Scores produced by instruments such as the Reporters Without Borders World Press Freedom Index, Freedom House’s Freedom in the World, and V-Dem’s Democracy Report are treated as contextual anchors, institutionally produced constructions that frame, not determine, the analysis, and are read alongside qualitative evidence that frequently complicates their aggregate assessments.

II.II. CASE SELECTION: MAXIMUM VARIATION SAMPLING

The twenty-two countries covered in this report were selected through *Maximum Variation Sampling*, one of the purposive sampling strategies systematically described by Patton, which “aims at capturing and describing the central themes that cut across a great deal of variation.”²⁷ This approach is also identified in the comparative politics literature as the *diverse cases method*, defined by Seawright and Gerring as a strategy in which cases “exemplify diverse values” across the dimensions of interest to illuminate the full range of variation in the phenomenon under study.²⁸

The dimensions across which variation was sought include political regime type, geographic region, publishing market size and structure, legal framework, and linguistic context. The rationale follows what Seawright and Gerring identify as the goal of diverse case selection, which is to produce findings with stronger claims to generalizability precisely because they hold across contexts with very different structural starting points. As the following paragraph makes clear, access constraints meant that this design was approximated, not fully achieved and could be addressed in further research.²⁹

In practice, case selection was shaped by the institutional configuration of the study. Commissioned by the International Publishers Association (IPA) and conducted within the Applied Research Project course of the

26 Michael Crotty, *The Foundations of Social Research: Meaning and Perspective in the Research Process* (London: Sage, 1998), 9.

27 Michael Quinn Patton, *Qualitative Research and Evaluation Methods*, 3rd ed. (Thousand Oaks, CA: Sage, 2002), 234–35.

28 Seawright, Jason, and John Gerring. “Case Selection Techniques in Case Study Research: A Menu of Qualitative and Quantitative Options.” *Political Research Quarterly* 61, no. 2 (2008): 294–308, p. 294, Table 1.

29 Seawright and Gerring, “Case Selection Techniques in Case Study Research,” 294–296. See *Political Research Quarterly*, pp. 294–296.

Master in International and Development Studies at the Geneva Graduate Institute, the study's initial scope focused on North America and Europe and expanded as interviews with IPA member representatives in other regions became available within the project's time and resource constraints. Country inclusion was therefore determined by the intersection of institutional affiliation and interview availability. This constitutes purposive, access-driven sampling within a maximum variation logic. The study is transparent about this boundary; it does not claim to represent all publishing contexts globally but to capture analytically significant variation across those it was able to access. Australia, Hungary, India, and Nigeria were included through secondary sources alone, as no interviewee could be found within the project's time and resource constraints.

II.III. DATA COLLECTION

Data was gathered from two complementary sources. First, international indices and secondary documentary sources were consulted to establish the contextual backdrop for each case. These are treated critically as institutionally produced instruments, in line with the constructivist epistemology described above.

Second, and primarily, semi-structured interviews were conducted in seventeen of the twenty-two countries included in the study, in most cases with representatives of IPA member associations and otherwise with publishers, booksellers or officials of national book agencies. For France, the association responded in writing to a request for information rather than through an interview, so eighteen cases draw on material gathered directly from national associations. The remaining four (Australia, Hungary, India, and Nigeria) are based on secondary sources, as discussed in Section II.V. Interviewees were selected as informed institutional actors with sustained professional engagement with publishing conditions in their national contexts. The semi-structured format allowed interviewees to raise concerns and dynamics beyond the predetermined framework, which proved analytically significant in several cases.

The interview material was treated as evidence of how conditions are perceived and navigated by those working within them, and it is read alongside, not in place of, the documentary sources described above.

All interviewees whose names and institutional affiliations appear in this report provided explicit consent to be identified and quoted. Where anonymity was requested, interviewees are cited as publishing industry representatives without personal identification, and potentially identifying details have been omitted to protect the sources. The written correspondence from the French Publishers Association is cited at institutional level and is not attributed to a named individual.

II.IV. FRAMEWORK ANALYSIS

Interview data, together with the written responses from the French association, was analysed using the Framework Method, developed by Ritchie and Spencer (1994)³⁰ specifically for applied qualitative policy research. As they describe it, *Framework analysis* is suited to research with specific, pre-defined questions

30 Jane Ritchie and Liz Spencer, "Qualitative Data Analysis for Applied Policy Research," in *Analysing Qualitative Data*, ed. Alan Bryman and Robert G. Burgess (London: Routledge, 1994), 173–94.

conducted under real-world time constraints, and its defining features are that it is grounded or generative, heavily based on and driven by the original accounts of participants, dynamic, systematic, and oriented toward enabling both within-case and between-case comparison.³¹

The Framework Method proceeds through five analytical stages: familiarization, identifying a thematic framework, indexing, charting, and mapping and interpretation.³² The contemporary articulation of these stages by Gale et al.³³ indicates that the method is “not aligned with a particular epistemological, philosophical, or theoretical approach” and can accommodate both inductive and deductive analysis depending on the research question. In this study, the approach was primarily inductive, since codes and themes emerged from the interview data, though pre-existing conceptual categories, such as legal environment, self-censorship, and economic constraints, informed the initial analytical framework and were refined through engagement with the data.

A further analytical tool borrowed from Constructivist Grounded Theory by Charmaz³⁴ is the constant comparative method, originally developed by Glaser and Strauss (1967): observations from one national context were continuously compared with those from others to identify convergences and divergences in how freedom to publish is experienced and constrained.³⁵ This comparative logic is acknowledged by Gale et al. themselves, who note that Framework Analysis “can greatly facilitate constant comparative techniques through the review of data across the matrix”.³⁶ The study does not claim to constitute a full grounded theory study; what it borrows is a specific analytical tool in service of the broader Framework Analysis design.

II.V. LIMITATIONS

This study has several limitations that should be acknowledged explicitly. First, the case studies vary in methodological depth. Most are grounded in interviews with publishing sector actors. The French case rests on written answers from the national association, which cover the questions put to it but do not allow the follow-up that an interview permits. Australia, Hungary, India, and Nigeria draw on no association material at all and rely on secondary sources, so the analytical claims that can be made from them are necessarily more constrained. Those four cases have been treated as secondary-source analyses throughout, and the qualitative claims derived from them should be read with that limitation in mind.

Second, the markers framework is derived inductively from the case studies themselves and has not been validated against a broader dataset. Its value at this stage is analytical and heuristic –it provides a conceptual vocabulary for characterizing publishing environments. Future research should test the framework systematically against a wider range of national contexts, including cases where freedom to publish is either exceptionally strong or exceptionally weak, to examine whether the markers retain their explanatory purchase at the extremes of the spectrum.

31 Ritchie and Spencer 1994, reproduced in Bryman and Burgess, pp. 173–175.

32 Ritchie and Spencer 1994, pp. 176–194.

33 Nicola K. Gale, Gemma Heath, Elaine Cameron, Sabina Rashid, and Sabi Redwood, “Using the Framework Method for the Analysis of Qualitative Data in Multi-Disciplinary Health Research,” *BMC Medical Research Methodology* 13, no. 117 (2013), <https://doi.org/10.1186/1471-2288-13-117>.

34 Charmaz, Kathy. *Constructing Grounded Theory: A Practical Guide Through Qualitative Analysis*. London: Sage, 2006.

35 Glaser, Barney G., and Anselm L. Strauss. *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Chicago: Aldine, 1967.

36 Gale et al., “Using the Framework Method,” 3.

Third, the digital and platform dimensions of content regulation are the least fully developed aspect of the framework, both because they are the most recent in their emergence and because they require forms of data access (to platform content moderation decisions and their sectoral effects) that are not routinely available to publishing sector researchers. This is the area where the gap between the analytical framework developed here and the reality it seeks to characterize is likely to widen most rapidly in the coming years. It is also, for that reason, the most urgent direction for future research. Fourth, the evidence base is institutional and publisher-side. Interviewees were drawn mainly from IPA member associations, that is from the membership of the body that commissioned the study, and the perspectives of authors, translators, book-sellers, librarians and public authorities enter the analysis only indirectly, through documentary sources. With a single association informant in almost every country, interview accounts could not be triangulated against other actors in the same national sector, and the findings should be read as an account of how publishing conditions appear from within the organized industry. Fifth, the study describes conditions as they stood when each interview was conducted and when the research closed, and several of the situations examined here were still unfolding at that point. Taken together, these limitations define what the markers framework can claim: a structured basis for comparative analysis that is sensitive to the multidimensional and often contradictory character of the conditions in which publishers and authors work.



2026 REPORT ON THE STATE OF FREEDOM TO PUBLISH GLOBALLY

III

NATIONAL CASE STUDIES

AUSTRALIA*³⁷

Australia offers a generally favourable environment for book publishers, combining a mature market with relatively strong, but indirect, protections for freedom of expression. In V-Dem's *Democracy Report 2026*, based on data from 2025, the country is classified as a liberal democracy ranking 12th worldwide in its Liberal Democracy Index (LDI), with an index score of 0.79. It is consistently rated free by Freedom House (94/100, Political Rights 39/40, Civil Liberties Score 55/60). Reporters Without Borders *World Press Freedom Index 2026* ranks the country 33rd out of 180, a decline from its 2025 29/180 position, and places it below regional peers such as New Zealand (22nd); RSF cites media concentration as a key concern. The legal context is relevant for publishers as Australia lacks a federal bill of rights, and protections for expression rest primarily on the High Court's implied freedom of political communication.³⁸

The Australian book publishing industry is mature and structurally diverse, with multinational subsidiaries (Penguin Random House Australia, HarperCollins, Hachette) operating alongside established independent and university presses (Allen & Unwin, Black Inc., UQP). In 2025, NielsenIQ BookData's point-of-sale data for printed books recorded a 1.4% increase in unit sales and a 3.2% increase in revenue, while average book prices continued to rise.³⁹ Institutional scaffolding has been strengthened by the July 2025 launch of Writing Australia, a new federal body within Creative Australia (formerly the Australia Council for the Arts), with a remit to invest in Australian literature and advise the government on the needs of the book industry.⁴⁰ However, independent publishers in particular face margin pressure from rising input costs that have outpaced retail book prices over the past fifteen years. Consolidation has also increased: Affirm Press, Pantera Press and Text Publishing were all acquired by larger publishing groups in 2024 and 2025.⁴¹

As stated above, Australia has no explicit constitutional guarantee of freedom of expression. Publishers operate within the bounds of the High Court's implied freedom of political communication, derived from *Nationwide News Pty Ltd v Wills* (1992) 177 CLR 1 and *Australian Capital Television Pty Ltd v Commonwealth* (1992) 177 CLR 106,⁴² and refined in *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520 and *McCloy v New South Wales* (2015) 257 CLR 178.⁴³ The implied freedom is not a right a publisher can invoke directly since it operates as a constraint on legislative and executive power, rendering invalid any law that

37 This case study is based exclusively on secondary sources. No interview with a representative of a national publishing association was available within the scope of this project.

38 All case studies draw on three recurring indices for contextual framing: Reporters Without Borders, *World Press Freedom Index 2026* (Paris: Reporters Without Borders, 2026), <https://rsf.org/en/index>; V-Dem Institute, *Democracy Report 2026* (Gothenburg: University of Gothenburg, 2026), https://www.v-dem.net/documents/75/V-Dem_Institute_Democracy_Report_2026_lowres.pdf; Freedom House, *Freedom in the World 2026* (Washington, DC: Freedom House, 2026), <https://freedomhouse.org/country/australia/freedom-world/2026>. Subsequent citations appear in shortened form.

39 NielsenIQ BookData, "International Book Markets 2025: Fiction Continues to Drive Growth as Non-Fiction Remains under Pressure and Price Increases Partially Slow Down," March 16, 2026, <https://nielseniq.com/global/en/news-center/2026/international-book-markets-2025-fiction-continues-to-drive-growth-as-non-fiction-remains-under-pressure-and-price-increases-partially-slow-down/>.

40 Creative Australia, "Writing Australia," <https://creative.gov.au/writing-australia>; Australian Society of Authors, "BookUp 2025: Reading Rates, the Future of Non-Fiction, and Evolving Formats," October 1, 2025, <https://www.asauthors.org.au/news/bookup-2025-reading-rates-the-future-of-nonfiction-and-evolving-formats>.

41 Alice Grundy, "Who's Eating Publishers' Lunch? The Rising Costs and Shrinking Margins of Australian Books," Australian National University, May 6, 2025, republished from *The Conversation*, <https://research.anu.edu.au/research-innovation-news/whos-eating-publishers-lunch-the-rising-costs-and-shrinking-margins-of>.

42 *Nationwide News Pty Ltd v Wills* (1992) 177 CLR 1 (HCA); *Australian Capital Television Pty Ltd v Commonwealth* (1992) 177 CLR 106 (HCA).

43 *Lange v Australian Broadcasting Corporation* (1997) 189 CLR 520 (HCA); *McCloy v New South Wales* (2015) 257 CLR 178 (HCA).

unjustifiably burdens political communication. Its most direct relevance to publishers lies in defamation law, where *Lange* extended the common-law defence of qualified privilege to communication on government and political matters. It does not, however, displace other legal constraints on publication.⁴⁴

Moreover, defamation law is one of the main sources of editorial constraint. The risk of litigation makes pre-publication legal review a high cost in non-fiction and investigative publishing; for small independent presses, it can push a title into loss.⁴⁵ Stage 1 reforms, which introduced a serious harm threshold and a public interest defence under the Model Defamation Amendment Provisions 2020, commenced in most jurisdictions on July 1, 2021; however, Western Australia has enacted neither Stage 1 nor the subsequent Stage 2 reforms, while the Northern Territory adopted both only in August 2025.⁴⁶ Additionally, strategic lawsuits against public participation can pose a serious risk to smaller publishers and to investigative non-fiction. The Australian Capital Territory enacted anti-SLAPP legislation in 2008 under the *Protection of Public Participation Act*.⁴⁷ Nonetheless, the Act expressly excludes defamation, and its jurisdiction is confined to the territory. The Human Rights Law Centre has criticized it as narrower in scope than the best anti-SLAPP laws internationally.⁴⁸

In October 2024, a coalition of 85 civil society organizations wrote to the Attorney-General calling for federal reform.⁴⁹ The Human Rights Law Centre published its *Stop the SLAPP* report in December 2024, documenting the use of strategic litigation against journalists, environmental defenders, and whistleblowers.⁵⁰ As of September 2026, no federal anti-SLAPP legislation has been enacted.

A formal content classification regime exists under the *Classification (Publications, Films and Computer Games) Act 1995*.⁵¹ Books are not generally subject to mandatory pre-classification, but “submittable publications” can be called in for classification, and a work whose content exceeds the categories established under the National Classification Code is refused classification. Refusal makes a work illegal to sell or hire under state and territory enforcement legislation, and material meeting the refused classification criteria is a prohibited import. In practice, the regime touches books rarely. In the 2022–23 reporting period, the Classification Board made a single decision on a commercial application to classify a publication and received 16 complaints about publications.⁵² Eleven of those 16 concerned *Gender Queer* by Maia Kobabe, a memoir that was removed from the shelves of Logan City Council’s library, subjected to a call-in notice, and classified Unrestricted with M consumer advice in 2023. After the Federal Court set aside the Classification

44 Attorney-General’s Department (Australia), “Right to Freedom of Opinion and Expression,” public sector guidance sheet, <https://www.ag.gov.au/rights-and-protections/human-rights-and-anti-discrimination/human-rights-scrutiny/public-sector-guidance-sheets/right-freedom-opinion-and-expression>.

45 Grundy, “Who’s Eating Publishers’ Lunch?”

46 Council of Attorneys-General (Australia), *Model Defamation Amendment Provisions 2020* (Sydney: NSW Department of Communities and Justice, 2020), <https://dcj.nsw.gov.au/content/dcj/dcj-website/dcj/about-us/engage-with-us/past-consultations/statutory-reviews/review-model-defamation-provisions.html>. Western Australia has not enacted either the Stage 1 or Stage 2 reforms; the Northern Territory implemented them through the *Defamation Legislation Amendment Act 2025* (NT), which commenced on August 11, 2025. This means that practitioners must confirm the current position in each jurisdiction.

47 *Protection of Public Participation Act 2008* (ACT).

48 Human Rights Law Centre, *Stop the SLAPP: Protecting Free Speech in Australia* (Melbourne: Human Rights Law Centre, December 2024), <https://www.hrlc.org.au/reports/2024-12-5-stop-the-slapp/>.

49 Human Rights Law Centre and 84 co-signatories, open letter to the Hon. Mark Dreyfus KC, Attorney-General of Australia, October 2024, <https://www.hrlc.org.au/news/2024-10-31-anti-slapp-laws/>.

50 Human Rights Law Centre, *Stop the SLAPP*, 2024.

51 *Classification (Publications, Films and Computer Games) Act 1995* (Cth).

52 Australian Classification Board and Classification Review Board, *Annual Report 2022–23* (Sydney: Australian Classification Board, 2023), <https://www.classification.gov.au/about-us/corporate-reporting/annual-reports/classification-board-and-review-board-annual-report-2022-2023>.

Review Board’s decision affirming that classification in October 2024, the Review Board again classified it Unrestricted, with the consumer advice “M – Not recommended for readers under 15 years”, in 2025.⁵³

Finally, some of the most visible recent pressures on freedom to publish in Australia have come from disputes over speech regarding geopolitical tensions and their polarizing effect on public debate. In April 2026, the University of Queensland Press scrapped approximately 5,000 already printed copies of *Bila: A River Cycle*, a children’s picture book by Wiradjuri poet Jazz Money.⁵⁴ The university determined that separate political writing by its illustrator, Matt Chun, did not align with the university’s policies and values, including its adopted definition of antisemitism.⁵⁵ More than a dozen authors, among them Stella Prize winner Evelyn Araluen, Randa Abdel-Fattah, Melissa Lucashenko, and Omar Sakr, severed ties with the press, while several UQP staff members signed a letter asking the university to reconsider.⁵⁶ In January 2026, Adelaide Writers’ Week was cancelled after more than 180 writers and speakers withdrew in protest at the rescinding of the invitation of Palestinian-Australian author Randa Abdel-Fattah. In August 2025, more than 50 writers and moderators had withdrawn from the Bendigo Writers Festival over a code of conduct issued two days before it opened.⁵⁷ These episodes have prompted concern among authors and publishing staff about editorial independence at university presses and the conditions under which contested speech can be published.⁵⁸

53 Australian Classification Board and Classification Review Board, *Annual Report 2022–23* (Sydney: Australian Classification Board, 2023), <https://classification.gov.au/about-us/research-and-publications/classification-board-and-review-board-annual-report-2022-2023>; Classification Review Board (Australia), “Classification Review Board Decision: *Gender Queer*,” media release, 2025, <https://www.classification.gov.au/about-us/media-and-news/media-releases/classification-review-board-decision-gender-queer>; *Gaynor v Minister for Communications* [2024] FCA 1186 (Federal Court of Australia, October 14, 2024).

54 Joe Hinchliffe, “Shaken Staff and an Author Exodus: How a Picture Book Plunged an Acclaimed Australian Publisher into a Crisis over Antisemitism,” *The Guardian*, May 2, 2026, <https://www.theguardian.com/books/2026/may/03/shaken-staff-and-an-author-exodus-how-a-picture-book-plunged-an-acclaimed-australian-publisher-into-a-crisis-over-antisemitism>; Hannah Story, “Authors Ditch University of Queensland Press after Indigenous Kids Book Pulled for ‘Anti-Semitism’ of Illustrator,” *ABC News* (Australia), April 23, 2026, <https://www.abc.net.au/news/2026-04-23/authors-quit-university-of-queensland-press-jazz-money-matt-chun/106596326>.

55 In February 2025, Universities Australia’s 39 member universities endorsed a new definition of antisemitism. Part of it states that “criticism of Israel can be antisemitic when it is grounded in harmful tropes, stereotypes or assumptions and when it calls for the elimination of the State of Israel or all Jews or when it holds Jewish individuals or communities responsible for Israel’s actions.” “For most, but not all Jewish Australians, Zionism is a core part of their Jewish identity. Substituting the word ‘Zionist’ for ‘Jew’ does not eliminate the possibility of speech being antisemitic.” Conor Duffy, “Universities to Enforce Joint Antisemitism Position on Campuses,” *ABC News* (Australia), February 26, 2025, <https://www.abc.net.au/news/2025-02-26/universities-to-enforce-joint-antisemitism-position-on-campuses/104980836>; Story, “Authors Ditch University of Queensland Press.”

56 Hinchliffe, “Shaken Staff and an Author Exodus.”

57 Story, “Authors Ditch University of Queensland Press”; “Adelaide Writers’ Week Cancelled amid Controversy over Disinvitation of Author Randa Abdel-Fattah,” *ABC News* (Australia), January 13, 2026, <https://www.abc.net.au/news/2026-01-13/adelaide-writers-week-cancelled-randa-abdel-fattah-controversy/106225170>; “More Than 50 Participants Withdraw from Bendigo Writers Festival over Censorship Concerns,” *ABC News* (Australia), August 15, 2025, <https://www.abc.net.au/news/2025-08-15/bendigo-writers-festival-writers-withdraw/105656968>.

58 Story, “Authors Ditch University of Queensland Press”; Hinchliffe, “Shaken Staff and an Author Exodus.”

AZERBAIJAN⁵⁹

Azerbaijan's constitutional and legislative framework for freedom of expression contains explicit guarantees of thought, speech, information, and creative activity. Formally, these rights rest on Articles 47, 50, and 51 of the 1995 Constitution. However, such guarantees are interpreted against Article 71, which permits rights to be restricted "on the grounds provided for in the present Constitution and laws." Since 2016, the same provision has also required restrictions to be "proportional to the result expected by the state."⁶⁰ As an example, the Law "On Media," which replaced the 1999 Law "On Mass Media" in February 2022, requires print and online outlets to apply for inclusion in a state Media Registry, and 2025 amendments raised the fines for print outlets that fail to register to up to 5,000 manat. The Council of Europe's Venice Commission concluded that the law focuses on restricting the activities of the media.⁶¹ Additionally, Criminal Code provisions on defamation (Articles 147, 148, 148-1, and 323) provide for custodial sentences of up to five years under Article 323, and the European Court of Human Rights has repeatedly found prison sentences imposed on Azerbaijani journalists for defamation to violate Article 10 of the European Convention on Human Rights.⁶²

On the international level, Freedom House's *Freedom in the World 2026* report classifies Azerbaijan as "Not Free."⁶³ Azerbaijan ranks 171 out of 180 countries in the 2026 World Press Freedom Index by Reporters Without Borders⁶⁴, and V-Dem's *Democracy Report 2026* classifies it as an electoral autocracy⁶⁵. None of these indices measure publishing directly, but together they describe the environment in which publishers operate.

Cases against independent media outlets, such as *Toplum TV*, highlight a systematic crackdown on independent media, including arrests of journalists, raids on media outlets, and the use of criminal charges to silence critical voices⁶⁶. In July 2026, a Baku court sentenced nine people linked to Toplum TV, including its co-founder and three of its journalists, to between 12 and 15 years in prison on currency smuggling and other financial charges, all of which they denied.⁶⁷ Within this climate of intimidation, space for indepen-

59 This case study is based on an interview with an anonymous Azerbaijani publishing industry representative.

60 Azerbaijan. "Constitution." *Official website of the President of the Republic of Azerbaijan*, <https://president.az/en/pages/view/azerbaijan/constitution>.

61 Law of the Republic of Azerbaijan "On Media," adopted December 30, 2021, in force February 8, 2022; Kayahan Cantekin, "Azerbaijan: National Assembly Passes New Media Bill," *Global Legal Monitor* (Library of Congress), February 1, 2022, <https://www.loc.gov/item/global-legal-monitor/2022-02-01/azerbaijan-national-assembly-passes-new-media-bill/>; Council of Europe, "Azerbaijan Media Law: Overregulation in an Already Restrictive Environment," June 2022, <https://www.coe.int/en/web/portal/-/azerbaijan-media-law-overregulation-in-an-already-restrictive-environment>; "Azerbaijan Introduces New Restrictions on Media," *OC Media*, July 2025, <https://oc-media.org/azerbaijan-introduces-new-restrictions-on-media/>.

62 Criminal Code of the Republic of Azerbaijan, arts. 147, 148, 148-1, 323 (defamation); *Mahmudov and Agazade v. Azerbaijan*, App. No. 35877/04, Eur. Ct. H.R. (December 18, 2008); *Fatullayev v. Azerbaijan*, App. No. 40984/07, Eur. Ct. H.R. (April 22, 2010), paras. 102–103, <http://hudoc.echr.coe.int/eng?i=001-98401>; all discussed in Council of Europe, Analysis of Azerbaijani Legislation on Freedom of Expression, 10–12, 18–19, <https://rm.coe.int/azerbaijan-analysis-of-legislation-on-freedom-of-expression-december-2/16808ae03d>.

63 Freedom House, *Freedom in the World 2026*, "Azerbaijan," <https://freedomhouse.org/country/azerbaijan/freedom-world/2026>.

64 Reporters Without Borders, *World Press Freedom Index 2026*, "Azerbaijan," <https://rsf.org/en/country/azerbaijan>.

65 V-Dem Institute, *Democracy Report 2026*.

66 Amnesty International, "Azerbaijan: Campaign of Intimidation against Independent Media Continues with Raid on Toplum TV," *Amnesty International*, March 2024, <https://www.amnesty.org/en/latest/news/2024/03/azerbaijan-campaign-of-intimidation-against-independent-media-continues-with-raid-on-toplum-tv/>.

67 Human Rights Watch, "Azerbaijan Jails Prominent TV Journalists, Media Workers," July 29, 2026, <https://www.hrw.org/news/2026/07/29/azerbaijan-jails-prominent-tv-journalists-media-workers>; Reporters Without Borders, "Sham Trial in Azerbaijan: Five Toplum TV Staff Members Sentenced to over a Decade in Prison," July 29, 2026, <https://rsf.org/en/sham-trial-azerbaijan-five-toplum-tv-staff-members-sentenced-over-decade-prison>.

dent expression has significantly narrowed. The publishing industry representative interviewed for this study described self-censorship as a way for publishers to avoid political, legal, and economic risks, one that commonly involves omitting or modifying politically sensitive content, particularly material related to democracy, human rights, and governance.⁶⁸ In this account, self-censorship serves as a response to sustained state pressure, in which publishers anticipate potential consequences and adjust their content accordingly.

The Azerbaijani government further strengthened restrictions on NGO foreign funding and foreign media operations in 2025: amendments adopted in August 2025 barred civil society organizations from receiving funds from abroad under service contracts without prior government approval, while the BBC was forced to close its Baku office in February 2025 and foreign outlets were limited to a single accredited correspondent, thereby deepening structural constraints on civil society and independent media⁶⁹. Moreover, the interviewee reported that, historically, a small number of government-linked publishing houses have controlled both production and distribution networks and have benefited from state-supported procurement programs for public libraries. This concentration marginalizes independent publishers, reducing their financial viability and limiting the diversity of available content. Consequently, politically sensitive works are often excluded from mainstream circulation or deprioritized in translation⁷⁰.

The interviewee also reported that works addressing democracy and human rights rarely achieve wide dissemination in Azerbaijani translation. Similarly, manuscripts authored by politically sensitive figures, such as former political prisoners or exiled writers, are often excluded from publication altogether⁷¹. These patterns suggest that structural, economic, and particularly political constraints intersect to shape publishing practices. The case of renowned author, playwright, and former member of parliament Akram Aylisli remains one of the best-known illustrations of this dynamic. In February 2013, after Aylisli published *Stone Dreams* in the Russian literary journal *Druzhba Narodov*—a novella depicting anti-Armenian pogroms in Sumgait and Baku and portraying Armenians sympathetically—President Ilham Aliyev signed a decree stripping the widely translated author of his state honours and pension. Aylisli was branded an apostate, expelled from the Union of Azerbaijani Writers, and targeted by public rallies. Ultimately, his works were publicly burned, his plays banned, and his books removed from libraries and withdrawn from the school curriculum.⁷²

68 Anonymous publishing industry representative, in discussion with Seoyoon Yang, remote interview, March 10, 2026.

69 OC Media, “Aliyev Names State Bodies in Charge of Investigating Unregistered Grants,” February 12, 2026, <https://oc-media.org/aliyev-names-state-bodies-in-charge-of-investigating-unregistered-grants/>; Reporters Without Borders, “Azerbaijan: Foreign Media Muzzled by Ilham Aliyev’s Regime,” March 12, 2025, <https://rsf.org/en/azerbaijan-foreign-media-muzzled-ilham-aliyevs-regime>.

70 Anonymous publishing industry representative, interview, March 10, 2026.

71 Anonymous publishing industry representative, interview, March 10, 2026.

72 PEN International, “Azerbaijan: Harassment of Writer Must End,” <https://www.pen-international.org/news/azerbaijan-harassment-of-writer-must-end>; Alison Flood, “Azerbaijan detains writer Akram Aylisli at airport on way to festival,” *The Guardian*, March 30, 2016, <https://www.theguardian.com/books/2016/mar/30/azerbaijan-akram-aylisli-airport-incroci-di-civiltà-festival>; PEN America, “Akram Aylisli,” <https://pen.org/individual-case/akram-aylisli/>; “Azerbaijani Writer’s Books Burned over His Controversial Novel,” *Radio Free Europe/Radio Liberty*, February 11, 2013, <https://www.rferl.org/a/azerbaijani-writer-books-burned-akram-aylisli/24898784.html>; “With English Translation, Controversial Azerbaijani Novel to Reach Global Audience,” *Eurasianet*, November 13, 2019, <https://eurasianet.org/with-english-translation-controversial-azerbaijani-novel-to-reach-global-audience>; “Akram Aylisli: How One Azerbaijani Writer Dealt with a Book Burning Campaign against Him,” *New East Digital Archive*, November 22, 2018, <https://www.new-east-archive.org/articles/show/10804/akram-aylisli-writer-book-burning-literature-azerbaijan>.

BRAZIL

Brazil occupies a comparatively strong position within Latin America on civil liberties and political rights. While the country has recovered from authoritarian pressures and boasts robust constitutional protections for freedom of expression, publishers operate in an environment where the same legal challenge produces different outcomes depending on which court level adjudicates it.

Reporters Without Borders ranks Brazil 52nd out of 180 countries in its 2026 World Press Freedom Index,⁷³ an improvement of eleven positions from its 2025 ranking of 63rd, and representing a cumulative gain of 58 places since 2022, reflecting the country's continued democratic recovery following the Bolsonaro administration. Freedom House rates the country as Free with an aggregate score of 72 out of 100.⁷⁴ Brazil ranks 28th globally on V-Dem's Liberal Democracy Index, with a score of 0.70, while classifying it as an electoral democracy and identifying it as one of six countries in Latin America and the Caribbean categorized as "U-Turn" democratizers, states that had previously experienced significant democratic backsliding and have since demonstrated measurable recovery.⁷⁵

In Brazil, the freedom to publish is understood as a fundamental right within the broader scope of freedom of expression, protected primarily by the 1988 Federal Constitution, and implemented through a legal framework that prioritizes the circulation of ideas while establishing clear boundaries regarding subsequent accountability.⁷⁶ Article 5 (IV & IX) of the Federal Constitution, establishes that the manifestation of thought is free and ensures the freedom of intellectual, artistic, scientific, and communication activities, explicitly stating they are independent of censorship or license. Article 220 specifically guarantees that the expression of thought, creation, and information shall not be subject to any restriction. It further prohibits any political, ideological, and artistic censorship.⁷⁷

The Supreme Federal Court (STF) has characterized freedom of expression as a "preferential freedom" in Brazilian democracy.⁷⁸ This implies a transfer of the argumentative burden, where anyone attempting to restrict a publication must demonstrate why their claim should prevail over the right to publish.⁷⁹ The Special Rapporteurship for Freedom of Expression of the Inter-American Commission of Human Rights has expressed concern about SLAPPS and confirmed that the widespread criminalization of expression in Brazil is a factor that facilitates this type of litigation.⁸⁰ Moreover, the persistence of "crimes against hon-

⁷³ Reporters Without Borders, *World Press Freedom Index 2026*.

⁷⁴ Freedom House, *Freedom in the World 2026*.

⁷⁵ V-Dem Institute, *Democracy Report 2026*.

⁷⁶ Marcelo Garcia da Cunha, "A Liberdade de Expressão e Seus Limites na Jurisprudência do Supremo Tribunal Federal," *Ordem dos Advogados do Brasil*, Rio Grande do Sul, 2024, https://admsite.oabrs.org.br/arquivos/file_6709c3b27487f.pdf.

⁷⁷ Inter-American Commission on Human Rights, Special Rapporteurship for Freedom of Expression (RELE), Special Report on the Situation of Freedom of Expression in Brazil. Washington, D.C.: Organization of American States, December 2025. <https://www.oas.org/es/cidh/expresion/informes/relatoriobrasilrele.pdf>.

⁷⁸ Marcelo Garcia da Cunha, *A Liberdade de Expressão e Seus Limites na Jurisprudência do Supremo Tribunal Federal*, 2024, p. 14.

⁷⁹ Marcelo Garcia da Cunha, *A Liberdade de Expressão e Seus Limites na Jurisprudência do Supremo Tribunal Federal*, 2024, p. 4.

⁸⁰ A category of speech that has been repeatedly recognized as receiving heightened protection under Article 13 on freedom of thought and expression of the American Convention. See: American Convention on Human Rights: "Pact of San José, Costa Rica". Signed at San José, Costa Rica, on 22 November 1969. Registered by the Organization of American States on 27 August 1979. https://www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.pdf. See: *Special Report on the Situation of Freedom of Expression in Brazil*, 2025, p. 93. <https://www.oas.org/es/cidh/expresion/informes/relatoriobrasilrele.pdf>.

our” (defamation, calumny, and injury) and *desacato* (contempt) in the Brazilian Penal Code serves as a tool for public officials to silence criticism. Despite international recommendations to convert these into civil matters, these crimes still carry the risk of imprisonment⁸¹.

The challenge of combating organized disinformation campaigns—particularly regarding elections and public health—has led to a push for new regulations that could inadvertently facilitate censorship. In fact, there is no fixed legal definition for “disinformation” in Brazil, leaving broad interpretive power to judges and platforms. In recent years, ongoing debates and Supreme Court rulings regarding Article 19 of the Civil Rights Framework for the Internet—*Marco Civil da Internet*⁸² explore whether platforms should be held liable for third-party content, which may incentivize private censorship through aggressive automated moderation.⁸³

In the informal and administrative censorship area, recent years have seen a surge in efforts to limit the circulation of books through local administrative actions, often under the guise of protecting children. In this line, books addressing Afro-Brazilian culture, sexual orientation, and gender identity are primary targets for removal from public and school libraries. High-profile works, including *O Avesso da Pele* by Jeferson Tenório and even classics by Machado de Assis, have faced removal orders or circulation bans in various states.

An interview with Dante Cid, President of the Brazilian Publishers Association and Vice-President of the Pro-Livro Institute, serves as the primary qualitative source for this case study. His account bridges formal legal frameworks and industry statistics with the lived political reality of publishing in Brazil, offering an authoritative perspective on the human and institutional drivers behind current trends that aggregate data alone cannot capture.

As noted by the Brazilian Book Chamber, and mentioned by Cid, recent attempts to suppress literature in Brazil represent a regressive “mix of ignorance and bad faith” that threatens the country’s democratic foundations and intellectual development.⁸⁴ These actions often bypass established pedagogical standards to impose ideological or moralistic filters on public access to diverse ideas. As indicated, a prominent contemporary example is the targeted campaign against Jeferson Tenório’s award-winning novel, *O Avesso da Pele*. Despite winning the prestigious Jabuti Prize and undergoing a rigorous selection process, the book faced removal orders from school libraries in the states of Paraná, Goiás, and Mato Grosso do Sul. The censorship was triggered by a social media video from a teacher in Rio Grande do Sul who criticized the book’s “low-level vocabulary.”⁸⁵

Critics argue that focusing on specific vocabulary serves as a smokescreen to suppress the book’s essential reflections on racism and systemic violence. This removal is particularly egregious considering the book is part of the National Book and Teaching Material Program (PNLD), one of the world’s largest educational policies. Before reaching students, these books undergo transparent evaluation by commissions of specialists and are ultimately selected by the teachers themselves. Cid noticed that the event follows what

81 Inter-American Commission on Human Rights, *Special Report on the Situation of Freedom of Expression in Brazil*, 2025, p. 10.

82 Brazil. *Lei nº 12.965, de 23 de abril de 2014* [Law No. 12.965, April 23, 2014]. “Marco Civil da Internet: Establishes the Principles, Guarantees, Rights and Obligations for the Use of Internet in Brazil.” Comitê Gestor da Internet no Brasil (CGI.br), 2014. <https://www.cgi.br/pagina/marco-civil-law-of-the-internet-in-brazil/180/>

83 Inter-American Commission on Human Rights, *Special Report on the Situation of Freedom of Expression in Brazil*, 2025.

84 Sevani Matos, Ângelo Xavier, and Dante Cid, “*Censura a Livros: Misto de Desconhecimento e Má-Fé*,” Câmara Brasileira do Livro, March 2024, <https://cbl.org.br/artigos/censura-a-livros-misto-de-desconhecimento-e-ma-fe/>.

85 Sevani Matos, Ângelo Xavier, and Dante Cid, “*Censura a Livros: Misto de Desconhecimento e Má-Fé*,” Câmara Brasileira do Livro, March 2024, <https://cbl.org.br/artigos/censura-a-livros-misto-de-desconhecimento-e-ma-fe/>.

can be described as a pattern of “administrative and ideological censorship,” where similar events are not isolated but part of a broader trend of informal censorship often enacted by local authorities.

As a precedent, in 2019, the then-mayor of Rio de Janeiro, Marcelo Crivella, ordered the seizure of the comic “*Vingadores: A Cruzada das Crianças*” (“*Avengers: The Children’s Crusade*”) specifically because it featured a gay kiss.⁸⁶ Dante highlighted that the Brazilian Publishers Association successfully obtained a preventive injunction halting the seizure, an intervention that paradoxically generated heightened public visibility and drove sales during the fair itself; the municipal order was set aside by the Supreme Federal Court before the fair closed. The legal proceedings extended well beyond the initial incident: in September 2025, the Quarta Câmara de Direito Público of the Rio de Janeiro Court of Justice ordered Crivella to pay R\$100,000 in damages for collective moral harm (dano moral coletivo).⁸⁷ Crucially, this condemnation came only at the appellate stage; the court of first instance, the 1ª Vara de Fazenda Pública da Comarca da Capital, had ruled in Crivella’s favour. The award was upheld in March 2026, when the same chamber rejected his appeal. The fact that the protection of freedom to publish required appellate intervention, and was not secured at the first instance, illustrates the structural unevenness of democratic safeguards in Brazil, where formal legal protections exist, but their enforcement is neither automatic nor uniform, and may depend on which level of the judiciary is engaged.⁸⁸

Similarly, in 2018, the book *Meninos sem Pátria* by Luiz Puntel was vetoed by an elite school under pressure from parents who claimed it “propagated communist ideals.”⁸⁹ Cid argued these attempts are often justified by the pretext of “protecting children” but function as efforts to hide information from them.

For this report, the attempted censorship of the children’s book *Amoras* by Emicida (Leandro Roque de Oliveira), was identified as well, illustrated by Aldo Fabrini and published in 2018 by *Companhia das Letrinhas*. In March 2023, in Salvador, Bahia, a mother physically vandalized a copy of *Amoras* in a school, writing criticisms of Afro-Brazilian religions inside the book.⁹⁰ According to Marissol Cavalcanti, a librarian and researcher at UFU’s Institute of Letters and Linguistics, during the first half of 2025, a school in the interior of Minas Gerais faced demands from parents to remove *Amoras* from a literary project in early childhood education, on grounds that the book promoted Afro-Brazilian religious practices.⁹¹ There is no publicly available reporting on what the school ultimately decided in the 2025 case.⁹²

86 Dixon, Emily. “Rio’s Mayor Tried to Ban a Book Featuring Kiss Between Two Male Superheroes. Now It’s Sold Out.” *CNN*, September 7, 2019. <https://edition.cnn.com/2019/09/07/americas/brazil-rio-de-janeiro-book-fair-comic-scli-intl>.

87 PublishNews, Redação. “Apanhadão: Marcelo Crivella é condenado por censura na Bienal do Livro Rio 2019.” *PublishNews*, September 29, 2025. <https://www.publishnews.com.br/materias/2025/09/29/apanhadao-marcelo-crivella-e-condenado-por-censura-na-bienal-do-livro-rio-2019>.

88 Tribunal de Justiça do Estado do Rio de Janeiro, Quarta Câmara de Direito Público. Apelação Cível nº 0289490-80.2019.8.19.0001. Apelantes: ANTRA, ABGLT, GADvS e Ministério Público do Estado do Rio de Janeiro. Apelado: Marcelo Bezerra Crivella. Relator: Des. Guilherme Peña de Moraes. September 2025. https://www.migalhas.com.br/arquivos/2025/9/AC9FC45FC58A4D_tmp03D6BFF407274CD89FD06B44261.pdf.

89 Sevani Matos, Ângelo Xavier, and Dante Cid, “*Censura a Livros: Misto de Desconhecimento e Má-Fé*,” Câmara Brasileira do Livro, March 2024, <https://cbl.org.br/artigos/censura-a-livros-misto-de-desconhecimento-e-ma-fe/>.

90 The school issued a statement confirming it would replace the vandalized copy with a clean original, so that students could continue accessing the book’s content. *Jornal Correio* The book was not removed from the curriculum. The school also called a meeting with the family. A criminal lawyer from the OAB-Bahia publicly classified the act as *racismo religioso* — religious racism — a legally significant designation in Brazil. The mother, who was never publicly identified, denied practicing intolerance and claimed she was simply offering a “counterpoint” for other parents to read alongside the book. See: *Correio 24 Horas*. “Livro de Emicida é Rabiscado com Críticas a Religiões Africanas em Escola de Salvador.” March 8, 2023. <https://www.correio24horas.com.br/salvador/livro-de-emicida-e-rabiscado-com-criticas-a-religioes-africanas-em-escola-de-salvador-0323>.

91 This is the only source that documents the 2025 Minas Gerais incident specifically. There is no independent journalistic corroboration of this episode, it appears exclusively in Cavalcanti’s research article, which is based on her own fieldwork as a librarian and researcher at UFU. See: Cavalcanti, Marissol Ferreira Batista. “*Ataque à Literatura Afro-brasileira Infantil: O Caso Amoras e os Discursos que Buscam Silenciá-la*.” *Comunica UFU*, November 19, 2025. <https://comunica.ufu.br/noticias/2025/11/ataque-literatura-afro-brasileira-infantil>.

92 Since 2003, the Law 10.639 has made Afro-Brazilian history and culture mandatory in all public and private schools. See: Brazil. *Lei n.º 10.639, de 9 de janeiro de 2003* [Law No. 10.639 of 9 January 2003]. *Diário Oficial da União*, 10 January 2003. https://www.planalto.gov.br/ccivil_03/leis/2003/l10.639.htm.

Additionally, reading habits remain strongly tied to socioeconomic status, as the lower economic classes face significantly greater difficulty in buying books.⁹³ Individuals with a higher education degree read significantly more (6.45 books/year) than those with only primary education⁹⁴. Similarly, the habit is more pronounced in higher-income brackets. Moreover, students are the most active readers in the country, averaging 8.45 books per year, compared to only 2.58 for non-students. The Southeast region holds the largest total number of readers (39.3 million), while the South region maintains the highest penetration rate, with 53% of its population identified as readers. Programs like the National Book and Teaching Material Program (PNLD) remain vital for access, distributing more than 200 million works annually to students across the country⁹⁵.

Cid drew on the Brazilian Book Chamber's latest sector study, which recorded a decline in the share of the population that had read at least one book in the preceding year. Interestingly, the study also showed that those who read are reading more, a phenomenon Cid attributes largely to digital influencers incentivizing reading.⁹⁶ To combat the decline in reading, Cid advocates for better public and municipal libraries that are modernized to be attractive to all types of people. In addition, he highlights the importance of book fairs and bringing authors to schools to engage younger generations in a more playful (*lúdico*) and accessible way.

93 Instituto Pró-Livro, *Retratos da Leitura*, 2024.

94 The 6th edition of *Retratos da Leitura no Brasil* (Portraits of Reading in Brazil), is a major national survey on reading habits, conducted by the Instituto Pró-Livro is one of the most important empirical sources for Brazil's case study for several reasons. The Retratos da Leitura is the national benchmark for reading data in Brazil, conducted every four to five years since 2007 using international UNESCO-standard methodology, covering the population aged five and above across hundreds of municipalities. See: Instituto Pró-Livro (IPL). *Retratos da Leitura no Brasil: 6ª Edição*. São Paulo: Instituto Pró-Livro, 2024. https://cbl.org.br/wp-content/uploads/2024/11/Apresentac%CC%A7a%CC%83o_Retratos_da_Leitura_2024_13-11_SITE.pdf.

95 Câmara Brasileira do Livro (CBL) and AVRI, *Relevância e Impacto do Setor Editorial e Livreiro no Brasil*, October 2025. <https://cbl.org.br/wp-content/uploads/2026/01/Estudo-Relevancia-e-Impacto-do-Setor-Livreiro-no-Brasil-CBL-e-AVRI-2025-final-1.pdf>.

96 Instituto Pró-Livro, *Retratos da Leitura*, 2024.

CANADA

In Canada's publishing environment, formal constitutional protections coexist with economic pressures and institutional self-censorship, as will be examined below. Canada ranks 20th of 180 countries in Reporters Without Borders 2026 World Press Freedom Index,⁹⁷ one place higher than in 2025 but below its 14th place in 2024. Freedom House classifies Canada as "Free," with an overall score of 97/100 in its 2026 report. V-Dem's 2026 Democracy Report assigns it a Liberal Democracy Index score of 0.74, placing it among liberal democracies.⁹⁸

The Canadian Charter of Rights and Freedoms provides robust constitutional protections for expression, yet as Simon de Jocas, former owner of the publishing house *Éditions Les 400 Coups* in Montreal and Canadian member of the IPA Freedom to Publish Committee, emphasized, the fundamental threat is institutional caution driven by fear. De Jocas cites cases where books have been withdrawn for containing a single racial slur, professors have been terminated for using controversial language, and publishers have been forced into submission by the crushing financial burden of litigation.

De Jocas recalled the case of the Quebec publisher *Écosociété* and *Noir Canada: Pillage, corruption et criminalité en Afrique* (2008), by Alain Deneault, Delphine Abadie, and William Sacher, on Canadian mining companies in Africa. Barrick Gold sued the authors and the publisher for C\$6 million in April 2008, and Banro Corporation filed a separate C\$5 million suit in Ontario. Although a Quebec Superior Court judge found Barrick's suit seemingly abusive and ordered the company to pay C\$143,000 toward the defence, *Écosociété* settled in October 2011, agreeing to stop publishing the book and making a significant payment to Barrick. The case became a reference point in Canada's debate over strategic lawsuits against public participation (SLAPPs); Quebec amended its Code of Civil Procedure to curb such suits in 2009.⁹⁹

Critically, Canada's publishing environment varies sharply by province. Jurisdiction over culture in Canada is shared, since the Constitution does not assign it to either level of government, and federal programmes coexist with provincial cultural policies¹⁰⁰. Consequently, Quebec and English-speaking provinces developed distinct ecosystems. Quebec stands out among provinces in Canada for maintaining a strong cultural policy and program presence at the provincial level, motivated by its close connection to French-language culture¹⁰¹. Mr. de Jocas emphasized that Quebec countered market pressures with Law 51 (1981), the Act respecting the development of Québec firms in the book industry, which re-

97 Reporters Without Borders, "Canada," <https://rsf.org/en/country/canada>.

98 Freedom House, *Freedom in the World 2026*, "Canada," <https://freedomhouse.org/country/canada/freedom-world/2026>; V-Dem Institute, *Democracy Report 2026*.

99 Barrick Gold Corporation, "Settlement of Barrick Gold Lawsuit Against the Authors and the Publisher of *Noir Canada*," October 18, 2011, <https://www.barrick.com/English/news/news-details/2011/Settlement-of-Barrick-Gold-Lawsuit-Against-the-Authors-and-the-Publisher-of-Noir-Canada-EnglishFranais/default.aspx>; "Noir Canada Defamation Lawsuit Settled, Publication of Book Stopped," *CAUT Bulletin*, November 2011, <https://www.caut.ca/bulletin/noir-canada-defamation-lawsuit-settled-publication-of-book-stopped/>; "Exporting Dispossession?," *Literary Review of Canada*, May 2013, <https://reviewcanada.ca/magazine/2013/05/exporting-dispossession/>.

100 Compendium of Cultural Policies & Trends, "Canada 1.1," https://www.culturalpolicies.net/country_profile/canada-1-1/.

101 Compendium of Cultural Policies & Trends, "Canada 4.2.1," https://www.culturalpolicies.net/country_profile/canada-4-2-1/.

quires public institutions, including libraries and schools, to buy their books at list price from accredited bookstores in their region. The law did not introduce a general fixed retail price for books, but it helped build a province-wide network of accredited bookstores. In de Jocas's view, the results were transformative: public libraries expanded, fostering a diverse ecosystem where local publishers can compete effectively.¹⁰²

In contrast, English-language publishing in Canada is closely tied to the U.S. market. A 2021 Canadian Heritage study of the English-language industry documented growing consolidation among retailers and the largest publishing houses, and one publisher interviewed for it reported that “the majority of our sales used to be to the Canadian market, but that has shifted to the US.”¹⁰³

Provincial jurisdiction has also become the main site of restriction. In July 2025, Alberta's Minister of Education and Childcare issued a ministerial order requiring school boards to remove library materials containing explicit sexual content, including written passages. Edmonton Public Schools drew up a list of 226 titles for removal, among them *The Handmaid's Tale* and *I Know Why the Caged Bird Sings*. After the resulting backlash, the government paused the order and revised it in September 2025 so that it reaches only explicit visual depictions of a sexual act, exempting anatomy books and acknowledging the importance of access to classic literary works. The narrower rule reached much the same shelves, as divisions went on to ban several award-winning graphic novels, all of them centering 2SLGBTQIA+ content. The revised order took effect on January 5, 2026: the Calgary Board of Education identified 44 titles for removal, and Edmonton Public Schools removed 34, although the province has not published the lists. Compliance carried its own cost, with divisions assessing thousands of titles against criteria the publishers' associations describe as unclear and inconsistently applied, at an expense of more than \$43,000 to a single division.¹⁰⁴ The Association of Canadian Publishers, the Canadian Publishers' Council and the Literary Press Group of Canada opposed each stage of the process, arguing that the directive disproportionately targets works on 2SLGBTQIA+ experiences and calling for its repeal, for consultation with educators, librarians, students, families and publishers, and for policies that support access to a wide range of literature.¹⁰⁵

In 2026, the province extended the same approach to public libraries. Bill 28, the *Municipal Affairs and Housing Statutes Amendment Act, 2026*, was introduced on 2 April, passed third reading on 13 May by 46 votes to 38, and received royal assent on 14 May. It amends the Libraries Act to permit regulations restricting access to, use of and borrowing of library material by age, to expand provincial inspection powers over public libraries, and to allow the minister to make any order he considers appropriate following an inspector's report. The government has said that the standards on age-appropriate access,

102 Gouvernement du Québec, “À propos du commerce du livre,” <https://www.quebec.ca/culture/encadrement-livre/commerce-livre>; Gouvernement du Québec, “Obligations des institutions pour l'acquisition de livres,” <https://www.quebec.ca/culture/encadrement-livre/achat-livres-institutions/obligations-acquisition-livres>; “Réglementation du prix du livre : la loi de la diversité,” *Revue Les libraires*, <https://revue.leslibraires.ca/articles/sur-le-livre/reglementation-du-prix-du-livre-la-loi-de-la-diversite/>.

103 Canadian Heritage, *Economic Profile of the Canadian Book Publishing Industry* (Ottawa: Government of Canada, March 2021), <https://www.canada.ca/content/dam/pch/documents/corporate/transparency/open-government/economic-profile-book-publishing-eng.pdf>.

104 “Alberta Bans School Library Books It Deems Sexually Explicit,” CBC News, July 10, 2025; “New Alberta School Books Order Bans Explicit Images of Sexual Acts,” CBC News, September 8, 2025, <https://www.cbc.ca/news/canada/edmonton/new-alberta-school-books-order-bans-explicit-images-of-sexual-acts-1.7628336>; “Alberta School Divisions Remove Handful of Titles from Shelves as New School Library Rules Take Effect,” CBC News, January 6, 2026, <https://www.cbc.ca/news/canada/edmonton/alberta-school-libraries-ministerial-order-9.7035729>; Government of Alberta, “School Library Standards Engagement,” <https://www.alberta.ca/school-library-standards-engagement>.

105 Association of Canadian Publishers, Canadian Publishers' Council and Literary Press Group of Canada, joint statements of May 30, 2025, September 16, 2025, and February 6, 2026, and Association of Canadian Publishers, statement of July 11, 2025.

under which material containing explicit visual depictions of sexual acts would be physically separated and borrowing by anyone aged 15 or under would require parental permission, will take effect once regulations are made.¹⁰⁶ The three publishers' associations called for the bill to be withdrawn, and the Coalition of Alberta Public Libraries, covering 324 public library service points that serve 99% of Albertans, objected on grounds of privacy, local decision-making and intellectual freedom.¹⁰⁷

Ultimately, legal protections alone are insufficient. As de Jocas emphasizes, the fundamental challenge is the collapse of democratic dialogue, where polarization drives institutions toward censorship. Thus, continuous cultural investment and structural policy support are essential to maintain freedom to publish.

¹⁰⁶ Government of Alberta, "Modernizing Municipal Legislation across the Province," April 2, 2026, <https://www.alberta.ca/modernizing-municipal-legislation-across-the-province>; "Bill 28 Receives Royal Assent," Rural Municipalities of Alberta, May 15, 2026, <https://rmalberta.com/news/bill-28-receives-royal-assent/>.

¹⁰⁷ "Alberta Tables Bill to Reduce Child Access to Sexually Explicit Images in Public Libraries," CBC News, April 2, 2026, <https://www.cbc.ca/news/canada/edmonton/alberta-public-library-changes-9.7151744>; "Alberta's Access Restrictions Threaten Privacy and Democratic Role of Libraries, Critics Say," CBC News, April 13, 2026, <https://www.cbc.ca/news/canada/edmonton/alta-libraries-restrictions-privacy-9.7161614>; Association of Canadian Publishers, Canadian Publishers' Council and Literary Press Group of Canada, statement of April 17, 2026; Coalition of Alberta Public Libraries, statement of May 5, 2026.

EGYPT¹⁰⁸

The Egyptian publishing sector, often considered the oldest printing and publishing industry in the Arab world, is sizable, with 1,600 estimated publishers releasing 27,498 titles in 2023, 86% of which were in Arabic. The General Egyptian Book Organization (GEBO), the coordinating institution for the book sector under the Ministry of Culture, and the National Center for Translation dominate subsidized production and the organization of the Cairo International Book Fair, one of the Arab world's oldest and largest literary gatherings, which stands as a cornerstone cultural event and a strategic platform for international cooperation, with the potential to evolve beyond retail into a regional hub for rights trading, translation flows, and deeper partnerships across African, Arab, and European publishing networks.¹⁰⁹

However, Egypt ranks among the world's most constrained environments for civil liberties and political rights. Freedom House assigns the country "Not Free" status in 2025, with a composite score of 18/100 (Political Rights: 6/40 Civil Liberties: 12/60)¹¹⁰. Since the 2013 regime change, legislation and extra-legal enforcement have targeted expression and publishing¹¹¹. Reporters Without Borders places Egypt 169th out of 180 countries in its 2026 World Press Freedom Index.¹¹² V-Dem's 2026 Democracy Report classifies Egypt as an electoral autocracy.¹¹³ Yet, a Working Document Published in 2025 by the UNESCO Regional Office for Egypt and Sudan / Liaison Office with the League of Arab States affirms the freedom to publish as central to Egypt's cultural vitality, with calls for legal safeguards against SLAPPs and closer engagement with the IPA's Freedom to Publish Committee to align national practice with international standards¹¹⁴.

Egypt's 2014 Constitution (Article 65) formally guarantees freedom of thought and expression, and Article 71 explicitly enshrines freedom of publication, stating that "It is prohibited to censor, confiscate, suspend or shut down Egyptian newspapers and media outlets in any way...". Moreover, Article 67 formally guarantees freedom of artistic and literary creation, specifying that "Freedom of artistic and literary creation is guaranteed. The state shall undertake to promote art and literature, sponsor creators and protect their creations, and provide the necessary means of encouragement to achieve this end."¹¹⁵ In practice, however, a body of security-driven statutes narrows how these guarantees are

108 This case study is based on an interview with a publishing industry professional who asked to remain anonymous, conducted on March 15, 2026.

109 UNESCO Regional Office for Egypt and Sudan, *Egypt in the African Book Industry: Actors, Challenges and Perspectives: Perspectives on Policy, Practice, and Regional Cooperation* (Cairo: UNESCO Regional Office for Egypt and Sudan / Liaison Office with the League of Arab States, 2025), 18.

110 Freedom House, *Freedom in the World 2025, "Egypt"* (covering developments in 2024), <https://freedomhouse.org/country/egypt/freedom-world/2025>. The Freedom in the World 2026 report and score is not available for Egypt at the time of writing; thus, it is based on the 2025 Country report, based on data from 2024. See also Freedom House, *Freedom in the World 2026: The Growing Shadow of Autocracy* (Washington, DC: Freedom House, March 2026), https://freedomhouse.org/sites/default/files/2026-03/FIW2026_final_digital%20%281%29.pdf.

111 Camille Jablonski, "Political Rights and Civil Liberties in the Middle East: Trends in Freedom House Data Since 2010," Washington Institute for Near East Policy, April 27, 2023, <https://www.washingtoninstitute.org/policy-analysis/political-rights-and-civil-liberties-middle-east-trends-freedom-house-data-2010>.

112 Reporters Without Borders, "Egypt," <https://rsf.org/en/country/egypt>.

113 V-Dem Institute, *Democracy Report 2026*.

114 UNESCO Regional Office for Egypt and Sudan, *Egypt in the African Book Industry*, 18.

115 Constitution of the Arab Republic of Egypt (2014, amended 2019), arts. 65, 67, 71, https://www.constituteproject.org/constitution/Egypt_2019; for provisions on freedom of expression, right to academic freedom, intellectual property, right to information, and freedom of the press, see: Constitution of Egypt, art. 65 to 72.

applied. Legislation such as the Law Regulating the Press, Media, and the Supreme Council for Media Regulation (No. 180/2018), and the NGO Law (No. 149/2019), permit pre-publication blocking of online content, criminal penalties for material deemed a threat to national security, morals or public order, and expansive state surveillance.¹¹⁶ According to the Tahrir Institute for Middle East Policy, these provisions are applied inconsistently, creating an invisible fence that compels publishers to self-censor to avoid arbitrary prosecution.¹¹⁷

With regards to structural challenges, the Egypt Publishers Association (EPA) acknowledges the absence of comprehensive and reliable data on the country's publishing industry as one of the most pressing challenges.¹¹⁸ Moreover, the sector still lacks a centralized, independent national book distribution network — though our interviews underlined how most publishers are able to operate around this constraint as integrated publisher-distributors, managing their own retail relationships and relying heavily on direct sales at book fairs¹¹⁹.

Egypt's adult literacy rates substantially increased in the past two decades, increasing from 66% in 2006 to 79% in 2022.¹²⁰ The Egyptian government has highlighted its commitments to expand access to education for vulnerable groups and reduce digital illiteracy under its National Human Rights Strategy (2021–2026). Yet, international organizations such as Human Rights Watch and the Egyptian Initiative for Personal Rights have reported that education spending in Egypt in the past five years has steadily declined when adjusted for inflation, as well as in its share of both total government expenditure and GDP.¹²¹ Improvements in literacy rates may be hindered by structural and inflationary challenges, as the flotation of the Egyptian pound has tripled production costs and significantly reduced publishers' profit margins, while pervasive piracy erodes revenue streams.¹²² This compels many firms to pursue export sales abroad: the interviews from Egypt¹²³ highlighted the pervasive impact of content sensitivity associated with export to Gulf countries, fuelled by striking differentials in purchasing power.

During interviews, other complexities were revealed. Books produced in Egypt are intended for the broader Arab world, but Egyptian publishers must adopt a global perspective, considering where titles

116 Law No. 107 of 2013 on the Right to Public Meetings, Processions and Peaceful Demonstrations, *al-Jarīda al-Rasmiyya*, 24 November 2013 (Egypt), <https://timep.org/wp-content/uploads/2018/11/Protest-Law-Brief-layout-Egypt-11-7-18updated3.pdf>; Law No. 94 of 2015 on Combating Terrorism, *al-Jarīda al-Rasmiyya*, no. 33 bis, 15 August 2015 (Egypt); Law No. 175 of 2018 on Anti-Cyber and Information Technology Crimes, *al-Jarīda al-Rasmiyya*, 19 August 2018 (Egypt); Law No. 180 of 2018 Regulating the Press, Media, and the Supreme Council for Media Regulation, *al-Jarīda al-Rasmiyya*, 27 August 2018 (Egypt); Law No. 149 of 2019 Regulating the Practice of Civil Work, *al-Jarīda al-Rasmiyya*, 19 August 2019 (Egypt), <https://www.icnl.org/resources/civic-freedom-monitor/egypt>, <https://timep.org/wp-content/uploads/2019/08/NGOLaw20198.21.pdf>, <https://www.amnesty.org/en/latest/news/2025/11/egypt-reverse-sweeping-controls-over-independent-civil-society-organizations/>; Ahmed Merteh, "Freedom of Opinion and Expression in Egypt: A Decade of Decline and Challenges," *Mawazin Mag*, Adala For All, January 14, 2025, <https://www.adalaforall.org/en/mawazin-mag/freedom-of-opinion-and-expression-in-egypt-a-decade-of-decline-and-challenges>.

117 TIMEP Contributor, "All Stick, No Carrot: The State of Book Publishing in Egypt," The Tahrir Institute for Middle East Policy, May 7, 2024, <https://timep.org/2024/05/07/all-stick-no-carrot-the-state-of-book-publishing-in-egypt/>.

118 UNESCO Regional Office for Egypt and Sudan, *Egypt in the African Book Industry*, 16.

119 Publishing industry professional interviews.

120 UNESCO Institute for Statistics, "Egypt: Adult Literacy Rate, 2022," accessed via World Bank Open Data, <https://data.worldbank.org/indicator/SE.ADT.LITR.ZS?locations=EG>.

121 Egyptian Initiative for Personal Rights (EIPR), "International Day of Education: Quality Education Is a Right, Not a Privilege," February 2, 2025, <https://eipr.org/en/press/2025/02/international-day-education-quality-education-right-not-privilege>; Human Rights Watch, "Egypt: Declining Funding Undermines Education, Health Care," January 7, 2026, <https://www.hrw.org/news/2026/01/07/egypt-declining-funding-undermines-education-health-care>.

122 Doaa A. Moneim, "Egypt's Publishing Industry Makes Slight Recovery amid Ongoing Challenges," *Ahram Online*, January 30, 2020, <https://english.ahram.org.eg/NewsContent/3/12/362571/Business/Economy/Egypt-s-publishing-industry-makes-slight-recovery-a.aspx>; TIMEP Contributor, "All Stick, No Carrot."

123 Publishing industry professional (anonymous at interviewee's request), interviewed on March 15, 2026.

will sell — the conditions in Gulf countries are not the same as in other Arabic-speaking markets. As a result, publishers must decide whether to release a book in certain countries and not others, or not to publish altogether. Certain types of content require specific attention. Maps are a sensitive issue for many markets, and Egyptian publishers may pre-emptively choose not to include them on book covers to avoid inadvertently crossing a line. For similar reasons, publishers in Egypt tread carefully when it comes to the topics of sex, politics, and religion in the Arab world.¹²⁴

We were also offered some interesting perspectives on censorship at book fairs and how publishers work around it to derive exposure and visibility for sensitive titles. We learned that some publishers use censorship as a promotion tool, leveraging the threat of impending book bans to drive up sales. So-called “book smugglers” also profit from censorship through the sale and distribution of pirated titles. Book fairs tend to serve as arenas where books previously banned in the Gulf and Saudi regions could be sold under the table, offering publishers and readers a rare opportunity to explore taboo subjects.¹²⁵

Pre-emptive self-censorship among publishers appears to stem not only from uncertainty about how sensitive content will be received in foreign markets, but also from domestic administrative and legal restrictions.¹²⁶ Since March 2017, publishers seeking an ISBN, issued by the Egyptian National Library and Archives, have been required to sign a declaration accepting personal legal liability for their books’ content. Some publishers and critics have suggested that this requirement, along with the longer review period it introduced, may allow security bodies to informally influence the vetting process.¹²⁷

Beyond the ISBN system, the Central Authority for the Censorship of Works of Art (CACWA) has raided several publishing houses over the years, including Merit in 2015 and 2017, the Arab Network for Research and Publishing in 2018, and El-Maraya in 2022. Even though formal bans technically require the prime minister’s approval with the cabinet in full session, publishers report that the authority works around this by issuing removal orders that are never put in writing, keeping them outside any official process.¹²⁸

According to the Law and Democracy Support Foundation, independent publishing houses have, on occasion, been excluded from the Cairo International Book Fair: at the 57th edition, in January 2026, the organization reported that security agencies ordered publishers to withdraw novels including Youssef Ziedan’s *The Virgin’s Travel* and Hamed Abdel-Samad’s *The Cloud Factory*, and that GEBO excluded independent publisher El-Maraya for a second consecutive year by deleting its registration without explanation.^{129 130}

124 Publishing industry professional interviews.

125 Publishing industry professional interviews.

126 TIMEP Contributor, “All Stick, No Carrot.”

127 TIMEP Contributor, “All Stick, No Carrot.”

128 CACWA raided Merit Publishing House (2015 and 2017), the Arab Network for Research and Publishing (2018), and El-Maraya for Culture and Arts (2022). While Egypt prohibits prior restraint on books, CACWA retains post-publication powers of inspection and investigation, with banning decisions reserved for the prime minister acting in full cabinet session. TIMEP Contributor, “All Stick, No Carrot.”

129 The house, which the International Publishers Association names El Maraya for Arts & Culture, received the 2026 IPA Prix Voltaire at the 35th International Publishers Congress in Kuala Lumpur, with a Prix Voltaire Special Award presented posthumously to Mohamed Hashem of Merit Publishing House. See International Publishers Association, “IPA Prix Voltaire Awarded to El Maraya, with Special Award for Mohamed Hashem,” July 2026, <https://internationalpublishers.org/2026-ipa-prix-voltaire-awarded-to-el-maraya-with-special-award-for-mohamed-hashem/>; “Egyptian Publisher Yehia Fekry Wins 2026 IPA Prix Voltaire,” *Publishers Weekly*, July 7, 2026.

130 Law and Democracy Support Foundation, “Egypt: Authorities Continue to Siege Spaces of Expression and Creativity. Withdrawal of Novels and Banning Independent Publishing Houses from Participating in the Cairo International Book Fair,” January 31, 2026, <https://ldsf.info/blog/2026/01/31/books310126/>.

Two cases illustrate how criminal and military courts have been applied to publishing-related activity. Khaled Lotfy was sentenced by a military court to five years in prison for publishing an Arabic translation of *The Angel: The Egyptian Spy Who Saved Israel*, and was released in 2022 upon completing his sentence.¹³¹ Galal El-Beairy, a poet sentenced to three years in 2018 for a poetry collection, remained in detention well beyond that term: once his sentence ended in 2021, he was held in continued pretrial detention on subsequent charges, and by 2026 had spent more than eight years in custody.¹³²

Egypt's publishing sector thus reflects a persistent gap between constitutional guarantee and practical enforcement, even as its size and history continue to secure its position as a cultural reference point for the wider Arab world. Institutional reforms such as the 2023 intellectual property overhaul point to possible openings for closer alignment with international standards, potentially reinforcing Egypt's role as a hub for regional literary exchange.

131 On Khaled Lotfy: TIMEP Contributor, "All Stick, No Carrot." Lotfy is the founder of Tanmia bookshop and publishing house and winner of the 2019 Prix Voltaire. He was arrested in April 2018 on charges of revealing military secrets and spreading rumors; his subsequent request for a presidential pardon was unsuccessful. Association for Freedom of Thought and Expression, "Speech Under Siege from Street to Internet: Annual Report on the State of Freedom of Expression in Egypt for 2019," <https://afteegypt.org/en/research-en/monitoring-reports-en/2020/02/23/18447-afteegypt.html/5>; International Publishers Association, "IPA Welcomes Release of Egyptian Publisher Following Completion of Prison Term," January 2023, <https://internationalpublishers.org/ipa-welcomes-release-of-egyptian-publisher-following-completion-of-prison-term/>.

132 On Galal El-Beairy: PEN America, "Prison for Poetry: Eight Years Behind Bars for Satire in Egypt," March 5, 2026, <https://pen.org/prison-for-poetry-eight-years/>; TIMEP Contributor, "All Stick, No Carrot." El-Beairy was arrested in March 2018 over the satirical song "Balaha" (charges later dropped), then convicted by a military court over his poetry collection *The Finest Women on Earth*.

FRANCE¹³³

France boasts a well-protected, culturally embedded print infrastructure that continues resisting the death of print narrative, backed by one of the densest networks of independent bookstores in the world with over 3000 locations.¹³⁴ However, while France's historical legal framework—rooted in the Press Act of July 1881¹³⁵—continues to offer general protections, French publishers face growing pressure from state competition, administrative censorship, and social media campaigns that increasingly constrain the freedom to publish.

France is ranked 25th in the Reporters Without Borders 2026 Index¹³⁶. Freedom House classifies the country as free, with an overall score of 89/100. V-Dem's 2026 Report assigns it a Liberal Democracy Index score of 0.8 and classifies it as a liberal democracy.

State institutions have become a major source of unfair competition and systematically undercut private publishers by offering free or subsidized online content¹³⁷. In academic publishing, the government encourages professors to produce free online material and pursues an open-access policy funded by state subsidies. In educational publishing, regional authorities publish their own digital educational content¹³⁸ and hence create concerns of unfair competition. In art publishing, prohibitive museum reproduction fees make it financially impossible for private publishers to produce art books¹³⁹. This state competition operates without transparency regarding strategy, costs, or competitive necessity.

Administrative censorship has regained significance through a 1949 law that allows the French Interior Ministry to restrict book sales to minors. In July 2023, Interior Minister Gérald Darmanin invoked this legislation to ban the book *Bien trop petit (Far Too Small)* by Manu Causse, published by Éditions Thierry Magnier¹⁴⁰. The ministry's decree, issued without prior notice to the publisher, prohibited sales to minors. The decree cited various pages as containing "complaisantly described" sexually explicit scenes¹⁴¹. Publisher Thierry Magnier responded with shock, called the ban "traumatic" and described it as "the first time I've had a book censored."¹⁴² The French publishers' association (SNE) condemned the action and Magnier announced plans to attack the 1949 law itself to repeal the commission that reviews chil-

133 This case study draws on written correspondence with the French Publishers Association (Syndicat national de l'édition), February 2026, alongside the documentary sources cited below.

134 Syndicat de la librairie française (SLF). Chiffres clés. <https://www.syndicat-librairie.fr/ressources/chiffres-cles>.

135 Legifrance.gouv.fr. *Loi du 29 juillet 1881 sur la liberté de la presse*. <https://www.legifrance.gouv.fr/loda/id/LEGITEXT000006070722>.

136 Reporters Without Borders, *World Press Freedom Index 2026*, "France," <https://rsf.org/en/country/france>.

137 Jack McKenna, "Open Access in France," *MDPI Blog*, May 27, 2024. <https://blog.mdpi.com/2024/05/27/open-access-in-france/>.

138 Jack McKenna, *Open Access in France*, 2024.

139 Gilles Perrault, "The Right to Reproduce National Works of Art Belonging to French Museums," *Revue Experts*, no. 8 (September 2008). <https://gillesperrault.com/publications/the-right-to-reproduce-national-works-of-art-belonging-to-french-museums>.

140 Hocine Bouhadjera, «Interdit aux mineurs : Gérald Darmanin censure un livre jeunesse», *ActuaLitté*, July 18, 2023. <https://actualitte.com/article/112709/droit-justice/interdit-aux-mineurs-gerald-darmanin-censure-un-livre-jeunesse>.

141 Ministère de l'Intérieur, «Arrêté du 17 juillet 2023 portant interdiction de vente aux mineurs d'une publication», *Journal officiel de la République française*, no. 0164 (July 18, 2023), NOR : IOMD2318092A. <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000047852814>.

142 Eric Dupuy, "Answering Censorship in France: Publisher Thierry Magnier," *Publishing Perspectives*, January 19, 2024. <https://publishingperspectives.com/2024/01/answering-censorship-in-france-publisher-thierry-magnier/>.

dren's literature, arguing that existing French laws already prohibit homophobia, racism, anti-Semitism, and pornography aimed at young people¹⁴³.

Political pressure over educational content has taken a more public form. In January 2026, after the Ligue internationale contre le racisme et l'antisémitisme drew attention to a passage describing the Israeli victims of the attacks of 7 October 2023 as "colons juifs," Hachette recalled three *Objectif Bac* revision guides and, two days later, a Larousse dictionary for lower-secondary pupils containing the same sentence. President Emmanuel Macron denounced the formulation as revisionism and the education minister called it a falsification of the facts. The group apologised, opened an internal inquiry and undertook to review its entire school and parascolaire catalogue.¹⁴⁴

Internet platforms in France are engaging in similar forms of censorship. Amazon removed educational comics about teenage sexuality from its Kindle catalogue while it simultaneously kept overtly pornographic content in its offering¹⁴⁵. In 2013, Apple gave Izneo, a French digital comics platform, 30 hours to remove titles it deemed adult content, without specifying which titles were affected or why. Izneo initially pulled 2,800 titles, including established series such as *Largo Winch*, *XIII*, and *Blake & Mortimer*, to avoid removal from the App Store entirely; around 1,500 remained unavailable after some were reinstated.¹⁴⁶ Social media campaigns have led to the withdrawal of books dealing with puberty and sexuality¹⁴⁷. Some publishers have voluntarily engaged in self-censorship; Gallimard, for example, suspended its planned reissue of Louis-Ferdinand Céline's antisemitic pamphlets in January 2018, its director judging that the methodological and memorial conditions for the project had not been met, while Fayard delayed its critical edition of *Mein Kampf* for years before publishing it in June 2021 as *Historiciser le mal*, sold to order rather than through ordinary distribution^{148 149}.

Ownership concentration has introduced a further dimension. In November 2023, *Vivendi*, controlled by Vincent Bolloré, completed its acquisition of Lagardère and with it *Hachette Livre*, the country's largest publishing group, having divested Editis at the European Commission's insistence. Editorial changes at Fayard, one of the group's flagship literary houses, were followed in April 2026 by the dismissal of Olivier Nora after twenty-six years at the head of Grasset, which prompted more than 130 of that house's authors to seek release from their contracts. How far such decisions follow from a proprietor's convictions, and how far they belong to the ordinary churn of editorial life, remains contested. What the episode

143 Dupuy, "Answering Censorship in France".

144 "Attaque du 7 octobre en Israël : Hachette retire trois manuels parascolaires après une polémique," *Café pédagogique*, January 16, 2026, <https://www.cafepedagogique.net/2026/01/16/attaque-du-7-octobre-en-israel-hachette-retire-trois-manuels-parascolaires-apres-une-polemique/>; Agence France-Presse, "7-Octobre : Hachette rappelle aussi un dictionnaire et examine tous ses ouvrages scolaires," January 16, 2026; "Les 'colons juifs' dans un manuel français sur le 7-Octobre : révision du bac ou révisionnisme ?," *Euronews*, January 15, 2026, <https://fr.euronews.com/2026/01/15/les-colons-juifs-dans-un-manuel-francais-sur-le-7-octobre-revision-du-bac-ou-revisionnisme>.

145 Jeffrey Knockel, Jakub Dalek, Noura Aljizawi, Mohamed Ahmed, Levi Meletti, and Justin Lau, "Banned Books: Analysis of Censorship on Amazon.com," Citizen Lab Report No. 179, University of Toronto, November 25, 2024, <https://citizenlab.ca/research/analysis-of-censorship-on-amazon-com>.

146 Bleeding Cool, "Apple Censors 1500 French Comics from App Store," April 8, 2013, <https://bleedingcool.com/comics/recent-updates/apple-censors-1500-french-comics-from-app-store/>; Comic Book Legal Defense Fund, "Apple Goes on Censorship Spree," April 10, 2013, <https://cbldef.org/2013/04/apple-goes-on-censorship-spree/>.

147 Frédéric Potet, «Une histoire de Spirou retirée de la vente après des accusations de racisme», *Le Monde*, November 1, 2024. https://www.lemonde.fr/culture/article/2024/11/01/une-histoire-de-spirou-retirée-de-la-vente-apres-des-accusations-de-racisme_6370377_3246.html.

148 "Plans Axed to Reissue Anti-Semitic Pamphlets," *National Post*, January 13, 2018; "Fayard publie le 2 juin *Historiciser le mal*," *Livres Hebdo*, May 17, 2021.

149 Potet, "Une histoire de *Spirou* retirée de la vente."

makes plain is that ownership structure has itself become a question of publishing freedom in a market where one group commands a substantial share of the trade.¹⁵⁰

By 2025, bookstores were also facing escalating violence such as physical attacks and cyberbullying campaigns¹⁵¹. Although the French publishing sector remains fundamentally protected by law, it faces increasing pressure from state-backed competitors, regulatory interventions based on outdated laws, algorithmic censorship and organized social campaigns that could lead to widespread self-censorship on sensitive topics.

150 “Turmoil at Publisher Owned by French Billionaire Bolloré Sparks Exodus of Top Authors,” *France 24*, April 16, 2026, <https://www.france24.com/en/france/20260416-turmoil-at-publisher-owned-by-french-billionaire-bollor%C3%A9-sparks-exodus-of-top-authors>; “A Prominent French Publisher Is Dismissed, Alarming Authors and Media Watchers,” *Publishing Perspectives*, April 17, 2026, <https://publishingperspectives.com/2026/04/a-prominent-french-publisher-is-dismissed-alarming-authors-and-media-watchers/>.

151 Charline Vanhoenacker, «La librairie indépendante, un endroit à risques,» *Charline expose les faits*, France Inter, January 19, 2026. <https://www.radiofrance.fr/franceinter/podcasts/charline-expose-les-faits/charline-expose-les-faits-du-lundi-19-janvier-2026-3701398>.

GERMANY

Germany combines one of Europe's most protective constitutional frameworks with a live test of whether that framework endures when state actors, as opposed to private or societal forces, become the primary source of pressure on publishers. The country ranks 14th of 180 countries in the Reporters Without Borders 2026 Press Freedom Index¹⁵², reflecting a generally protective media environment. This index, however, measures conditions for journalism specifically; sector-specific evidence on book publishing is discussed below. V-Dem places Germany 15th worldwide on its Liberal Democracy Index, with a score of 0.78, and classifies it as a liberal democracy, while noting increasing volatility in public discourse¹⁵³. Freedom House classifies the country as free with a score of 95/100.¹⁵⁴ The constitutional framework remains robust: Article 5 of the Basic Law (the Constitution) affords broad protections for publication, scientific freedom and artistic expression, and its legal architecture maintains a rigorous distinction between factual statements and value judgments¹⁵⁵.

According to Jessica Sanger of the German Publishers and Booksellers Association and Chair of the IPA Freedom to Publish committee, this differentiation is crucial for upholding freedom of expression while simultaneously enabling clear limits through rules against defamation, incitement and hate speech. Currently, Ms. Sanger notes, the publishing environment is operating effectively. It is supported by a diverse, decentralized market with multiple independent publishers, allowing authors whose work faces rejection at one house to pursue publication elsewhere.

Yet Germany faces mounting pressures that demand institutional vigilance. Polarization has intensified, which also erodes public trust in institutions and accelerates the spread of narratives untethered from evidence¹⁵⁶. At the same time, publishers encounter sometimes very heated debates and even targeted online campaigns over perceived insensitivity in language or representation, which can prompt internal editorial anxiety disproportionate to actual threats. More concerning are anti-democratic activities of political actors: the far-right Alternative for Germany (AfD) has established denunciation platforms in several regional parliaments since 2018¹⁵⁷, enabling citizens to report teachers for alleged political indoctrination. A parallel test occurred in the periodical press: the Federal Interior Ministry banned the magazine *Compact* as an extremist organization, only for the Federal Administrative Court to overturn the ban as unlawful in June 2025, allowing the magazine to resume publication.¹⁵⁸

A more direct threat emerged at the start of 2026. In January, Culture Minister Wolfram Weimer removed three left-leaning independent bookshops (Golden Shop (Bremen), *Rote Strae* (Gottingen), and *Zur schwankenden Weltkugel* (Berlin)) from the jury's list of 118 winners of the German Bookshop Prize for

152 Reporters Without Borders, *World Press Freedom Index 2026*, "Germany," <https://rsf.org/en/country/germany>.

153 V-Dem Institute, *Democracy Report 2026*.

154 Freedom House, *Freedom in the World 2026*.

155 Grundgesetz fur die Bundesrepublik Deutschland [GG] [Basic Law], Art. 5 (F.R.G.). https://www.gesetze-im-internet.de/englisch_gg/englisch_gg.html.

156 Rebecca Gabel and Jennifer Potthoff, "Vertrauenskrise in Deutschland?: Ein europaischer Vergleich und Wege zu neuer Stabilitat," IW-Policy Paper Nr. 9, Institut der deutschen Wirtschaft (IW), April 30, 2025.

157 Alice Cuddy and Kirsten Ripper, "Germany's AfD Tells Pupils to Report Teachers Who Air Political Views," *Euronews*, October 12, 2018. <https://www.euronews.com/2018/10/12/germany-s-afd-tells-pupils-to-report-teachers-who-air-political-views>.

158 Centre for Media Pluralism and Media Freedom, "Germany 2026," European University Institute, 2026, <https://cmpf.eui.eu/country/germany-2026/>.

2025, a decision that became public in March, citing unspecified intelligence-relevant findings obtained through the so-called Haber procedure, a mechanism allowing ministries to consult the domestic intelligence service¹⁵⁹. Neither the bookshops nor the partners in the prize (*Börsenverein and Kurt Wolff-Stiftung*) were informed of the specific allegations, and the affected shops had no formal avenue for appeal¹⁶⁰. The *Börsenverein* condemned the decision as “extremely questionable,” with its president Sebastian Guggolz stating that linking cultural recognition to a bookshop’s political orientation was fundamentally unacceptable¹⁶¹. All three bookshops launched legal proceedings, and on 30 April 2026 the Administrative Court of Berlin (VG 6 L 229/26) issued an injunction prohibiting Weimer from publicly labelling the owners of *Zur schwankenden Weltkugel* as “political extremists,” ruling that the intelligence service’s vague findings provided insufficient factual basis for such a designation¹⁶². Weimer declined to appeal, and the ruling became final in June 2026; however, the ministry has not reinstated the three bookshops on the prize list or released the associated award, and counsel for the affected booksellers has publicly called on the ministry to do so. The wider question remains open. The three bookshops are pursuing claims before the Administrative Court of Berlin for payment of the prize money and for a declaration that the intelligence query was unlawful, and before the Administrative Court of Cologne over the transfer of their data, while legal commentators argue that the Haber procedure has no statutory basis and that the transfer fails the standard the Federal Constitutional Court set for intelligence data-sharing in 2022.^{163 164}

A wider mobilization within the German book trade was prompted by the incident. The prize ceremony, originally scheduled to take place at the Leipzig Book Fair on March 19 2026, was cancelled outright, and Weimer was publicly booed during the fair’s opening. PEN Berlin warned of a shift toward *amerikanische Zustände* (American-style conditions), while the IPA’s President Gvantsa Jobava stated that the IPA was “surprised and disappointed” by the exclusion¹⁶⁵.

These developments can create indirect pressure toward self-censorship, though Sängner notes Germany’s market diversity still permits authors to find alternative publishers. The fundamental threat, according to her, lies not in current state censorship but in potential future weaponization of cultural institutions and educational policy should anti-democratic forces gain governing power. Germany’s model of institutional protection, exemplified by recent constitutional reforms designed to prevent political capture of the Constitutional Court¹⁶⁶, remains essential.

159 Nils Weinberg, „Weimerer Verhältnisse: Verfassungsschutz in der staatlichen Kulturförderung,“ *Verfassungsblog*, March 13, 2026. <https://verfassungsblog.de/buchhandlungspreis-kunstfreiheit-extremismus/>

160 Iris Sayam, „Debatte um gestrichene Nominierungen: Buchläden wollen klagen,“ *Tagesschau*, March 10 2026. <https://www.tagesschau.de/inland/innenpolitik/weimer-buchhandlungen-verfassungsschutz-100.html>

161 Sebastian Guggolz, „Statement des Börsenvereins zum Deutschen Buchhandlungspreis 2025,“ *Börsenverein des Deutschen Buchhandels*, March 4, 2026. <https://www.boersenverein.de/ueber-uns/aktuelles/detailseite/default-7a16c1c4b2e10c18280a22f40198b35f/>

162 Verwaltungsgericht Berlin, *Beschluss vom 30. April 2026*, Az. VG 6 L 229/26; *Tagesschau*, „Verwaltungsgericht untersagt Weimer Extremismus-Aussage über Berliner Buchhandlung,“ *Tagesschau*, April 30, 2026. <https://www.tagesschau.de/kultur/verwaltungsgericht-weimer-buchhandlung-100.html>

163 „Gericht stoppt Weimers Extremismus-Vorwurf gegen Buchladen,“ *Telepolis*, May 11, 2026; Nils Weinberg, „Weimerer Verhältnisse: Verfassungsschutz in der staatlichen Kulturförderung,“ *Verfassungsblog*, March 13, 2026, <https://verfassungsblog.de/buchhandlungspreis-kunstfreiheit-extremismus/>

164 Börsenblatt, „Ausschluss vom Deutschen Buchhandlungspreis: Was bisher geschah,“ *Börsenblatt.net*, March 27, 2026, <https://www.boersenblatt.net/home/ausschluss-vom-deutschen-buchhandlungspreis-was-bisher-geschah-415111>; dpa, „Weimer lässt Verleia von Buchhandlungspreis absagen,“ March 2026, <https://de.nachrichten.yahoo.com/weimer-l%C3%A4sst-verleihung-buchhandlungspreis-absagen-115611994.html>

165 FragDenStaat, „Haber-Verfahren: Niederlage für Kulturstatsminister Weimer,“ June 4, 2026, <https://fragdenstaat.de/artikel/exklusiv/2026/05/haber-verfahren/>; ver.di, „Extremismusvorwurf: Weimar knickt ein,“ *M – Menschen Machen Medien*, June 8, 2026, <https://mmm.verdi.de/aktuelle-meldungen/extremismusvorwurf-weima>

166 Tamsin Paternoster and Associated Press, „Germany’s Government Moves to Reinforce Constitutional Court against Extremism,“ *Euronews*, July 23, 2024. <https://www.euronews.com/my-europe/2024/07/23/germanys-government-moves-to-reinforce-constitutional-court-against-extremism>

HUNGARY*¹⁶⁷

Hungary's publishing sector illustrates how a formally democratic system can be transformed into an electoral autocratic regime in which legal instruments are weaponized to tilt the cultural market and academic institutions toward government-aligned actors. Fidesz's parliamentary super-majority was used to remove checks and balances on the executive and to rewrite media and cultural statutes, in a clear attack on freedom of expression.

The 2010 parliamentary election of Viktor Orbán was the decisive turning point in the drift to an "illiberal state," a shift that coincides with Freedom House's classification of the country as "partly free." Freedom House currently assigns the country the same status and ranks it 65/100 (Political Rights 24/40, Civil Liberties 41/60).¹⁶⁸ Reporters Without Borders ranks Hungary 74th out of 180 countries and classifies former Prime Minister Viktor Orbán as a press freedom predator.¹⁶⁹ V-dem classifies its regime as an electoral autocracy, since 2018, and highlights that it records the largest total magnitude of deterioration, a -0.451 decline from the start of the autocratization episode in 2009. It now ranks 94th, with a LDI score of 0.32, and is identified as one of the most prominent stand-alone autocratizers.¹⁷⁰

In June 2023, the government-linked Mathias Corvinus Collegium (MCC) increased its stake in Hungary's largest publishing and bookselling company, Libri Group, from a minority share to 98.5%, placing the country's dominant literary distributor under the influence of a state-aligned institution.¹⁷¹ Libri occupies a pivotal position in Hungary's book market, combining publishing operations with an extensive retail network, which gives it significant leverage over both what is published and what reaches readers. The acquisition raises concerns about indirect influence over editorial decisions, as publishers may anticipate political sensitivities when seeking access to distribution channels or commercial visibility. Industry data indicate that the Hungarian book market has experienced declining revenues in recent years, intensifying competitive pressures and further amplifying the importance of access to dominant distributors¹⁷². In this context, the consolidation of Libri under MCC illustrates how structural control over distribution and market access can shape the boundaries of permissible expression without the need for overt regulatory intervention.

Beyond ownership and distribution networks, legislative changes in 2013-2014 effectively closed the K-12 textbook market to private and independent publishers. Schools now choose from a narrow, state-controlled list, with publishers confined to niches such as foreign-language materials.¹⁷³ Moreover, the 2021

167 *This case study is based exclusively on secondary sources. No interview with a national publishing association representative was available within the scope of this project.

168 Freedom House, *Freedom in the World 2026*, "Hungary," <https://freedomhouse.org/country/hungary/freedom-world/2026>.

169 Reporters Without Borders, *World Press Freedom Index 2026*, "Hungary," <https://rsf.org/en/country/hungary>.

170 V-Dem Institute, *Democracy Report 2026*, 23.

171 Noémi Martini, "Can Hungarian Book Publishing Resist Growing Government Control?," *Radio Free Europe/Radio Liberty*, July 21, 2023, <https://www.rferl.org/a/hungary-book-publishing-libri-government-control/32513531.html>.

172 IBISWorld, "Book Publishing in Hungary," <https://www.ibisworld.com/hungary/industry/book-publishing/200629/>.

173 International Publishers Association, "Educational Publishing in Hungary – An Interview with Dr Ildikó Török," June 4, 2019, <https://history.internationalpublishers.org/educational-publishing-in-hungary-an-interview-with-dr-ildiko-torok/>.

Child-Protection Law (Act LXXIX),¹⁷⁴ accused of unfairly criminalizing gay men as paedophiles,¹⁷⁵ mandates that any book depicting LGBTQ+ themes be wrapped in opaque foil, barred from youth sections, and banned from schools. The law's enforcement has produced a climate of intimidation: Líra, a major bookseller, was fined 12 million forints for displaying *Heartstopper* without wrapping, and Libri itself faced a 1 million-forint fine for a similar breach.¹⁷⁶ Publishers therefore resort to pre-emptive self-censorship to avoid costly penalties, and authors such as Dóra Papp report harassment that further discourages the production of queer-themed literature¹⁷⁷. The law had serious consequences not only for book publishing, but for all cultural industries and civil society in general, as it posed the basis for following legislation restricting other freedoms, such as that of assembly, leading to the banning of Budapest Pride.¹⁷⁸ However, on 21 April 2026 the Court of Justice, sitting as a full court, declared in Case C-769/22, *Commission v Hungary*, that Hungary had failed to fulfil its obligations under Article 2 TEU by adopting Act LXXIX of 2021, whose amendments the Court also found incompatible with Articles 1, 7, 11 and 21 of the Charter of Fundamental Rights and with EU rules on electronic commerce, services and audiovisual media.¹⁷⁹

Hungary's restructuring of higher education into politically-aligned foundations (the KEKVA system, in effect from 2021) has compromised institutional autonomy, with state-appointed chancellors influencing research agendas and the 2018 revocation of accreditation for gender studies marking an emblematic case of state intervention in scholarly content.¹⁸⁰ Parallel pressures on civil society and independent media have intensified through the 2023 Sovereignty Defense Law (Act LXXXVIII of 2023), which empowers a new Sovereignty Protection Office to investigate organizations receiving foreign funding, while documented use of Pegasus surveillance against journalists and government critics adds a digital layer of intimidation.¹⁸¹ These conditions compress the space in which Hungarian publishers can operate, turned the act of publishing into a high-risk endeavour increasingly aligned with state ideology. The political context then changed sharply. On 12 April 2026 Fidesz lost its majority to Péter Magyar's Tisza party, which took 141 of the 199 seats, and Magyar became prime minister on 9 May, ending sixteen years of Orbán government. Budapest Pride went ahead in June, and on 14 September the new government submitted a bill removing from the 2021 law the provisions on the portrayal of homosexuality and gender identity.¹⁸²

174 Act LXXIX of 2021 on Taking More Severe Action against Paedophile Offenders and Amending Certain Acts for the Protection of Children, *Magyar Közlöny* no. 118, June 23, 2021, p. 4942 (Hungary), English translation reproduced in European Commission for Democracy through Law (Venice Commission), CDL-REF(2021)088, November 18, 2021, <https://share.google/y9gJ1UX0AgOBJ0K3r>.

175 EU Court Rules Orbán's Anti-LGBTQ Law Breaches Core Values, Calls on Budapest to Cancel It, *Euronews*, April 21, 2026, <https://www.euronews.com/my-europe/2026/04/21/eu-court-rules-orbans-anti-lgbtq-law-breaches-core-values-calls-on-budapest-to-cancel-it>.

176 Martini, "Can Hungarian Book Publishing Resist Growing Government Control?"

177 Amnesty International, "Hungary: Propaganda Law Has 'Created Cloud of Fear' Pushing LGBTI+ Community into the Shadows," February 27, 2024, <https://www.amnesty.org/en/latest/news/2024/02/hungarypropaganda-law-has-created-cloud-of-fear-pushing-lgbti-community-into-the-shadows/>.

178 David De Groot, *Hungary's Pride Ban*, European Parliamentary Research Service Briefing PE 775.839 (Brussels: European Parliament, June 2025), [https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/775839/EPRS_BRI\(2025\)775839_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2025/775839/EPRS_BRI(2025)775839_EN.pdf).

179 Judgment of the Court (Full Court) of 21 April 2026, *Commission v Hungary (Values of the European Union)*, Case C-769/22, OJ C, C/2026/4273 (August 17, 2026), <http://data.europa.eu/eli/C/2026/4273/oj>.

180 Balázs Majtényi and Andrew Ryder, "Academic Freedom and Dissent in Higher Education: The Case of Hungary," *Journal of Contemporary Central and Eastern Europe* 33, no. 2 (May 2025): 483–99, <https://doi.org/10.1080/25739638.2024.2435785>.

181 Act LXXXVIII of 2023 on the Protection of National Sovereignty (Hungary), <https://njt.hu/jogszabaly/en/2023-88-00-00>; Szabolcs Panyi and András Pethő, "Hungarian Journalists and Critics of Orbán Were Targeted with Pegasus, a Powerful Israeli Cyberweapon," *Direkt36*, July 18, 2021, <https://www.direkt36.hu/en/teleplezodott-egy-durva-izraeli-kemfegyver-az-orban-kormany-kritikusait-es-magyar-ujsgirokat-is-celba-vettek-vele/>.

182 House of Commons Library, *Hungary: Developments under Viktor Orbán and the 2026 Parliamentary Election*, Research Briefing CBP-10612 (London: House of Commons Library, 2026); Human Rights Watch, "Reforms to Hungary's Anti-LGBT Laws Welcome, but More to Do," September 16, 2026, <https://www.hrw.org/news/2026/09/16/reforms-to-hungarys-anti-lgbt-laws-welcome-but-more-to-do>.

INDIA*¹⁸³

India's publishing industry includes both large multinational houses and small independent presses, with English- and Hindi-language publishing forming the largest segments of the market. The country ranks 157th of 180 countries by the Reporters without Borders 2026 World Press Freedom Index¹⁸⁴. Furthermore, the V-Dem 2026 Report classifies India as an "electoral autocracy," ranking it 105th on its Liberal Democracy Index with a score of 0.26 and recording a deterioration in freedom of expression¹⁸⁵. Freedom House classifies the country as partly free with a score of 62/100 in its 2026 report, a score that excludes Indian Kashmir, which it assesses separately.¹⁸⁶

In India, pre-independence legislation continues to weigh on the publishing industry. The Constitution does not mention the press or publishing: Article 19(1)(a) guarantees "freedom of speech and expression," which the Supreme Court has read to include freedom of the press, subject to the "reasonable restrictions" permitted by Article 19(2), including in the interests of public order, decency or morality, and the sovereignty and integrity of India¹⁸⁷. Section 295A of the Indian Penal Code, a legacy of British colonial rule, criminalizes "deliberate and malicious acts intended to outrage religious feelings of any class". Since July 1, 2024, the provision has continued, almost verbatim, as Section 299 of the Bharatiya Nyaya Sanhita, which replaced the Penal Code.¹⁸⁸ Legal pressure on publishers typically comes from complaints and orders targeting books seen as offending religious sentiment, criticizing the government, or threatening national security¹⁸⁹. The case of Wendy Doniger's "The Hindus: An Alternative History" illustrates this mechanism: after the Hindu nationalist group Shiksha Bachao Andolan Samiti brought a civil suit and two criminal complaints in 2011, Penguin India agreed in an out-of-court settlement in February 2014 to withdraw all copies of the book from India within six months and destroy them¹⁹⁰. Penguin stated that Section 295A would make it "increasingly difficult for any Indian publisher to uphold international standards of free expression without deliberately placing itself outside the law"¹⁹¹.

India's linguistic diversity presents a foundational structural challenge, and one that bears directly on freedom to publish. The Eighth Schedule of the Constitution recognizes twenty-two scheduled languages, while the 2011 Census screened 19,569 raw mother-tongue returns, identified 1,369 rationalized mother tongues, and grouped those with at least 10,000 speakers under 121 languages; the remainder were placed in an undifferentiated "other" category. The commercial publishing market is heavily concentrated in

183 *This case study is based exclusively on secondary sources. No interview with a national publishing association representative was available within the scope of this project.

184 Reporters Without Borders, *World Press Freedom Index 2026*, "India," <https://rsf.org/en/country/india>.

185 V-Dem Institute, *Democracy Report 2026*.

186 Freedom House, *Freedom in the World 2026*, "India," <https://freedomhouse.org/country/india/freedom-world/2026>; Freedom House, *Freedom in the World 2026*, "Indian Kashmir," <https://freedomhouse.org/country/indian-kashmir/freedom-world/2026>.

187 Constitution of India, art. 19(1)(a), (2); *Romesh Thappar v. State of Madras*, AIR 1950 SC 124.

188 *Bharatiya Nyaya Sanhita, 2023* (Act No. 45 of 2023), s. 299, in force July 1, 2024.

189 Akhilesh Pillalamarri, "Why Is Free Speech Limited in India?" *The Diplomat*, October 20, 2022. <https://thediplomat.com/2022/10/why-is-free-speech-limited-in-india/>.

190 Brian Pennington, "The Unseen Hand of an Underappreciated Law: The Doniger Affair and Its Aftermath," *Journal of the American Academy of Religion* 84 (2016).

191 "Penguin India Issues Statement on 'The Hindus' Recall" (full text of Penguin Books India's statement of February 14, 2014), *Time*, February 14, 2014, <https://time.com/7328/penguin-india-issues-statement-on-the-hindus-recall/>.

English and Hindi, with regional language publishers (Bengali, Tamil, Telugu, Marathi, Malayalam, among others) operating in fragmented, economically precarious markets characterized by small print runs, limited distribution reach, and constrained access to national retail networks.

Security-related powers have also been used against publications on Kashmir. On August 5, 2025, the Jammu and Kashmir Home Department declared 25 books “forfeited” under Section 98 of the Bharatiya Nagarik Suraksha Sanhita, including works by Arundhati Roy, Anuradha Bhasin and Hafsa Kanjwal, on the grounds that they propagated “false narratives and secessionism”¹⁹². Two days later, police carried out raids on bookshops in Srinagar and seized copies¹⁹³.

The Indian publishing sector faces economic pressure and the risk of self-censorship. Penguin’s withdrawal of “The Hindus” produced a ripple effect. When the same group threatened legal action against Aleph Book Company, the Indian publisher of Doniger’s “On Hinduism,” Aleph temporarily withdrew the book pending an expert review; it returned to bookstores about three months later¹⁹⁴. Legal vetting of manuscripts on sensitive subjects has become part of the process: Anuradha Bhasin said her book was vetted by the legal team three times before it went to print, and warned after the Kashmir bans that “publishers will think twice before printing anything critical on Kashmir.”¹⁹⁵ Some authors, too, describe self-censoring to avoid legal action, financial losses and public backlash. In 2016, following the controversy surrounding “One Part Woman”, the acclaimed Tamil writer Perumal Murugan remarked, “A censor is sitting inside me now.”¹⁹⁶

Independent and small publishing houses faced disproportionate risks in this climate, lacking the resources to fight protracted legal battles or absorb the financial blows of censorship¹⁹⁷. The use of colonial-era provisions such as Section 295A, now Section 299 of the Bharatiya Nyaya Sanhita, combined with economic vulnerability and organized social pressure, has narrowed the space for publishing on contested subjects. Consequently, producing and distributing literature on contentious subjects—most notably the Kashmir conflict, Hindu nationalism, or critical historical narratives—now carries significant legal and financial risk.

192 KT News Desk, “J&K Bans 25 Books Citing ‘False Narrative’ and ‘Glorification of Terrorism,’” *Kashmir Times*, August 6, 2025. <https://kashmirtimes.com/news/jk-bans-25-books-citing-false-narrative-and-glorification-of-terrorism>.

193 “Police Raid Kashmir Bookshops after India Bans Titles for ‘Secessionism,’” *Al Jazeera*, August 7, 2025. <https://www.aljazeera.com/news/2025/8/7/police-raid-kashmir-bookshops-after-india-bans-titles-for-secessionism>.

194 Raksha Kumar, “Censorship in India: Publishers Fear Reprisals,” *Time*, June 9, 2014. <https://time.com/2846535/india-publishing-doniger-megha-kumar-publishing-censorsip-hindu-shiksha-bachao-andolan-samiti/>; “The Triumph of the Hindu Right,” *Foreign Affairs*, review essay, August 11, 2014, <https://www.foreignaffairs.com/reviews/review-essay/2014-08-11/triumph-hindu-right>.

195 Al Jazeera Staff, “‘Attack on People’s Memory’: Kashmir’s Book Ban Sparks New Censorship Fears,” *Al Jazeera*, August 9, 2025. <https://www.aljazeera.com/features/2025/8/9/attack-on-peoples-memory-kashmirs-book-ban-sparks-new-censorship-fears>.

196 Perumal Murugan, “‘A Censor Is Sitting Inside Me Now’: Controversial Tamil Writer Perumal Murugan Makes a Powerful Statement,” translated by A.R. Venkatachalapathy, *HuffPost India*, August 23, 2016. https://www.huffpost.com/archive/in/entry/a-censor-is-sitting-inside-me-now-controversial-tamil-writer_in_5c1100f9e4b0ad8bf05cf7fe.

197 Lalita Iyer, “Indie Publishing in India: Pushing the Margins,” *Outlook India*, December 16, 2025. <https://www.outlookindia.com/national/indie-publishing-in-india-pushing-the-margins>.

INDONESIA

Indonesia is classified as “Partly Free” in Freedom House’s Freedom in the World 2026 report, with a score of 56 out of 100¹⁹⁸. V-Dem’s *Democracy Report 2026* now classifies Indonesia as an electoral autocracy, with a Liberal Democracy Index score of 0.30¹⁹⁹, while Reporters Without Borders ranks it 129th out of 180 countries in 2026, down from 127th in 2025²⁰⁰, reflecting persistent structural constraints on media freedom. Following the fall of President Suharto in 1998, Indonesia experienced widespread press liberalization, eliminating overt censorship and establishing legal protections for free speech. As Wedha Stratesti, a representative of the Indonesian Publishers Association (IKAPI), noted in an interview for the present case study, this marked a significant shift in the country’s publishing landscape.

Chief among those protections is the Press Law (UU No. 40/1999), which prohibits the censorship and banning of the national press and affirms media independence.²⁰¹ The judiciary reinforced this shift in 2010, when the Constitutional Court struck down the Suharto-era Law No. 4/PNPS/1963 on the Security of Printed Goods, ruling that any prohibition of a book must proceed through due judicial process rather than unilateral action by the Attorney General.²⁰² However, episodes such as the 2015 Ubud Writers and Readers Festival, when Balinese police forced organizers to cancel panels on the 1965 anti-communist purges, show that this liberalization remains incomplete.²⁰³

At the same time, economic gatekeeping by dominant distributors²⁰⁴, particularly Gramedia, the country’s largest book retailer and distribution network, plays a crucial role in determining which titles reach the public. According to the IKAPI representative interviewed, when Gramedia declines to stock certain books, it effectively limits access to them and shapes “acceptable discourse,” illustrating how market concentration can operate as de facto censorship.²⁰⁵

On the other hand, broadly defined and ambiguous legal provisions concerning morality and anti-state content continue to generate uncertainty and legal risk, encouraging self-censorship and cautious behaviour even without explicit bans.²⁰⁶ Three statutes do most of this work: i) the 2008 Anti-Pornography Law,²⁰⁷ whose vague definition of “pornography” proved capable of arbitrary application when singer Ariel was imprisoned in 2011 over sex videos of him that had circulated online;²⁰⁸ ii) the Electronic Information

198 Freedom House, *Freedom in the World 2026*, “Indonesia,” <https://freedomhouse.org/country/indonesia/freedom-world/2026>.

199 V-Dem Institute, *Democracy Report 2026*.

200 Reporters Without Borders, *World Press Freedom Index 2026*, “Indonesia,” <https://rsf.org/en/country/indonesia>.

201 Kurniawan Arif Maspul, “Reversing the Decline of Press Freedom in Indonesia,” *Geopolitical Monitor*, September 2, 2025, <https://www.geopoliticalmonitor.com/reversing-the-decline-of-press-freedom-in-indonesia/>

202 Karishma Vaswani, “Indonesia Suharto-era Book Banning Law Lifted,” *BBC News*, October 14, 2010, <https://www.bbc.com/news/world-asia-pacific-11539342>; R.N.B. Aji, Artono, and C. Liana, “Responding Book Banning in Indonesia,” *IOP Conference Series: Journal of Physics* 953(2018): 012183, <https://doi.org/10.1088/1742-6596/953/1/012183>.

203 Tiffany Tsao, “Rethinking Censorship in Indonesia,” *Sydney Review of Books*, November 5, 2015, <https://sydneyreviewofbooks.com/essays/rethinking-censorship-in-indonesia>.

204 Kompas, “Ekosistem Perbukuan Nasional Memprihatinkan,” *Kompas.id*, May 21, 2025, <https://www.kompas.id/artikel/en-ekosistem-perbukuan-nasional-memprihatinkan>.

205 As mentioned during the interview with Wedha Stratesti, conducted by Seoyoon Yang, March 20, 2025.

206 Kurniawan Arif Maspul, “Reversing the Decline of Press Freedom in Indonesia”.

207 Law No. 44 of 2008 on Pornography (Indonesia), Database Peraturan BPK, <https://peraturan.bpk.go.id/Details/39740/uu-no-44-tahun-2008>.

208 Tsao, “Rethinking Censorship in Indonesia.”

and Transactions (ITE) Law, under which Amnesty International documented at least 530 cases of criminalized expression, involving 563 victims, between 2019 and 2024;²⁰⁹ and iii) Indonesia's new Penal Code (KUHP, Law No. 1/2023),²¹⁰ which took effect on January 2, 2026, replacing the Dutch colonial-era code. It reintroduces a ban on insulting the president, vice president, or state institutions, with insults to the president prosecutable only on the president's complaint and punishable by up to three years in prison; expands the existing blasphemy provisions while maintaining penalties of up to five years; and provides for up to ten years' imprisonment for founding, or maintaining ties with, organizations that follow communism or Marxism-Leninism.²¹¹

These dynamics are further exacerbated by an environment of intimidation and surveillance, where journalists, activists, and human rights defenders are subjected to threats and harassment. Incidents that target members of organizations such as *KontraS*,²¹² including the acid attack on its Deputy Coordinator, Andrie Yunus, in March 2026, which was denounced by Indonesia's own Human Rights Minister and for which four military intelligence personnel were later convicted by a military court,²¹³ highlight the personal risks associated with reporting and advocacy work. Thus, freedom of expression and the right to publish are, simultaneously, adversely affected by these constraints, which also contribute to a broader climate of insecurity.

Although organizations like IKAPI provide advocacy, legal assistance, and professional support for writers and publishers, their overall influence in protecting freedom of expression remains limited. Overall, Indonesia reflects a hybrid model in which formal freedoms coexist with powerful informal restrictions, underscoring the importance of examining legal, economic, and socio-cultural factors together.

209 Maspul, "Reversing the Decline of Press Freedom in Indonesia." Figures from Amnesty International Indonesia, statement of April 30, 2025, reproduced in "Court Ruling Momentum to Revise All Problematic ITE Law Articles," *Indoleft*, <https://www.indoleft.org/statements/2025-04-30/court-ruling-momentum-to-revise-all-problematic-ite-law-articles.htm>.

210 Law No. 1 of 2023 (Penal Code) (Indonesia), arts. 188–189, 218, 240, and 300–302, Database Peraturan BPK, <https://peraturan.bpk.go.id/Details/234935/uu-no-1-tahun-2023>.

211 Niniek Karmini, "Indonesia's New Penal Code Takes Effect, Marking Historic Break with Colonial Law," AP News, updated January 2, 2026, <https://apnews.com/article/indonesia-new-penal-code-takes-effect-4bcb6a0bdf1a63d17c3ff77f085b6382>.

212 *KontraS* (Commission for the Disappeared and Victims of Violence) in Indonesia is an NGO that addresses human rights issues in Indonesia, particularly civil and political rights. More information: <https://kontras.org/>

213 Nabilla Chika Putri, "Acid Attack on KontraS Activist Raises Alarm over Indonesia's Civic Freedoms," *Indonesia Business Post*, March 18, 2026, <https://indonesiabusinesspost.com/6338/Politics/acid-attack-on-kontras-activist-raises-alarm-over-indonesia-s-civic-freedoms>; Human Rights Watch, "Indonesian Military Court Reduces Acid Attack Sentences," September 9, 2026, <https://www.hrw.org/news/2026/09/09/indonesian-military-court-reduces-acid-attack-sentences>.

JAPAN

Japan remains a consolidated democracy with relatively high levels of press freedom, although concerns about media independence persist. Within this context, the freedom to publish in Japan presents a complex case shaped by both strong constitutional protections and informal societal pressures. According to V-Dem’s *Democracy Report 2026*, which classifies Japan as a liberal democracy²¹⁴, Japan recorded a Liberal Democracy Index score of 0.73, and Reporters Without Borders ranked it 62nd out of 180 countries in 2026, up from 66th in 2025²¹⁵. Freedom House classifies the country as “Free,” with a score of 96 out of 100 in its 2026 report²¹⁶.

The post-WWII Constitution guarantees freedom of “speech, press and all other forms of expression” and provides that “no censorship shall be maintained” (Article 21)²¹⁷. That said, the practical exercise of this freedom is shaped by multiple layers of regulation. In this manner, Article 175 of the Penal Code criminalizes the distribution of obscene material, which in practice has led publishers to obscure depictions of genitalia through pixelation or blurring. Prefectural youth-protection ordinances add further restrictions on the sale to minors of publications deemed harmful, particularly those involving sexual content, violence, and drug use²¹⁸.

Based on the interview with Yoshiaki Yoshino, a member of the Freedom to Publish Committee for the Japan Book Publishers Association (JBPA), self-censorship functions as a crucial informal constraint. Publishers often practice “reading the air,” avoiding controversies to prevent commercial or social backlash. Market pressures and conservative attitudes influence editorial decisions, and publishers sometimes prioritize commercial incentives over factual accuracy, as illustrated by the publication of misinformation about minorities. A concrete instance of this dynamic followed a column in the July 31, 2025 issue of Shinchosha’s weekly *Shūkan Shinchō*. Titled “Sōshi Kaimei 2.0,” after the colonial-era name-change policy imposed on Koreans, it attacked Zainichi (resident Korean) author Fukazawa Ushio and others with roots outside Japan, telling them not to use Japanese names if they disliked Japan. Fukazawa later ended her publishing contract with Shinchosha, and novelist Yuzuki Asako moved the rights to her bestseller *Butter* from Shinchosha to Kawade Shobo Shinsha, questioning the publisher’s handling of the affair.²¹⁹

Institutional responses, such as the JBPA’s Freedom to Publish Committee, organize workshops bringing stakeholders together to promote responsible publishing without issuing mandates. This collaborative model encourages editors to assess potential discrimination through informed decision-making. Such pressure can originate from either direction politically, as seen in 2023, when publisher Kadokawa shelved its planned Japanese translation of Abigail Shrier’s *Irreversible Damage* (2020) after criticism of its

214 V-Dem Institute, *Democracy Report 2026*.

215 Reporters Without Borders, *World Press Freedom Index 2026*, “Japan,” <https://rsf.org/en/country/japan>.

216 Freedom House, *Freedom in the World 2026*, “Japan,” <https://freedomhouse.org/country/japan/freedom-world/2026>.

217 The Constitution of Japan, art. 21, Japanese Law Translation (Ministry of Justice), <https://www.japaneselawtranslation.go.jp/en/laws/view/174/tb>.

218 Sander Toet, *Legal Tango: Self-imposed Censorship in Gengoroh Tagame’s Work* (Master’s thesis, Leiden University, 2015), 1, <https://studenttheses.universiteitleiden.nl/access/item:2627261/view>.

219 “Political Incorrectness,” *Number 1 Shimbun* (Foreign Correspondents’ Club of Japan), September 1, 2025, <https://www.fccj.or.jp/number-1-shimbun-article/political-incorrectness>; “柚木麻子『BUTTER』版權を新潮社から河出書房新社へ移動 背景に差別コラム掲載問題” [Yuzuki Asako moves rights to *Butter* from Shinchosha to Kawade Shobo Shinsha amid discriminatory column controversy], *KAI-YOU*, April 22, 2026, <https://kai-you.net/article/95214>.

Japanese title and sales copy and a protest called by trans rights activists. Sankei Shimbun Publishing then took over the project and released the translation in April 2024, despite an emailed arson threat against bookstores carrying it. The episode illustrates how market and social pressure can shape which contested titles reach Japanese readers.²²⁰

On the other hand, textbooks are written and edited by private publishers, but the Ministry of Education screens them through its authorization system and can require revisions before approval. Local municipalities retain the authority to select which certified textbooks are adopted, and this creates regional variations in historical narratives. For example, the case of *Barefoot Gen*, a manga depicting the atomic bombing of Hiroshima, shows how such local discretion extends beyond textbooks. In 2023, the Hiroshima City Board of Education removed excerpts from its peace-education materials, arguing that some scenes, such as the protagonist taking a carp from someone else's garden pond, could confuse or mislead today's children. A decade earlier, the Matsue City Board of Education had asked schools to restrict library access to the series over its graphic depictions of wartime atrocities, before withdrawing the request after criticism²²¹.

These constraints coexist with a publishing market of real vitality. Combined print and digital manga sales reached a record ¥704.3 billion in 2024, the seventh consecutive year of growth, driven by a 6.0% rise in e-comics to ¥512.2 billion even as print sales fell by 8.8%. That growth reversed in 2025, when the market contracted 1.7% — its first annual decline since 2017.²²² Youth engagement has fallen for decades independent of sales: print manga readership among Japanese students in 2023 (68% of upper elementary students, 60% of middle schoolers, 49% of high schoolers) sat more than twenty percentage points below 1985 levels.²²³

Ultimately, despite the legal guarantee of freedom of publishing and expression in Japan, the combination of local government discretion and social sensitivities can result in the exclusion of historical narratives or critical perspectives. Thus, freedom to publish in the country should be understood as a dynamic concept whose scope is shaped by regional politics and societal pressures.

220 David McElhinney, "In Japan, Book Criticizing Trans 'Craze' Sparks Rare Culture-War Skirmish," *Al Jazeera*, May 1, 2024, <https://www.aljazeera.com/economy/2024/5/1/in-japan-book-criticising-trans-craze-sparks-rare-culture-war-skirmish>.

221 The Japan News (Yomiuri Shimbun), "'Barefoot Gen' to Be Removed From Hiroshima Peace Education Textbook," February 18, 2023, <https://japannews.yomiuri.co.jp/society/general-news/20230218-92052/>; Koji Higuchi, "City of Matsue Restricts Access to 'Barefoot Gen' in Schools, Saying A-Bombing Depictions Are 'Too Graphic,'" Hiroshima Peace Media Center (Chugoku Shimbun), August 21, 2013, <https://www.hiroshimapeacemedia.jp/?p=16756>.

222 Research Institute for Publications (Shuppan Kagaku Kenkyūjo), market figures reported in "2024年コミック市場は7043億円 前年比1.5%増と7年連続成長で過去最大を更新," *HON.jp News Blog*, February 25, 2025, <https://hon.jp/news/1.0/0/54727>; and "2025年コミック市場は6925億円 前年比1.7%減と8年ぶりのマイナス成長," *HON.jp News Blog*, February 25, 2026, <https://hon.jp/news/1.0/0/58504>.

223 "10代の「マンガ離れ」はもう止まらない" [Teenagers' drift away from manga can no longer be stopped], *Livedoor News*, April 7, 2026, <https://news.livedoor.com/article/detail/30918841/>.

MEXICO

Mexico presents one of the most complex cases in this report: a country with a sophisticated constitutional framework for freedom of expression, a vibrant and historically significant publishing industry, and simultaneously one of the most dangerous environments in the world for authors, journalists, and publishers. The Mexican case demonstrates how formal legal protections and structural conditions of constraint can coexist.

Freedom House classifies Mexico as Partly Free in its 2026 assessment, with an aggregate score of 58 out of 100, a one-point decline from the previous year's score of 59, reflecting a Political Rights score of 26 out of 40 and a Civil Liberties score of 32 out of 60. The marginal decline registers a continuing deterioration, consistent with the incremental erosion of institutional safeguards documented across the Morena administration's legislative agenda.²²⁴ In 2026, V-Dem classified Mexico as an "electoral autocracy", with its Liberal Democracy Index (LDI) score dropping from 0.43 in 2019 to 0.22 in 2025, and in position 110 worldwide. The 2026 Reporters Without Borders World Press Freedom Index ranks Mexico 122nd out of 180 countries with a score of 45.23, confirming its status as one of the world's most dangerous countries in which to practice journalism.²²⁵ Analysts point to recent judicial reforms, making judges subject to popular election, as a sign of institutional capture, which is seen as weakening the judiciary's role as an independent arbiter for constitutional rights, with direct consequences for the legal defence of publishing freedom.²²⁶

The Mexican Constitution provides the primary legal foundation for the freedom to publish²²⁷. Furthermore, the freedom to publish in Mexico is rooted in the "dual dimension" of freedom of expression, as recognized by the Inter-American Court of Human Rights and the Mexican Supreme Court²²⁸:

1. The Individual Dimension: Protects the author's right to express their ideas and investigative findings without prior censorship

²²⁴ Freedom House, *Freedom in the World 2026*.

²²⁵ Reporters Without Borders, *World Press Freedom Index 2026*, "Mexico," <https://rsf.org/en/country/mexico>.

²²⁶ Freedom House, "Mexico," <https://freedomhouse.org/country/mexico/freedom-world/2025> Also see: Inter-American Commission on Human Rights (IACHR), "IACHR Expresses Concerns over Judiciary Reform in Mexico and Warns of Threats to Judicial Independence, Access to Justice, and Rule of Law," September 12, 2024, https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2024/213.asp; Human Rights Watch, "Mexico: Electoral Process Undermines Judicial Independence," September 1, 2025, <https://www.hrw.org/news/2025/09/01/mexico-electoral-process-undermines-judicial-independence>; David A. Shirk, "Mexico's 2024 Judicial Reform: The Politicization of Justice," Wilson Center, March 20, 2025, <https://www.wilsoncenter.org/article/mexicos-2024-judicial-reform-politicization-justice>, and López, Gustavo. "Losing Sight of Judicial Independence: The Case of Mexico's Judicial Reform," *Yale Journal of International Law*, July 9, 2025, <https://yjil.yale.edu/posts/2025-07-09-losing-sight-of-judicial-independence-the-case-of-mexicos-judicial-reform>.

²²⁷ Article 6 establishes that the manifestation of ideas shall not be subject to any judicial or administrative inquisition, except in cases that attack morality, the rights of third parties, provoke a crime, or disturb public order, and article 7 which declares the freedom to diffuse opinions, information, and ideas through any medium as inviolable. See: Political Constitution of the United Mexican States of 1917, revised in 2015. https://www.oas.org/ext/Portals/33/Files/Member-States/Mex_intro_txtfun_eng.pdf.

²²⁸ Maqueo, Mária Solange. "La libertad de expresión en el entorno digital: Retos frente a la privacidad", 2016. Suprema Corte de la Nación, México. https://www.sitios.scjn.gob.mx/cec/sites/default/files/publication/documents/2019-03/08_MAQUEO_La%20constitucion%20en%20la%20sociedad%20y%20economia%20digitales.pdf, and Organization of American States. "Marco jurídico interamericano sobre el derecho a la libertad de expresión = [The inter-American legal framework regarding the right to freedom of expression] / Relatoría Especial para la Libertad de Expresión, Comisión Interamericana de Derechos Humanos, 2009, ISBN 978-0-8270-5457-8. https://www.oas.org/es/cidh/expresion/docs/cd/sistema_interamericano_de_derechos_humanos/index_MJIAS.html.

2. The Social Dimension: Ensures the collective right of society to receive diverse information, particularly on matters of public interest like the links between organized crime and influential corporate entities

Under the *Real Malicia* doctrine²²⁹, journalists and publishers are protected when discussing public figures or matters of public interest; they can only be held liable if it is proven they published information knowing it was false or with “reckless disregard” for the truth. These protections are, however, increasingly contested in practice. This dynamic is illustrated most clearly by the *Televisa v. Penguin Random House Grupo Editorial* case, which was finally resolved by a Collegiate Court on 26 February 2026 in favour of PRH but could resurface again through a new appeal by Televisa.

To understand the dynamics of this case, an interview was conducted with Roberto Banchik- Rothschild, CEO of Penguin Random House Grupo Editorial in Mexico, whose experience within the industry offers a grounded perspective on the practical and institutional barriers publishers face.

The case arose after Penguin Random House published Anabel Hernández García’s *Las señoras del narco: amar en el infierno* (Grijalbo, 2023), an investigative book on the alleged links between organized crime and the entertainment industry. Chapter 17 describes a “catalog” of Televisa actresses²³⁰ said to have been made available to businessmen and drug traffickers for paid encounters. The academic complexity of this case lies in Televisa’s choice of legal action. Instead of a standard civil suit for moral damage, which would require meeting the high evidentiary bar of *real malicia*, the broadcaster invoked the Right to Reply (*Derecho de Réplica*), a right designed for periodic media (newspapers, radio, TV) to allow individuals to clarify “inaccurate or false” facts in the same medium.²³¹ An appellate court in Baja California Sur, overturning a first-instance ruling in the publisher’s favour, held that for investigative books, the publisher should be treated as a “medium of communication” subject to this law. Furthermore, Televisa demanded that their reply be inserted directly into the text of the author’s work across all formats (physical, digital, audio).²³²

This represents a direct clash between the Right to Reply and copyright law, which protects the integrity and unity of a registered work from external intervention. If the case had ended in the Supreme Court and it had validated the lower court’s ruling forcing a plaintiff’s version into an author’s book, the precedent would effectively allow any subject of an investigative work to legally alter its content, a ruling that could transform the *derecho de réplica* into an instrument of censorship by judicial insertion. As Banchik-

229 This standard is detailed in the legal analysis by María Solange Maqueo Ramírez, which explains that the “Actual Malice” (Real Malicia) standard requires proving the informer had knowledge that the information was inaccurate or acted with total disregard for verifying it. See: Maqueo, Mária Solange. “La libertad de expresión en el entorno digital: Retos frente a la privacidad”, 2016. Suprema Corte de la Nación, México. https://www.sitios.scjn.gob.mx/cec/sites/default/files/publication/documents/2019-03/08_Maqueo_La%20constitucion%20en%20la%20sociedad%20y%20economia%20digitales.pdf.

230 Televisa, S.A.B. de C.V. is a Mexican multimedia company and one of the world’s largest Spanish-language media conglomerates. Company website: <https://www.televisa.com/>

231 Furthermore, Janine Otálora Malassis, judge of the Electoral Tribunal of the Federal Judiciary, explains that the Right to Reply is constitutionally and internationally designed for information diffused through “media of communication” to allow for rectifications of inaccurate data. Banchik also noted it was originally designed for newspapers. See: Janine Otálora Malassis, “El derecho de réplica. Artículo 6 de la Constitución Política de los Estados Unidos Mexicanos,” in Biblioteca Jurídica Virtual (México: UNAM, Instituto de Investigaciones Jurídicas). <https://archivos.juridicas.unam.mx/www/bjv/libros/8/3567/40.pdf>.

232 A lower court in Baja California Sur ruled that for investigative books, the publisher should be treated as a ‘medium of communication’ subject to this law. “At the same time Banchik describes the ruling in a “tiny state” (Baja California Sur) where the court determined the publisher functioned as a “medium of communication” for the purposes of the book in question. This is also stated in an Aristegui Noticias report regarding the Vigésimo Circuito court in La Paz “Furthermore, Televisa demanded their reply be inserted directly into the text of the author’s work across all formats (physical, digital, audio).” Both Banchik and the public statement from Penguin Random House confirm that Televisa demanded the insertion of their response directly into the book’s physical, digital, and audio formats. See: Redacción AN / ES, “Penguin Random House señala irregularidades en el fallo en su contra por libro de Anabel Hernández,” *Aristegui Noticias*, August 19, 2025, <https://aristeguinoticias.com/1908/mexico/penguin-random-house-senala-irregularidades-en-sentencia-contra-editorial-y-anabel-herandez/>

Rothschild described, the consequences for investigative publishing in the region would be severe and immediate.

Writers face more direct dangers as well. Balam Rodrigo Pérez Hernández, a poet from Chiapas writing in Zoque and Spanish, has received death threats linked to his literary and cultural advocacy work and is listed by PEN International as a Writer at Risk.²³³ Mikeas Sánchez Gómez, an Indigenous Zoque poet and actress also from Chiapas, has faced threats rooted in her cultural and environmental activism, work inseparable from her literary identity.²³⁴ An example of the dangers to writers is the case of Javier Valdez, the Mexican journalist and PRH author who was murdered on May 15, 2017, in Culiacán, Sinaloa, for his investigative work covering drug trafficking, organized crime, and the internal conflicts within the Sinaloa Cartel.

Another form of intimidation to restrict freedom of expression and freedom to publish is presidential discrediting, the use of the executive platform to delegitimize authors and journalists without resort to formal censorship. Since the beginning of his term in 2018, former President López Obrador began giving a daily morning news conference, *La mañanera*, to set the day's political agenda. From May 2024, President López Obrador targeted María Amparo Casar, political analyst and president of *Mexicanos contra la corrupción y la impunidad* (MCCI), in at least seven *mañaneras*, publicly questioning her credibility and framing her anti-corruption work as politically motivated.²³⁵ Anabel Hernández García was attacked in the same way during the 2024 *mañaneras*, while the *Televisa v. Penguin Random House Grupo Editorial* case over her own book was before the courts.²³⁶ Presidential discrediting of this kind constitutes a form of reputational pressure, and produces a chilling effect on publishers, editors, and other authors who observe its consequences.

The *Televisa* case is not an isolated incident. It belongs to a broader shift in how publishing freedom is threatened in Mexico, marked above all by the rise of strategic lawsuits against public participation (SLAPPs). According to the International Foundation Baltasar Garzón, physical violence and intimidation, once the primary instruments of editorial suppression, have increasingly given way to legal warfare, a transition that industry insiders describe as no less brutal in its consequences.²³⁷

SLAPPs in Mexico are characteristically marked by effectively transforming the legal process itself into a form of punishment: the lawsuit, regardless of its outcome, becomes the sanction. The most far-reaching

233 PEN International, "Balam Rodrigo Pérez Hernández," Writers at Risk case file, <https://www.pen-international.org/cases/balam-rodrigo-prez-herndez>. Balam Rodrigo Pérez Hernández (b. 1974, Villa de Comaltitlán, Chiapas) is one of Mexico's most recognized contemporary poets and recipient of the Premio Bellas Artes de Poesía Aguascalientes (2018). He has been subject to death threats from criminal groups since 2018, linked to his literary and cultural advocacy work on migration and violence in Chiapas.

234 PEN International, "Mikeas Sánchez Gómez," Writers at Risk case file, <https://pen-international.org/cases/mikeas-sanchez-gomez>. Mikeas Sánchez Gómez is an Indigenous Zoque poet and actress from Chiapas who has faced death threats linked to her cultural and environmental activism; see also "¿Quién es Mikeas Sánchez, la poeta zoque que denuncia amenazas de muerte tras el asesinato de Marcelo Pérez?" *SDP Noticias*, <https://www.sdpnoticias.com/estados/chiapas/quien-es-mikeas-sanchez-la-poeta-zoque-denuncia-amenazas-de-muerte-tras-el-asesinato-de-marcelo-perez/>

235 "El juez cancela la audiencia y pone en suspenso el proceso contra María Amparo Casar," *El País*, December 15, 2025, <https://elpais.com/mexico/2025-12-15/el-juez-cancela-la-audiencia-y-pone-en-suspenso-el-proceso-contra-maria-amparo-casar.html>; "¿Quién es y de qué acusan a María Amparo Casar de Mexicanos vs la Corrupción?" *El Informador*, May 3, 2024, <https://www.informador.mx/mexico/Quien-es-y-de-que-acusan-a-Maria-Amparo-Casar-de-Mexicanos-vs-la-Corrupcion-20240503-0196.html>.

236 Andrés Manuel López Obrador, press conference transcript (versión estenográfica de la conferencia de prensa matutina), August 23, 2023, Gobierno de México, <https://www.gob.mx/amlo/articulos/version-estenografica-conferencia-de-prensa-del-presidente-andres-manuel-lopez-obrador-del-23-de-agosto-de-2023>. The August 23, 2023, transcript is one example of the multiple *mañaneras* in which Hernández was attacked by the President; all presidential press conference transcripts are archived at <https://www.gob.mx/amlo/articulos>.

237 FIBGAR regional study explains that SLAPPs use "abusive litigation tactics" where requested measures are "disproportionate, excessive, or irrational," creating a "punishment by process" (*castigo por proceso*). A specific example is the case of Fabiola Cortés Miranda, who faced a \$3.6 million claim and was placed under "arraigo" (house arrest or travel ban) before a verdict was reached. See: Fundación Internacional Baltasar Garzón (FIBGAR), "México: Desafíos a la libertad de expresión, estado de derecho y democracia en Latinoamérica — Un estudio regional en tema de SLAPPs" (Madrid: FIBGAR, 2025) ["Mexico: Challenges to Freedom of Expression, the Rule of Law, and Democracy in Latin America — A Regional Study on SLAPPs"] <https://fibgar.es/wp-content/uploads/2025/04/Mexico.-Informe-Desafios-a-la-libertad-de-expresion-estado-de-derecho-y-democracia-en-latinoamerica-un-estudio-regional-en-tema-de-SLAPPs.pdf>.

consequence of this dynamic is what legal scholarship terms the chilling effect, described as the capacity of legal threat alone to alter editorial behaviour before any court has ruled.²³⁸ Penguin Random House reported an increase in their legal review process in Mexico from one “vetting” to three separate legal reviews per book, significantly increasing production costs.²³⁹ This dynamic reveals a critical distinction that defines the contemporary Mexican publishing landscape, when the primary threat to freedom of expression is no longer formal censorship, but the structural conditions that make self-censorship rational.²⁴⁰

These political and legal pressures intersect with a significant structural disruption to the publishing market. According to the National Chamber of the Mexican Publishing Industry (CANIEM), the private book sector was severely affected in the academic year 2023-2024 by the cancellation of government purchases for secondary school textbook programs, a market that had previously represented a substantial and stable revenue source for private publishers.²⁴¹ The simultaneous withdrawal of a major institutional market and the increase in legal compliance costs has placed Mexican publishers under compounded financial pressure, narrowing the space for commercially risky titles, precisely those most likely to engage with politically sensitive subject matter.

238 Fundación Internacional Baltasar Garzón (FIBGAR), “México: Desafíos a la libertad de expresión, estado de derecho y democracia en Latinoamérica — Un estudio regional en tema de SLAPs”, 2025.

239 Roberto Banchik-Rothschild (CEO, Penguin Random House Grupo Editorial Mexico), interview conducted for this study, 2025–2026.

240 Fundación Internacional Baltasar Garzón (FIBGAR), “México: Desafíos a la libertad de expresión, estado de derecho y democracia en Latinoamérica — Un estudio regional en tema de SLAPs”, 2025, <https://fibgar.es/wp-content/uploads/2025/04/Mexico.-Informe-Desafios-a-la-libertad-de-expresion-estado-de-derecho-y-democracia-en-latinoamerica-un-estudio-regional-en-tema-de-SLAPs.pdf>.

241 Cámara Nacional de la Industria Editorial Mexicana (CANIEM), *Indicadores del Sector Editorial Privado en México 2024–2025* (Mexico City: CANIEM, November 2025), https://caniem.org/wp-content/uploads/2025/01/Booklet_ISEP_2024.pdf. https://caniem.org/wp-content/uploads/2025/01/Booklet_ISEP_2024.pdf.

MOZAMBIQUE

Mozambique's international standing regarding freedom of expression reflects a country undergoing democratic stress. Freedom House's *Freedom in the World 2025* report, covering events of 2024, classified Mozambique as "Partly Free" with a score of 41/100, down from 44/100 the previous year, a decline driven by post-election violence, the assassination of two opposition figures, and internet shutdowns during the political crisis, moreover, their 2026 report, covering events of 2025, recorded a marginal recovery of one point, bringing Mozambique's score to 42/100, while maintaining its "Partly Free" status.²⁴² Reporters Without Borders ranks Mozambique 99th out of 180 countries in its 2026 World Press Freedom Index, with a global score of 52.27,²⁴³ a marginal two-place improvement over its 2025 position of 101st. Nonetheless, the security indicator shows how the country fell from 116th to 135th, reflecting the intensification of physical attacks on journalists during the post-electoral crisis. Critically, V-Dem's Democracy Report 2026 classifies Mozambique as an electoral autocracy.²⁴⁴

The Mozambican constitution explicitly protects freedom of expression, press freedom, and specifically the right to publish newspapers and other publications under Article 48.²⁴⁵ There are also sector-specific instruments: a Press Law (1991)²⁴⁶ and the Right to Freedom of Information Act (2014).²⁴⁷

In Mozambique, the broader book ecosystem is fundamentally constrained by a severe lack of resources and access, which creates a fragile and non-dynamic industry. For many Mozambicans, books are not a first-line choice, since essential needs remain unsatisfied. Consequently, bookstores often end the year with large unsold stocks. At the same time, domestic printing costs are too high, leading to a paradoxical situation where it is cheaper to print books in South Africa, India, or Portugal and ship them back than to produce them locally.²⁴⁸ Since the socialist era, the Mozambican book industry has been almost entirely associated with education; most citizens and officials only view books through this pedagogical lens.²⁴⁹

²⁴² Freedom House, *Freedom in the World 2026*.

²⁴³ Reporters Without Borders, *World Press Freedom Index 2026*.

²⁴⁴ V-Dem Institute, *Democracy Report 2026*.

²⁴⁵ Constitution of the Republic of Mozambique (2004, as amended and republished by Law No. 1/2018 of 12 June), art. 48, https://cjca-conf.org/wp-content/uploads/2022/11/Constitution_Mozambique_English.pdf. Note: Constitution of the Republic of Mozambique is a translation of the original in Portuguese published in the Official Gazette (Boletim da República). The English version is for information purposes only.

²⁴⁶ Justine White, Daddy Bujitu, and Ivan Macoo, *SADC Media Law: A Handbook for Media Practitioners the Republic of Mozambique*, ed. Jude Mathurine (Johannesburg: Konrad Adenauer Stiftung, 2006), pp. 36.

²⁴⁷ Mozambique, Lei n.º 34/2014 de 31 de Dezembro [Right to Information Act], Boletim da República, I Série, n.º 105, 8.º Suplemento (31 December 2014). https://www.rti-rating.org/wp-content/uploads/2018/09/Mozambique.RTI_Dec2014.English.pdf.

²⁴⁸ "Sector editorial em Moçambique: uma leitura ao relatório da UNESCO sobre a indústria editorial africana," *O País*, June 27, 2025. <https://opais.co.mz/sector-editorial-em-mocambique-uma-leitura-ao-relatorio-da-unesco-sobre-a-industria-editorial-africana/>

²⁴⁹ Extracted from Interview with Cassinda.

The status of Portuguese as the official language of Mozambique is rooted in the country's long history of colonial rule under Portugal.²⁵⁰ After independence, the new government ideologically defined Portuguese as the language of national unity (*língua da unidade nacional*) to serve as a bridge between diverse ethnic groups.²⁵¹ Although Bantu languages are the mother tongue of the vast majority of the population, Portuguese, a colonial legacy, remains the exclusive language of prestige, government, and formal education. This structural misalignment has significant consequences, children are schooled in a language they do not speak at home, creating a systemic barrier to literacy. The scale of this failure is reflected in the 2017 census, which recorded an illiteracy rate of 39%, and in the fact that Portuguese was the first language of only 16.6% of people aged five and over.²⁵²²⁵³ This exclusion is especially dangerous in sectors like health, where the lack of materials in Bantu languages acts as a barrier to basic rights.²⁵⁴

For Mozambique's case study, Jessemusse Cassinda was interviewed. Cassinda is a philosopher, journalist, project manager, and cultural activist. In 2016, together with Alex Macbeth, he founded Ethale Publishing, a publishing house and creative agency focused on promoting African narratives and their diasporas.²⁵⁵ As he described, the country's book industry is heavily associated with education and remains a small niche market, mainly composed of academics, researchers, and students. Data from 2023 highlights the fragility of the infrastructure supporting these print runs, noting there are only 14 functioning bookstores and 37 public libraries for a total population of approximately 33 million people²⁵⁶.

In his interview, Jessemusse Cassinda notes that while most government officials generally "appreciate when writers are writing," a shift occurs when books "discuss political issues" or "criticize the government," making people "somewhat afraid". In 2025, the writer, editor and publisher Alex Barga spent nine months in pre-trial detention after editing *Um Olhar Sociológico Sobre o Carisma de Venâncio Mondlane*, a study of the leading opposition candidate in the 2024 election whose launch in Maputo had been blocked. He was charged with planning a coup.²⁵⁷ The Maputo City Judicial Court dismissed the charge for lack of evidence and acquitted him unconditionally on 15 September 2025, following campaigning by PEN International

250 International Press Institute (IPI), "Press Freedom in Mozambique 2022: IPI Mission Report," December 2022. <https://ipi.media/publications/mozambique-mission-report-2022/>

This report documents findings from a high-level press freedom mission to Mozambique led by IPI Executive Board Chair Khadija Patel in August 2022. The mission was carried out as part of IPI's Africa programme, supported by the Government of Canada's Office of Human Rights, Freedoms and Inclusion (OHRFI) and facilitated by KAS Media Africa (Konrad-Adenauer-Stiftung).

251 This choice was viewed as a politically neutral solution because Portuguese was not the native tongue of any specific local group, thereby avoiding ethnic favoritism and facilitating international integration. Feliciano Chimbutane, David Alberto Seth Langa, Carlos Lauchande, and Luísa Vanessa Teixeira Lopes, *Padrão Linguístico em Moçambique* (Maputo: Instituto Nacional de Estatística, 2023). https://www.mozcensus.com/theme_of_mozambique/facts-sheets/ThematicStudies-2017/Padrao_LinguisticoVPrint-02-02-24.pdf.

252 Instituto Nacional de Estatística, *Census 2017*, cited in "It's Possible to Eliminate Illiteracy in Mozambique," DVV International, <https://www.dvv-international.mw/dvv-international/news/article/its-possible-to-eliminate-illiteracy>; UNESCO Institute for Statistics, adult literacy rate for Mozambique (60.7%, 2017); on first-language use, 2017 census data as summarised in the "Padrão Linguístico" report.

253 See: "The Ministry of Education and Culture reaffirms its commitment to promoting literacy in Mozambique, setting a target of reducing the illiteracy rate to 23% by 2029 (...) Despite advances in the education sector, Tavela said 49.4% of Mozambican women remain illiterate. (...) The minister added that there was a need to step up adult and youth literacy programmes, noting that Mozambique's national illiteracy rate remains around 38%." <https://clubofmozambique.com/news/mozambique-aims-to-cut-illiteracy-rate-to-23-by-2029/>

254 All data extracted from: Feliciano Chimbutane, David Alberto Seth Langa, Carlos Lauchande, and Luísa Vanessa Teixeira Lopes, *Padrão Linguístico em Moçambique* (Maputo: Instituto Nacional de Estatística, 2023). https://www.mozcensus.com/theme_of_mozambique/facts-sheets/ThematicStudies-2017/Padrao_LinguisticoVPrint-02-02-24.pdf This document is one of 17 thematic studies derived from the IV Recenseamento Geral da População e Habitação redacted Instituto Naciby the Instituto Nacional onal de Estatística (INE) in coordination with the United Nations Population Fund (UNFPA).

255 Ethale Publishing, "About Us," <https://www.ethalebooks.com/en/about-us/>

256 Eduardo Quive, "Sector editorial em Moçambique: uma leitura ao relatório da UNESCO sobre a indústria editorial africana," *O País*, June 27, 2025, <https://opais.co.mz/autor/o-pais/>.

257 Nádia Issufo, "Alex Barga e a sua escrita incendiária," *DW*, September 29, 2025 <https://www.dw.com/pt-002/detido-por-apoiar-mondlane-alfega-ganha-mais-gosto-por-luta-pela-liberdade/a-74174673>.

and support from the Mozambican Bar Association.²⁵⁸ Jessemusse also mentioned Sergio Raimundo as another writer who faced “intimidations from some government officials” regarding the content of his work. A Global Voices report clarifies that Raimundo received death threats following the July 2023 release of his book *As Ancas do Camaradas Chefe* (The Hips of the Chief Comrade).²⁵⁹

Jessemusse stated that “if we are during the electoral process time, the matter of freedom to publish... and the freedom of expression in general becomes dangerous” due to power struggles. In this line, Freedom House reported that the 2024 general elections were followed by “lethal violence against demonstrators, and abuses against journalists”.²⁶⁰ Similarly, Amnesty International noted that the right to freedom of expression was “severely restricted, particularly during the election period,” marked by internet shutdowns and police violence.²⁶¹

258 PEN International, “Mozambique: Justice Served as Writer, Editor and Publisher Alex Barga Is Acquitted,” September 19, 2025. <https://www.pen-international.org/news/mozambique-justice-served-as-alex-barga-is-acquitted>.

259 Global Voices Lusofonia, “Writer suffers threats and intimidation in Mozambique after book publication,” Global Voices, August 25, 2023, trans. Giovana Fleck.

260 The Freedom in the World 2025 report (covering events of 2024) explicitly states that the police response to opposition demonstrations following the October elections featured “arbitrary arrests, lethal violence against demonstrators, and abuses against journalists and civil society members”.

261 Amnesty International, “Mozambique 2024,” in *The State of the World’s Human Rights* (London: Amnesty International, April 2025), <https://www.ecoi.net/en/document/2124748.html>.

NIGERIA*²⁶²

Nigeria has West Africa's largest publishing market, valued at over USD 236 million annually, and supplies neighbouring markets²⁶³. Its origins date back to Christian missions in 1846²⁶⁴. In 2023, Nigerian publishers produced 15,603 titles, the second-highest output in Africa after Egypt²⁶⁵, and among the countries covered by a 2024 British Council study, Nigeria had both the most registered ISBNs and the most publishers²⁶⁶. However, independent publishers also face significant structural pressures²⁶⁷.

Nigeria ranks 112th of 180 countries in Reporters Without Borders 2026 Index²⁶⁸. V-Dem's 2026 Democracy Report classifies it as an electoral democracy, but places it in the democratic "grey zone," close to the threshold with electoral autocracy, where the classification is uncertain²⁶⁹. Freedom House classifies the country as partly free with a score of 44/100.²⁷⁰

Among those pressures are challenges related to infrastructure and literacy. Around 38% of the Nigerian population cannot read, and West African literacy averages 57%, with significant disparities among countries. Distribution networks across the region remain thin, although Nigeria is one of the few countries in West Africa with bookselling infrastructure that can operate at scale²⁷¹. The 2021 national directory of booksellers listed 705 in Lagos State alone.²⁷² Booksellers also report strong demand, for example Rovingheights, one of the country's best-known bookstore chains, sells more Nigerian than foreign fiction, and in 2023 it launched Nigeria's first formal bestseller list.²⁷³

Economic conditions add to these pressures. Publishers face inflation, currency devaluation and fluctuating purchasing power that limit consumers' ability to afford books²⁷⁴. High production costs, piracy, poor quality control, inadequate infrastructure and limited funding are also mentioned as major obstacles²⁷⁵. The sector also struggles with logistics: obtaining ISBNs proves difficult, and bookshop closures have eroded revenue streams²⁷⁶. Digital channels offer some relief, but their reach is still limited: internet access

262 This case study is based exclusively on secondary sources. No interview with a national publishing association representative was available within the scope of this project.

263 UNESCO. 2025. *The African Book Industry: Trends, Challenges & Opportunities for Growth* (Paris: UNESCO), <https://doi.org/10.58337/EDUG1920>.

264 UNESCO, *The African Book Industry*.

265 UNESCO, *The African Book Industry*; see also "Africa's Book Industry: A \$18.5 Billion Opportunity Amid Import Traps, Untapped Talent," *Morocco World News*, April 19, 2026, <https://www.moroccoworldnews.com/2026/04/287736/africas-book-industry-a-18-5-billion-opportunity-amid-import-traps-untapped-talent/>.

266 A. Isong, J. Murua, M. Chideme, N. Nene, R. Kizza, and R. South, *Publishing Futures: A Study of the Publishing Landscapes in Ghana, Kenya, Nigeria, South Africa, Uganda and Zimbabwe* (London: British Council, 2024), 13, <https://doi.org/10.57884/mvn6-hz12>.

267 UNESCO, *The African Book Industry*.

268 Reporters Without Borders, *World Press Freedom Index 2026*, "Nigeria," <https://rsf.org/en/country/nigeria>.

269 V-Dem Institute, *Democracy Report 2026*.

270 Freedom House, *Freedom in the World 2026*, "Nigeria," <https://freedomhouse.org/country/nigeria/freedom-world/2026>.

271 UNESCO, *The African Book Industry*.

272 Isong et al., *Publishing Futures*, 49.

273 Isong et al., *Publishing Futures*, 60–61.

274 Isong et al., *Publishing Futures*, 54.

275 Isong et al., *Publishing Futures*, 54.

276 Isong et al., *Publishing Futures*, 54.

remains constrained at 37%, with digital platforms operating in only 40% of West African countries²⁷⁷. Nigerian platforms are helping to fill the gap. Bambooks offers subscription access to e-books, periodicals and comics, and Comic Republic, founded in 2013 and now one of Africa's largest comics publishers, employs more than 100 people.²⁷⁸

The Nigerian government has enacted policies with the aim to counter these trends. The National Book Purchase and Distribution Policy (2023) seeks to make books accessible and affordable, while the Education Sector Plan (2018-2022) includes literacy and reading culture initiatives and the National Literacy Strategy (2015) targets illiteracy reduction and reading promotion. The government also created a Ministry of Art, Culture and Creative Economy in 2023, which oversees publishing, and the Copyright Act 2022, signed into law in March 2023, strengthened remedies against online infringement.²⁷⁹ Nonetheless, implementation remains uneven. The tariff regime can work against local production when imported finished books enter duty-free, while paper and other printing inputs—more than 80 percent of which are imported—are taxed.²⁸⁰

Direct legal retaliation against authors, though less documented than these structural pressures, does occur. In 2024, human rights lawyer, and author Dele Farotimi published *Nigeria and Its Criminal Justice System*, a book naming specific individuals in a critique of the judiciary. Among other allegations, it accused the senior lawyer Aare Afe Babalola SAN of corrupting Supreme Court justices.²⁸¹ After a petition from Babalola, the police arrested Farotimi in December 2024 and charged him with sixteen counts of criminal defamation before a chief magistrate's court in Ado-Ekiti, and with twelve counts under the Cybercrimes Act at the Federal High Court. He was remanded in custody for more than two weeks before being granted bail. In late January 2025, after the Ooni of Ife and other traditional rulers intervened, Babalola withdrew his complaint; the Federal High Court struck out the cybercrime charges on January 29, 2025, and the magistrate's court struck out the defamation charges in February 2025.²⁸² The case is not isolated: Section 24 of the Cybercrimes Act has been used against more than two dozen journalists and bloggers, the ECOWAS Court of Justice ruled in 2022 that the provision is incompatible with Nigeria's obligations under the African Charter on Human and Peoples' Rights and the ICCPR, and Nigeria's own National Human Rights Commission warned in April 2025 that the law retains a high potential for abuse despite a February 2024 amendment intended to narrow it.²⁸³

At the same time, Nigeria's literary culture remains vibrant and internationally visible. Port Harcourt was UNESCO World Book Capital in 2014, a designation that led to 200 new schoolbook clubs and a 350-seat library; the Nigeria International Book Fair in Lagos held its 22nd edition in 2023; and independent presses have built international reach, as Cassava Republic Press, founded in Abuja in 2006, did when it opened in

277 UNESCO, *The African Book Industry*.

278 Isong et al., *Publishing Futures*, 51, 54, 58.

279 Isong et al., *Publishing Futures*, 54, 58.

280 "Nigeria Needs Policy Reforms to Revive Dying N300b Publishing Industry," *The Guardian* (Nigeria), November 7, 2025, <https://guardian.ng/business-services/nigeria-needs-policy-reforms-to-revive-dying-n300b-publishing-industry/>.

281 Human Rights Watch, "World Report 2026: Nigeria," January 2026, <https://www.hrw.org/world-report/2026/country-chapters/nigeria>.

282 Amina Allison, "Nigeria: Police Vs Farotimi – A Test of Free Speech, Accountability, and Law," AllAfrica, January 9, 2025, <https://allafrica.com/stories/202501100448.html>; "Court Strikes Out Cybercrime Charges against Dele Farotimi Following Afe Babalola's Forgiveness," *Premium Times*, January 29, 2025, <https://premiumtimesng.com/news/top-news/770360-court-strikes-out-cybercrime-charges-against-dele-farotimi-following-afe-babalolas-forgiveness.html>; "Ekiti Court Strikes Out Defamation Case Against Dele Farotimi," *Arise News*, February 14, 2025, <https://www.arise.tv/ekiti-court-strikes-out-defamation-case-against-dele-farotimi/>.

283 Committee to Protect Journalists, "Nigeria Cybercrimes Act," tag archive, <https://cpj.org/tags/nigeria-cybercrimes-act/>; Socio-Economic Rights and Accountability Project (SERAP), "End use of Cybercrime Act against journalists, release those in custody," May 4, 2025, <https://serap-nigeria.org/2025/05/04/end-use-of-cybercrime-act-against-journalists-release-those-in-custody-serap-nge-tell-tinubu-govt-others/>; U.S. Embassy and Consulate in Nigeria, "Preventing Misuse of the Cybercrimes Act: Protecting Free Speech and Unlocking Economic Growth," 2025, <https://ng.usembassy.gov/preventing-misuse-of-the-cybercrimes-act-protecting-free-speech-and-unlocking-economic-growth/> (citing the 2022 ECOWAS Court of Justice ruling and the April 2025 NHRC advisory opinion).

London in 2016. The Aké Arts and Book Festival, founded by Lola Shoneyin in 2013, has brought together writers, artists and filmmakers from 29 African countries.²⁸⁴ The Nigeria Prize for Literature, funded by Nigeria LNG and worth US\$100,000, is among the richest literary awards in Africa; in 2024 three Nigerian houses, Masobe Books, Narrative Landscape Press and Ouida Books, were shortlisted for the Bologna Prize for Best Children’s Publisher of the Year; and in the north, Hausa-language “Kano market literature,” written largely by women for women, remains a thriving self-published genre, supported since 2021 by the Hausa International Book and Arts Festival.²⁸⁵ In 2023, the Aké Festival won the inaugural Aficionado Award, run by the Frankfurter Buchmesse and the Turin International Book Fair, which, according to the British Council report, is “perhaps an indication of the increasing global significance of Nigeria’s publishing and literature sectors”.²⁸⁶

284 “In New Report, UNESCO Highlights Economic, Cultural Potential of Africa’s Book Industry,” *The Guardian* (Nigeria), July 12, 2025, <https://guardian.ng/art/in-new-report-unesco-highlights-economic-cultural-potential-of-africas-book-industry/>; “The Role of Functional Book Policy in Africa,” *Vanguard*, May 10, 2023, <https://www.vanguardngr.com/2023/05/the-role-of-functional-book-policy-in-africa/>; “Nigerian Publisher Bibi Bakare-Yusuf: ‘Our Brand Is Growing,’” *Publishing Perspectives*, December 2016, <https://publishingperspectives.com/2016/12/nigerian-publisher-bibi-bakare-yusuf/>; Isong et al., *Publishing Futures*, 49; Frankfurter Buchmesse, “Aficionado Award,” <https://www.buchmesse.de/en/fellowship-and-grant-programmes/aficionado-award>.

285 Isong et al., *Publishing Futures*, 50–51, 53.

286 Isong et al., *Publishing Futures*, 49; Frankfurter Buchmesse, “Aficionado Award.”

NORWAY

Norway consistently ranks among the world's highest for freedom of expression. It is ranked first out of 180 countries in the Reporters Without Borders 2026 World Press Freedom Index²⁸⁷, and has one of the highest V-Dem Index²⁸⁸ and Freedom House's *Freedom in the World 2026* scores.²⁸⁹ This strong enabling environment directly shapes the country's robust conditions for the freedom to publish.

The constitutional and legal framework is correspondingly strong. Article 100 of the Norwegian Constitution protects freedom of expression with demonstrated effectiveness, a right further reinforced under Article 10 of the European Convention on Human Rights. Legal action against books is exceptionally rare. For the first time since 1963, a book was brought before a Norwegian court in 2025. The case concerned *Hvite striper, sorte får* (*White Stripes, Black Sheep*) by journalists Torgeir Krokfjord and Øistein Monsen, published by Aschehoug in October 2025. Marius Borg Høiby, stepson of Crown Prince Haakon, applied for an interim injunction (*begjæring om midlertidig forføyning*) seeking to halt sales because the book violated his right to privacy and contained uncorrected factual errors. Oslo District Court refused the application, finding that freedom of expression outweighed the privacy interest and explicitly noting that Høiby's proximity to the royal family meant he was subject to heightened public scrutiny. Høiby was ordered to pay 530,500 NOK in costs to Aschehoug and the Norwegian Publishers Association, and subsequently declined to appeal. The episode illustrates both the resilience of judicial protection for publishers and the expanded scope that courts accord to freedom of expression where public figures are concerned.²⁹⁰

Kristenn Einarsson, former CEO of the Norwegian Publisher Association and former Chair of the IPA Freedom to Publish committee, highlights that the institutional support for free expression is also actively maintained. In 2020, the Norwegian government established a Freedom of Expression Commission to assess the social, technological, legal and economic conditions for free speech. Its 2022 report concluded that public debate is largely healthy, while flagging growing harassment of vulnerable minorities and calling for action plans to counter hate speech and reinforce editorial independence through the arm's length principle in cultural institutions. A national strategy, informed by two major government-appointed commissions (1999 and 2023), further focuses on civic education and citizenship skills taught through the school system, research on expression-related challenges, and countering disinformation.

Yet even within Norway's exceptionally protective environment, emerging pressures require vigilance. Mr. Einarsson views SLAPPs, though almost non-existent currently, as a potential future threat to smaller publishers that may lack resources to contest costly litigation. Social media campaigns present a more immediate concern, since the harassment they generate can discourage publishers from taking on contested work, producing an indirect chilling effect without any formal state censorship. Internal editorial disputes occur, according to Mr. Einarsson, but are typically resolved without altering publications. Kristenn Einarsson

287 Reporters Without Borders, *World Press Freedom Index 2026*, "Norway."

288 V-Dem Institute, *Democracy Report 2026*.

289 Freedom House, *Freedom in the World 2026*.

290 Inga Nordhus Tøndel and Tarjei Leer-Salvesen, "Høibys forsvarere ber retten stoppe salget av omstridt bok," NRK, October 27, 2025, <https://www.nrk.no/norge/hoibys-forsvarere-ber-retten-stoppe-salget-av-omstridt-bok-1.17625896>.

stresses however, that editors must maintain professional capacity to publish content they disagree with, otherwise they cease functioning as genuine publishers.

Einarsson further argues that Norway's distinctiveness stems from its substantial investment in reading culture and civic education and emphasizes that the freedom to publish ultimately depends on the population's capacity and freedom to read. The current national strategy emphasizes citizenship skills through schools, research on expression challenges and countering disinformation²⁹¹. This comprehensive approach reflects institutional awareness that democratic resilience requires continuous cultivation. According to Einarsson: *"Freedom to publish doesn't help you if the public is not able to read what you publish."*

Einarsson also cautions against complacency, noting that "what we thought was not possible at all, five years ago, is now possible" in Western democracies under pressure. Conditions previously considered unthinkable in established democracies are now materializing, making active defence of existing protections essential.

Norway represents a near best-case scenario for the freedom to publish: strong legal protections, low levels of censorship, high institutional awareness, cross-sector cooperation, and sustained national investment in reading culture and democratic resilience. Yet, as Einarsson emphasizes in closing: *"We are in a very lucky position in Norway, but... we very much care about being prepared, not to take this for granted."*

Norway's model illustrates not only how robust freedom to publish can be protected, but also how it must be continuously cultivated and defended - through law, education, civil society cooperation and international engagement.

²⁹¹ Norwegian Ministry of Foreign Affairs, *Norway's Efforts to Promote Freedom of Expression and Independent Media*, last updated February 2, 2026, https://www.regjeringen.no/en/topics/foreign-affairs/human-rights/ny-struktur/promote_freedom/id2358336/

SLOVENIA

Slovenia's standing on international indices reflects a stable democratic environment, with Reporters Without Borders (RSF) ranking the country 36th in 2026.²⁹² Freedom House evaluates Slovenia as “Free”, with a score of 97/100 (Political Rights 39/40, Civil Liberties 58/60)²⁹³. Yet V-Dem's *Democracy Report 2026* classifies Slovenia as one of ten “new autocratizers”, alongside Croatia, Italy, Slovakia, and the United Kingdom, with autocratization onset dated to 2022 and a score of 0.59 (LDI), driven by rising political pressure on the media and a documented increase in self-censorship²⁹⁴. To situate these indicators in the everyday operating realities of the Slovenian publishing sector, this analysis draws on an interview with Jaka Gerčar, who represents the Publishers and Booksellers Association and the Media Chamber at the Chamber of Commerce and Industry of Slovenia, acting as the primary liaison for the publishing and media sectors in cultural, business, and legislative matters, and serves as publishing manager at the Membrana Institute.

Article 39 of the Constitution of Slovenia guarantees freedom of expression, of the press, and of “other forms of public communication and expression,” and establishes the right of every person to “freely collect, receive, and disseminate information and opinions.”²⁹⁵ These constitutional safeguards are reinforced by a broader legal framework, including the Access to Public Information Act, which promotes transparency and facilitates journalistic scrutiny.²⁹⁶ As a result, Slovenia benefits from a comparatively robust formal system of legal protections for media and publishing freedom. However, pressure on publishers may be fuelled by a climate of acute political polarization, with journalists facing hostile rhetoric online and Janez Janša, who attacked the “establishment” press on social media during his 2020–2022 premiership, returning to office in 2026.²⁹⁷

Moreover, the Slovenian Criminal Code contains provisions that weaken the guarantees in practice. It retains five separate criminal defamation offenses, including insult, slander, and defamation, punishable by fines or imprisonment of up to one year when committed via the media, making Slovenia an outlier among former Yugoslav states, including Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia, all of which have decriminalized defamation.²⁹⁸ These provisions have been deployed as the leading legal vehicle for SLAPPs: a 2023 study found that 62% of SLAPPs against Slovenian journalists were based on criminal-code provisions, and in 2020 alone, three reporters at the investigative outlet *Necenzurirano* faced

292 Reporters Without Borders, *World Press Freedom Index 2026*, “Slovenia,” <https://rsf.org/en/country/slovenia>.

293 Freedom House, *Freedom in the World 2026*, “Slovenia,” <https://freedomhouse.org/country/slovenia/freedom-world/2026>

294 V-Dem Institute, *Democracy Report 2026*, 14.

295 Constitution of the Republic of Slovenia, art. 39, <https://www.varuh-rs.si/en/about-us/legal-framework/the-constitution-of-the-republic-of-slovenia>.

296 Access to Public Information Act [*Zakon o dostopu do informacij javnega značaja*, ZDIJZ], *Uradni list Republike Slovenije*, no. 24/2003, with subsequent amendments (Slovenia).

297 Reporters Without Borders, “Former Premier Targets Two TV Journalists with Sexist Tweet,” March 25, 2016, <https://rsf.org/en/former-premier-targets-two-tv-journalists-sexist-tweet>; International Press Institute, “Slovenian Journalists Operate in Increasingly Toxic Atmosphere,” March 26, 2020, <https://ipi.media/slovenian-journalists-operate-in-increasingly-toxic-atmosphere/>; Council of Europe Commissioner for Human Rights, *Memorandum on Freedom of Expression and Media Freedom in Slovenia*, CommDH(2021)17, June 4, 2021, <https://rm.coe.int/memorandum-on-freedom-of-expression-and-media-freedom-in-slovenia/1680a2ae85>.

298 International Press Institute, “Slovenia,” Defamation Database, <http://legaldb.freemedia.at/legal-database/slovenia/>; Council of Europe Commissioner for Human Rights, *Memorandum on Freedom of Expression and Media Freedom in Slovenia*, paras. 47–49.

39 criminal defamation suits in a two-month period.²⁹⁹ The Council of Europe Commissioner for Human Rights and recent academic research document the resulting chilling effect on investigative journalism and critical public discourse, tempering the otherwise strong formal guarantees.³⁰⁰

Despite a population of roughly two million, Slovenia produces approximately 6,000 book titles annually, or around 3,000 titles per million inhabitants, placing it among the highest per-capita outputs in the world.³⁰¹ The sector lists over 1,400 registered publishers with at least one book published per year, many of which are small entities that hold an ISBN without operating as fully professional houses.³⁰² The Slovenian Book Agency (*Javna Agencija za Knjigo*, JAK), an autonomous government agency operational since January 2009, contributes significantly to this sector. JAK has supplied subsidies for less commercially viable titles, supported international promotion and reading culture, and produced sector analysis for over fifteen years.³⁰³

Nonetheless, as Jaka Gerčar emphasizes, the Slovenian book market is not “flourishing”; it faces profound structural and sociocultural challenges despite the absence of censorial pressure.³⁰⁴ Slovenian publishers contend with a shrinking audience: the *Knjiga in bralci VII* survey (2024) found that 58% of the population had read at least one book in Slovenian in the previous year that was unrelated to work or study,³⁰⁵ and studies of teacher-education students report that daily reading and engagement with demanding texts are rare, and that those who do read for leisure spent fewer hours a week doing so in 2024 than in 2017.³⁰⁶ The pressure on sales is compounded by an exceptionally developed public library system. Almost a fifth of Slovenians belong to a public library, and members borrow an average of fifty books a year, while the average Slovenian buys 2.4 books annually.³⁰⁷

Digital uptake remains moderate. E-book lending has stabilized after an initial growth phase, representing only about 2% of all libraries borrowing, while audiobooks remain a niche segment.³⁰⁸ Poetry publishing, by contrast, has expanded considerably, illustrating the sector’s vibrancy. At the same time, the global hegemony of English language titles is increasingly displacing local-language production.³⁰⁹

299 Tanja Kerševan and Melita Poler, “Silencing Journalists in Matters of Public Interest: Journalists and Editors Assessments of the Impact of SLAPPs on Journalism,” *Journalism* 25, no. 12 (2024): 2485–2503, <https://doi.org/10.1177/14648849231210695>; International Press Institute, “Slovenian Investigative News Outlet Necenzurirano Hit with 39 SLAPP Lawsuits,” October 1, 2020, <https://ipi.media/slovenian-investigative-news-outlet-necenzurirano-hit-with-39-slapp-lawsuits/>.

300 Council of Europe Commissioner for Human Rights, *Memorandum on Freedom of Expression and Media Freedom in Slovenia*, paras. 47–51; Kerševan and Poler, “Silencing Journalists in Matters of Public Interest.”

301 Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers* (Ljubljana: JAK, n.d.), 3, https://www.jakrs.si/fileadmin/datoteka/Nova_spletna_stran/Predstavitevna_gradiva/slovenia-its-publishing-landscape-and-readers.pdf; “Publishing in Slovenia,” Slovenia: Guest of Honour at Frankfurter Buchmesse 2023.

302 Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers*, 3.

303 Slovenian Book Agency, “About Us,” <https://www.jakrs.si/en/about-us/>; Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers*, 3.

304 Jaka Gerčar (Representative, Publishers and Booksellers Association, Chamber of Commerce and Industry of Slovenia; Publishing Manager, Membrana Institute), interview by Emma Viero, March 12, 2026.

305 Gerčar, interview.

306 Jasna Mažgon et al., “Reading Habits in Slovenia and of the Students of Teacher-Training University Programmes: Do the Shoemaker’s Children Go Barefoot?” *Sodobna pedagogika* 71, no. 2 (2020); “What Do Future Educators Read and How Do Certain Factors Influence Their Reading Habits: Evidence from Slovenia,” *Education Sciences* 15, no. 10 (2025): 1333, <https://doi.org/10.3390/educsci15101333>; “Lazy or Busy Lives? Leisure Reading and Cultural Practices Among Slovenian Teacher Education Students,” *Education Sciences* 16, no. 9 (2026): 1525, <https://doi.org/10.3390/educsci16091525>; Gerčar, interview; Gerčar, interview.

307 Government Communication Office of the Republic of Slovenia, “Slovenia Promotes Reading: National Reading Day,” <https://slovenia.si/art-and-cultural-heritage/slovenia-promotes-reading-national-reading-day>, citing the survey *Knjiga in bralci VII* (2024); Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers*, 3, 28; Gerčar, interview.

308 Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers*, 32; “Publishing in Slovenia,” Slovenia: Guest of Honour at Frankfurter Buchmesse 2023.

309 Gerčar, interview.

While Slovenian publishers enjoy high levels of formal liberty and are not subject to direct censorship, the state exerts indirect influence through the educational sector. Gerčar describes recent negotiations between publishers and the Ministry of Education over the 2026 school reform, during which the government introduced new “guidelines” for the approval of learning materials, particularly workbooks. These guidelines restrict the range of permitted educational resources, potentially limiting teacher autonomy and narrowing the commercial market for educational publishers. The International Publishers Association has publicly supported Slovenian educational publishers on this issue: in February 2026, its president travelled to Ljubljana to call on the Ministry to abolish the new guidelines, noting that only about 15% of existing learning materials comply with the revised curricula scheduled for implementation in September 2026.³¹⁰ Compounding this pressure, no additional public funding has been allocated for the development of new curriculum-aligned textbooks, transferring much of the economic burden onto publishers themselves.³¹¹

Beyond the educational sector, the primary constraints on freedom to publish in Slovenia remain logistical and economic, reflecting trends across the global publishing landscape. Ownership concentration in distribution, with three integrated publisher-bookshop systems dominating the market, poses a structural obstacle for small-scale publishers.³¹² At the same time, declining reading habits and the erosion of public trust amid growing political polarization constitute concrete threats to the long-term sustainability of the Slovenian publishing ecosystem. The political setting also changed while this research was underway. At the election of 22 March 2026, the Freedom Movement finished narrowly first with 29 of the 90 seats, ahead of Janša’s Slovenian Democratic Party on 28, and a minority coalition led by Janša took office on 4 June 2026. What this means for cultural and media policy, including the school-materials guidelines described above, was not yet clear when this report closed.^{313,314}

310 International Publishers Association, “IPA Supports Slovenian Educational Publishers,” February 11, 2026, <https://internationalpublishers.org/ipa-supports-slovenian-educational-publishers/>; International Publishers Association, “IPA President and EPF Chair in Slovenia,” March 31, 2026, <https://internationalpublishers.org/ipa-president-and-epf-chair-in-slovenia/>; Jaka Gerčar, interview by Emma Viero, March 12, 2026.

311 Gerčar, interview.

312 Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers*, 6–7; Gerčar, interview.

313 “Slovenia’s Governing Liberals Narrowly Defeat Right-Wing Challenge at Polls,” *Balkan Insight*, March 23, 2026, <https://balkaninsight.com/2026/03/23/slovenias-governing-liberals-narrowly-defeat-right-wing-challenge-at-polls/>; on the composition of the government formed on June 4, 2026, see the National Assembly record of the sixteenth government of Slovenia.

314 Slovenian Book Agency, *Slovenia: Its Publishing Landscape and Readers*, 32–33; Council of Europe Commissioner for Human Rights, *Memorandum on Freedom of Expression and Media Freedom in Slovenia*, CommDH (2021)17, June 4, 2021.

SOUTH AFRICA

South Africa occupies a distinctive position in this report: it is the only country on the African continent to be classified as a liberal democracy by V-Dem in 2026. The country's publishing freedom cannot be understood without confronting the apartheid legacy that shaped its industry, the profound linguistic inequity that continues to determine who can access and produce published knowledge, and the emerging pressures that test even robust constitutional frameworks. South Africa demonstrates that freedom to publish is not a condition that, once achieved, sustains itself, but one that requires active institutional investment, linguistic equity, and resistance to the quiet mechanisms through which even formally free publishing environments can be narrowed in practice.

In context, Reporters Without Borders ranked South Africa 21st out of 180 countries in its 2026 World Press Freedom Index, up from 27th in 2025 and 38th in 2024, the strongest position of any African country. According to V-Dem 2026, the country regained its status of liberal democracy in 2024 and scores 0.63 on the Liberal Democracy Index, ranking 39th.³¹⁵ Similarly, Freedom House's Freedom in the World 2026 classifies the country as "Free," ranking 81/100.

The country's environment for freedom to publish is characterized by a robust constitutional framework and strong press protections, bolstered by recent democratic transitions. The current framework is anchored in the 1996 Constitution and the Bill of Rights, which provide fundamental protections for freedom of expression, encompassing the freedom of the press and other media, the freedom to receive and impart information or ideas, artistic creativity, academic freedom, and scientific research.

For this case study, we interviewed Mpuka Radinku, Executive Director of the Publishers Association of South Africa (PASA), and Jaimy-Lee Meloy, PhD researcher in media studies and PASA's Operations & Office Manager. This interview constitutes a primary source of considerable depth, offering empirical grounding for theoretical discussions on press freedom, linguistic representation, and the political economy of publishing in a post-apartheid context.³¹⁶

In contrast to countries included in this report where diverse forms of direct censorship are increasing and impacting publishing houses and writers, as well as the common state of freedom of expression, the publishing sector in South Africa can be understood as the product of a historical reconfiguration. Before the end of the Apartheid in 1994, censorship operated as an overt technology of political control, regulating circulation, delimiting public discourse, and withdrawing thousands of books from the literary sphere to suppress dissent and manage the terms of cultural legitimacy³¹⁷.

³¹⁵ See V-Dem Institute, *Democracy Report 2026*, 11.

³¹⁶ Mpuka Radinku, has been in the publishing industry since 1994. He provided expert knowledge on the transition from the apartheid era to the current democratic dispensation, explaining how the sector has shifted its focus from surviving state oppression to navigating commercial and policy challenges. Jaimy-Lee Meloy, in turn, brought an academic dimension, grounding the industry's practical realities in a broader theoretical framework. The classification of South Africa as an electoral democracy appears in the regional breakdown section of the report. See V-Dem Institute, *Democracy Report 2026*, p. 11.

³¹⁷ Rakobela, Yolanda. "Understanding the history of book banning provides valuable insight into how past restrictions have shaped the current landscape of freedom. It serves as a reminder to appreciate and safeguard our present freedoms, ensuring that we do not take them for granted. By reflecting on historical censorship, we can better address contemporary challenges related to censorship and maintain vigilance over our rights to free expression." UP launches Banned Books exhibition. Posted on September 24, 2024, <https://www.up.ac.za/news/launches-banned-books-exhibition>.

In the post-apartheid period, South Africa's profound diversity, reflected in its twelve official languages, South African Sign Language having been added in 2023, raises a fundamental question about how this richness is represented in the publishing industry. As Radinku and Meloyer contend during the interview, freedom to publish is shaped not only by legislation but by the very idea of democracy, understood here in terms of representation. The central question, then, is who is represented in the content that reaches the public.³¹⁸

In the 2023-24 financial year, English-language books accounted for 78% of local market share revenue, followed by Afrikaans at 11%, both colonial languages. Freedom to publish is not just about state censorship; it also depends on whether publishers can realistically publish across languages.³¹⁹ When one or two languages dominate the market, the "freedom" to publish in other languages exists in theory but is constrained in practice by cost, infrastructure, retail access, and demand. That is why multilingual publishing and language-rights scholarship treat linguistic equity as part of expressive freedom, not only as a cultural issue. Jaimy-Lee Meloyer stated:

A big part of identity and representation is your language being able to relate to something. (...) "I think about how a five-year-old might not have access to a book that is in their language... a lot of kids go to high school, university, and they haven't even touched a book written in their own language.

In this line, there is also an Information-Access Gap, when confidence in the language of publication affects usage, particularly in education where the shift to English leaves learners without materials in the language they know best. The Language in Education Policy stipulates home-language instruction until Grade 3, but in Grade 4, more than 80% of South African pupils shift to instruction in a second language (English or Afrikaans). This shift often results in students being assessed at a level intended for native speakers despite having limited proficiency, leading to suboptimal academic performance and a deterioration in indigenous language proficiency.³²⁰

Moreover, small and micro-enterprise publishers explicitly state that African language publishing needs further government support because the commercial book-buying market is not viable.³²¹

In February 2024, Ngubane, a Soweto-based illustrator and cartoonist, released a children's colouring book titled *From the River to the Sea*, published by Social Bandit Media. Ngubane intended the book to be an educational "gateway" into Palestinian history, tackling themes like the Nakba and introducing young readers to Palestinian culture and resistance.

The title itself was criticized by pro-Israel groups and the South African Jewish Board of Deputies (SAJBD), who accused the book of "indoctrinating children" and advocating for the "obliteration of the Jewish peo-

318 Sarah Howie, Elsie Venter, and Surette van Staden, "The Effect of Multilingual Policies on Performance and Progression in Reading Literacy in South African Primary Schools," *Educational Research and Evaluation* 14(6): 551–60. doi:10.1080/13803610802576775, and Mabvira, A. (2025). The Paradox of Teaching English as "Home Language" in South Africa: A Decolonial Take. *Journal of English Language Teaching and Applied Linguistics*, 7(6), 09-17. <https://doi.org/10.32996/jeltal.2025.7.6.2>.

319 Agrippa Mabvira, "The Paradox of Teaching English as 'Home Language' in South Africa: A Decolonial Take," *Journal of English Language Teaching and Applied Linguistics* 7, no. 6 (2025): 9–17, <https://doi.org/10.32996/jeltal.2025.7.6.2>.

320 Meloyer and Radinku explain that PASA addresses these linguistic gaps by functioning as a support system for SMMEs (Small, Medium, and Micro-Enterprises), which are often the entities betting on non-dominant languages but lack the resources to navigate the market alone. They also participate in community initiatives to find solutions for the barriers brought about by language differences.

321 Elizabeth le Roux, Lisa Treffry-Goatley, Ivy Anyang, and Savannah Harvett, South African Book Publishing Industry Survey, 2023–24 (Cape Town: Publishers' Association of South Africa, 2025), <https://publishsa.co.za/wp-content/uploads/2025/04/South-African-Book-Publishing-Industry-Survey-2023-2024.pdf>.

ple”.³²² Following a social media backlash, Exclusive Books, South Africa’s largest bookstore chain, pulled the book from its physical shelves and online store in mid-2024. After a period of review, Exclusive Books reinstated the book, stating they found it was not offensive. By June 2024, the author reported that 4,000 copies had been sold, with a portion of the proceeds going to Penny Appeal SA, which assists Palestinians in Gaza.³²³ Ngubane noted that the controversy extended beyond South Africa, with the book facing similar removals in France and from the Hugendubel bookstore chain in Germany.

322 South African Jewish Board of Deputies. Communication published on May 30, 2024: “*The SAJBD has become aware of the publication of a children’s colouring book, titled “From the River to the Sea” The SAJBD has become aware of the publication of a children’s colouring book, titled “From the River to the Sea”, by Digniti, and supported by “Social Bandit” and “Penny Appeal South Africa.” It is repugnant that this publication, promoting the obliteration of Jews from our historical and rightful homeland-Israel, can be published, and targeted at young-minds. We reject attempts to indoctrinate children. While we are saddened by the ongoing conflict, campaigns like this only perpetuate animosity and prolong the cycle of hatred. We urgently call for the immediate cessation of this extremely irresponsible publication.*” <https://www.sajbd.org/post/the-sajbd-has-become-aware-of-the-publication-of-a-children-s-colouring-book-titled-from-the-river>.

323 “Exclusive Books Refutes Censorship Claims amid Controversy over Israel-Palestine Colouring Book,” *News24* (City Press), June 9, 2024, <https://www.news24.com/citypress/news/exclusive-books-refutes-censorship-claims-amid-controversy-over-israel-palestine-colouring-book-20240609>; Exclusive Books, “Media Statement: Setting the Record Straight,” June 7, 2024, <https://exclusivebooks.co.za/blogs/news/media-statement-exclusive-books-setting-the-record-straight-07-june-2024>.

SOUTH KOREA

According to the 2026 V-Dem report, South Korea ranks 22nd worldwide with a Liberal Democracy Index score of 0.74³²⁴ and is again classified as a liberal democracy. That stability is recent: V-Dem had recorded an episode of autocratization beginning in 2023, and reports that South Korea “defended its democracy in 2025, following the failed 2024 martial law attempt by President Yoon Suk Yeol,” placing the country on its watchlist of potential democratizers. The 2026 Reporters Without Borders index ranks it 47th out of 180 countries^{325 326}. Also, Freedom House’s Freedom in the World Index classifies the country as “Free” with an index score of 83³²⁷. This indicates a relatively high level of press freedom.

Drawing on an interview with Jaeho Kang of the Korean Publishers Association, this case examines where legal rights fall short in practice.³²⁸ Legally, freedom of publication in South Korea is strongly protected under the Constitution, which clearly prohibits censorship and guarantees freedom of speech³²⁹. Institutional support is also well established with organizations such as publishing associations contributing to the defence of these rights since 1952³³⁰. However, these formal protections coexist with legal and structural limitations that constrain the use of publishing freedom.

One major constraint arises from the criminalization of defamation, which places the burden of proof on publishers to demonstrate public interest even when statements are factually accurate. This creates a chilling effect on critical or investigative publications³³¹. More significantly, the National Security Act continues to function as a unique and powerful legal mechanism restricting expression, particularly in relation to North Korea³³². It produces a structural limitation on ideological and political expression.

Beyond legal frameworks, indirect forms of censorship emerge in shifting political and market contexts. State-led interventions have narrowed access in schools; for example, in 2023, the Gyeonggi Provincial Office of Education removed 2,528 titles dealing with sex education and gender equality from some 2,490 school libraries, among them Han Kang’s *The Vegetarian* and José Saramago’s *Blindness*³³³. Designation as “harmful to youth” also restricts distribution directly. In April 2024, the Publication Ethics Commission

324 V-Dem Institute, *Democracy Report 2026*.

325 V-Dem Institute, *Democracy Report 2026*, 22 and Table A2.

326 Reporters Without Borders, *World Press Freedom Index 2026*, “South Korea.”

327 Freedom House, *Freedom in the World 2026*, “South Korea.”

328 Interview with Jaeho Kang, conducted by Seoyoon Yang, November 18, 2025. This interview was conducted in Korean and later translated into English by Seoyoon Yang.

329 National Humanrights Comission of Korea, <https://www.humanrights.go.kr/eng/contents/view?contentsNo=136&menuLevel=3&menuNo=131>.

330 대한출판문화협회, 협회소개, <https://www.kpa21.or.kr/corp/introducing/>.

331 IFEX, “South Korea urged to stop using criminal defamation laws,” December 16, 2014, <https://ifex.org/south-korea-urged-to-stop-using-criminal-defamation-laws/>.

332 “Human Rights Watch, “South Korea: Cold War Relic Law Criminalizes Criticism,” May 28, 2015, <https://www.hrw.org/news/2015/05/28/south-korea-cold-war-relic-law-criminalizes-criticism>.

333 The Korea Herald, “Censorship of Nobel winner Han Kang’s book stirs debate,” November 13, 2024, <https://www.koreaherald.com/article/3829056>.

applied that label to Inti Chavez Perez's *Respect*, barring its sale to anyone under 19, before reversing the decision two months later after protests from publishers and sex-education experts.³³⁴

In response, independent publishing and bookstores have become important alternative spaces, particularly within feminist and youth-driven cultural movements³³⁵. For instance, the 2025 Seoul International Book Fair reflected both the "Text hip"³³⁶ trend among younger generations and a diverse range of participants, with women in their 20s and 30s being particularly prominent in attendance³³⁷. Consequently, freedom to publish in South Korea can be understood as being shaped by a complex interaction between ideological constraints, political pressures, and market-based distribution mechanisms.

334 "Censorship of Nobel Winner Han Kang's Book Stirs Debate," October 2024 (reporting Gyeonggi Provincial Office of Education data); "How Swedish Sex-Ed Book in Korea Got Banned, Then Unbanned," *The Korea Times*, June 27, 2024, <https://www.koreatimes.co.kr/lifestyle/books/20240627/how-swedish-sex-ed-book-in-korea-got-banned-then-unbanned>.

335 Mentioned during the interview with Jaeho Kang, November 26, 2025.

336 'Text Hip' trend helps ignite fresh interest in reading among youth, *The Korea Times*, November 2, 2024, <https://www.koreatimes.co.kr/lifestyle/trends/20241102/text-hip-trend-helps-ignite-fresh-interest-in-reading-among-youth>.

337 Korea.kr, "올해도 봄볕! 책의 향연 '서울국제도서전'," <https://www.korea.kr/news/reporterView.do?newsId=148945197>.

SPAIN

Spain's environment for freedom to publish is characterized less by systemic repression than by a generally open legal framework shaped by occasional informal and legal pressures. Freedom House's Freedom in the World 2026 classifies the country as "Free", with an overall score of 91/100. Reporters Without Borders ranks Spain 29th out of 180 countries in its 2026 World Press Freedom Index, with a global score of 75.42, while V-Dem indicators continue to place Spain among the more robust liberal democracies in Europe with a score of 0.74 in 2026.

The primary foundation of this environment is Article 20 of the Spanish Constitution of 1978, which explicitly recognizes and protects the right to express and disseminate thoughts, ideas, and opinions, as well as the right to literary, artistic, scientific, and technical production. At the same time, the Constitution prohibits any form of prior censorship, and establishes that publications, recordings, and other media can only be seized through a judicial resolution, never by administrative order. However, these rights are limited by the protection of the right to honour, privacy, and self-image, as well as the protection of youth and children.³³⁸

José Manuel Anta, the managing director of the Spanish Federation of Publishers' Associations (FGEE), provided several key insights into the unique health, challenges, and cultural dynamics of the Spanish publishing sector. Anta highlights that Spain is unique in Europe for having experienced continuous market growth for the last 15 years, which he describes as the Spanish phenomenon. While the 2008 financial crisis hurt consumption, the sector saw a significant *Repunte* (rebound) after the pandemic as people grew tired of screens and returned to reading. This is supported by the fact that Spanish is the second most spoken language in the world.³³⁹ According to the data provided, in 2025, revenue in the book market exceeded 1.25 billion euros, representing a 4% increase over the previous year's figures. The number of books sold reached 76 million printed copies.³⁴⁰

Moreover, Spain has approximately 3,000 independent bookstores, which account for 40-42% of sales. Authors and publishers can publish with total freedom in any of Spain's official languages—Castilian Spanish, Catalan, Galician, and Basque. Another special fact is that at least 95.1% of the Spanish population aged 14 and older read some type of material at least once a quarter.³⁴¹

338 Section 20: "The following rights are recognized and protected: a) the right to freely express and spread thoughts, ideas and opinions through words, in writing or by any other means of reproduction; b) the right to literary, artistic, scientific and technical production and creation; c) the right to academic freedom; d) the right to freely communicate or receive truthful information by any means of dissemination whatsoever. The law shall regulate the right to the clause of conscience and professional secrecy in the exercise of these freedoms. (...) These freedoms are limited by respect for the rights recognized in this Part, by the legal provisions implementing it, and especially by the right to honour, to privacy, to the own image and to the protection of youth and childhood." Spanish Constitution (1978). <https://www.senado.es/web/conocersenado/normas/constitucion/detalleconstitucioncompleta/index.html?lang=en#a13>.

339 Mar-Molinero, Clare. The Spanish Speaking World: A practical introduction to sociolinguistic issues. School of Modern Languages, University of Southampton. <https://ndl.ethernet.edu.et/bitstream/123456789/14711/1/71%20pdf>.

340 The data collected and reported by Anta is consistent with the data published by the Spanish Federation of Publishers' Associations (FGEE) in the document titled "Barometer of Reading Habits and Book Purchasing in Spain 2025," as well as with the data from "The Book Market in Spain 2025," a study based on a survey of the Spanish population conducted by the consulting firm GfK in 2025 and published by the Germán Sánchez Ruipérez Foundation. Conecta, Barómetro de hábitos de lectura y compra de libros en España 2025 (Madrid: Federación de Gremios de Editores de España, January 22, 2026), [advance/preliminary release]. <https://federacioneditores.org/wp-content/uploads/2026/01/260122PRS-FGEE-Habitos-lectura-2025-Avance.pdf> See also: Fundación Germán Sánchez Ruipérez, Panorámica de la edición en España 2025 (Madrid: Fundación Germán Sánchez Ruipérez, 2026), <https://federacioneditores.org/wp-content/uploads/2026/01/260122PRS-FGEE-Habitos-lectura-2025-Avance.pdf>.

341 Fundación Germán Sánchez Ruipérez, Panorámica de la edición en España 2025 (Madrid: Fundación Germán Sánchez Ruipérez, 2026), <https://federacioneditores.org/wp-content/uploads/2026/01/260122PRS-FGEE-Habitos-lectura-2025-Avance.pdf>.

Unlike the systematic repression of the Franco era, modern Spain has no state bans on publishing, and few cases have been detected regarding censorship in the Spanish publishing industry. One such case, cited as an example of self-censorship (*autocensura*)³⁴², involves the publisher Anagrama. In 2025, Anagrama intended to publish “El Odio”, a book written by Luisgé Martín where he provides a psychological profile of José Bretón and reconstructs the crime for which he was sentenced to 40 years in prison in 2013. In its first press release, Anagrama defended their right to publish the book, asserting that the constitution recognizes the fundamental right to literary creation. Thus, both the author and the publisher have the right to publish this work.³⁴³ On March 24, 2025, a Barcelona judge authorized publication. However, Anagrama suspended distribution on March 27, and by April 15, the publisher terminated the contract entirely, returning all rights to the author and never releasing the book.³⁴⁴

In Spain, there is an ongoing legal and social debate regarding the boundaries of “hate speech” and how it acts as a limit to free expression, particularly when balancing it against democratic coexistence.³⁴⁵ According to Reporters without Borders, there is a climate of hostility toward those who provide information, fuelled by the radicalization of public opinion and cyber-harassment from different actors.³⁴⁶ Strategic lawsuits against public participation have proliferated in Spain, disproportionately targeting journalists who disseminate critical content and serving as a mechanism to suppress dissent through protracted legal harassment. Although primarily affecting media outlets, this trend raises serious concerns for the publishing sector, as demonstrated in the case studies that follow.³⁴⁷

342 Interview with José Manuel Anta, April 8, 2026.

343 Anagrama Press Release. “Comunicado de Anagrama sobre ‘El odio’ de Luisgé Martín”, 21 de marzo de 2025. <https://www.anagrama-ed.es/noticias/general/comunicado-de-anagrama-sobre-el-odio-de-luisge-martin-1090> .

344 El País. Morla, Jorge. 16 de Abril de 2025. <https://elpais.com/cultura/2025-04-16/anagrama-renuncia-definitivamente-a-la-publicacion-de-el-odio-de-luisge-martin.html> .

345 Código Penal (Spain), art. 510 (incitement to hatred) and art. 578 (glorification of terrorism); on the debate over these provisions, see Amnesty International, *Tweet... If You Dare: How Counter-Terrorism Laws Restrict Freedom of Expression in Spain* (London: Amnesty International, 2018).

346 Reporters Without Borders, *World Press Freedom Index 2026*, “Spain,” <https://rsf.org/en/country/spain>.

347 NOVACT and Òmnium Cultural, *Civic Space Report 2025: Spain* (European Civic Forum, June 2025), <https://civic-forum.eu/wp-content/uploads/2025/06/Civic-Space-Report-2025-Spain.pdf>.

THAILAND

Thailand's capacity for free publishing remains constrained, reflected in its Liberal Democracy Index score of 0.31 in V-Dem's 2026 report³⁴⁸ and its 92nd place of 180 in the 2026 Reporters Without Borders World Press Freedom Index, down from 85th in 2025³⁴⁹. Thailand is classified as "Not Free" in Freedom House's 2026 report, with a score of 33 out of 100³⁵⁰. Thai law relies on *lèse-majesté* provisions, which protect the king, the queen, the heir apparent, and the regent, as a central disciplinary mechanism closely intertwined with national security legislation³⁵¹. Moreover, criminal defamation, the Computer Crimes Act (2007),³⁵² and the Personal Data Protection Act (2019),³⁵³ structure an environment in which publishers anticipate legal risk and internalize restraint.

Constraint commonly operates through SLAPPs, whereby politicians and officials apply defamation claims against environmental activists and journalists³⁵⁴. Such enforcement spans both criminal and civil channels. It blurs accountability because litigation is formally initiated by private actors, although it may still reflect state-aligned interests. This creates uncertainty about whether cases represent individual disputes or indirect forms of political coercion. Moreover, the Computer Crimes Act³⁵⁵ has been criticized for its broad application in politically sensitive contexts, where individuals may face legal action for sharing or commenting on allegedly false online content, contributing to a chilling effect on digital expression³⁵⁶.

This case study is supported by the interview with Trasvin Jittidecharak, publisher in Thailand, former member of the IPA Executive Committee, IPA Freedom to Publish Committee, and the Secretary General of the ASEAN Book Publishers Association. According to Jittidecharak, true freedom requires not only formal liberty, but also the absence of forced self-censorship and active state protection for expression.

Across Southeast Asia, censorship takes varied forms: constraints on criticizing the prime minister's family in Cambodia³⁵⁷, religious limits in Malaysia³⁵⁸, and political lawsuits in the Philippines³⁵⁹. Thus, each state sustains publication control through different but comparable mechanisms.

348 V-Dem Institute, *Democracy Report 2026*.

349 Reporters Without Borders, *World Press Freedom Index 2026*, "Thailand," <https://rsf.org/en/country/thailand>.

350 Freedom House, *Freedom in the World 2026*, "Thailand," <https://freedomhouse.org/country/thailand/freedom-world/2026>.

351 Office of the United Nations High Commissioner for Human Rights (OHCHR), "Thailand must immediately repeal lèse-majesté laws, say UN experts," January 2025, <https://www.ohchr.org/en/press-releases/2025/01/thailand-must-immediately-repeal-lese-majeste-laws-say-un-experts>.

352 Significantly amended in 2017 through the *Computer Crime Act* (No. 2) B.E. 2560. <https://www.ratchakitcha.soc.go.th/DATA/PDF/2560/A/010/24.PDF>; Unofficial English translation. International Commission of Jurists. <https://www.icj.org/wp-content/uploads/2012/12/Thailand-Computer-Crime-Act-2007-eng.pdf>.

353 *Personal Data Protection Act*, B.E. 2562 (2019) (Thailand), https://data.thailand.opendevlopmentmekong.net/en/laws_record/2562/resource/ec616be5-9fbf-4071-b4b5-cb1f3e46e826.

354 Dialogue Earth, "In Thailand, SLAPP laws are silencing environmental journalists and activists," November 28, 2024, <https://dialogue.earth/en/justice/in-thailand-slapp-laws-are-silencing-environmental-journalists-and-activists/>.

355 *Act on Computer Crime*, B.E. 2550 (2007) (Thailand).

356 PEN America, "Thailand Amended Computer Crime Act a Step Backward on Free Expression," December 16, 2016, <https://pen.org/press-release/thailand-amended-computer-crime-act-a-step-backward-on-free-expression/>.

357 Human Rights Watch, "Cambodia," in *World Report 2025*, January 2025, <https://www.hrw.org/world-report/2025/country-chapters/cambodia>.

358 Ram Anand, "Malaysia's High Court rules Christians can use word 'Allah' in publications," *The Straits Times*, March 10, 2021, <https://www.straitstimes.com/asia/se-asia/malysias-high-court-rules-christians-can-use-word-allah-in-publications>.

359 Columbia Global Freedom of Expression, "People of the Philippines v. Santos, Ressa, and Rappler," Columbia University, June 15, 2020, <https://globalfreedomofexpression.columbia.edu/cases/people-of-the-philippines-v-santos-ressa-and-rappler>.

TÜRKİYE

Türkiye's environment for freedom to publish is characterized by systemic democratic backsliding and a deepening crisis of expression. Reporters Without Borders ranks Türkiye 163rd of 180 countries in its 2026 Index with a score of 27.94,³⁶⁰ a decline from 159th place and a score of 29.40 in 2025,³⁶¹ while V-Dem indices similarly document long-term autocratization and classifies the country as an electoral autocracy, ranking 140th with a score of 0.11 (LDI).³⁶² V-Dem also identifies Türkiye as one of five “prominent autocratizers of the third wave,” treating Erdoğan's decade-long executive aggrandizement as a canonical case against which more recent autocratization episodes, including Trump's second term in the United States, are benchmarked.³⁶³ Freedom House classifies it as a “Not Free” country, with a score of 32/100 (Political Rights 16/40, Civil Liberties 16/60).³⁶⁴

Despite constitutional guarantees of free expression, the domestic legal framework relies on expansive criminal provisions to prosecute critics at scale.³⁶⁵ Laws such as Article 299 of the Penal Code criminalizing “insulting the president,” criminal defamation laws, and a 2022 “disinformation” offense, are enforced through a judiciary whose independence has been compromised since the 2017 constitutional restructuring of the Council of Judges and Prosecutors.³⁶⁶ Among these, in October 2022, Law No. 7418 (the so-called “Disinformation Law”) added Article 217/A to the Turkish Penal Code, criminalizing the “public dissemination of misleading information” with penalties of one to three years' imprisonment, a provision Amnesty International has criticized as “structurally incompatible with international press freedom standards” for its vague definition of what constitutes “untrue information”.³⁶⁷

The state of freedom to publish in Türkiye is one of cumulative legal and administrative pressure: in the December 2020–November 2021 period alone, multiple writers faced prison sentences running into decades for the content of their books, six titles were declared “obscene” by a state board (bringing the total to twenty-four since 2018), and a major children's-book publisher, Mikado Publishing, was driven into bankruptcy protection following social media lynching campaigns.³⁶⁸ An illustrative case is that of Aram Publishing House, which has been prosecuted repeatedly over more than two decades, including the prosecution of its former owner Fatih Taş, which the European Court of Human Rights in 2017 found to have violated Article 10 of the European Convention on Human Rights.³⁶⁹ The most recent case began with the seizure of titles at the Aram stand at the Diyarbakır Book Fair in November 2024. The publishing

360 Reporters Without Borders, *World Press Freedom Index 2026*, “Türkiye,” <https://rsf.org/en/country/turkiye>.

361 Reporters Without Borders, *World Press Freedom Index 2026*, “Türkiye.”

362 V-Dem Institute, *Democracy Report 2026*.

363 V-Dem Institute, *Democracy Report 2026*, 34.

364 Freedom House, *Freedom in the World 2026*, “Türkiye,” <https://freedomhouse.org/country/turkey/freedom-world/2026>.

365 Constitution of the Republic of Türkiye (1982), arts. 26, 27, 28, 29, https://www.anayasa.gov.tr/media/7258/anayasa_eng.pdf. On the use of criminal provisions to prosecute critics in practice, see Human Rights Watch, “Submission by Human Rights Watch on Türkiye to the Human Rights Committee,” October 23, 2024, <https://www.hrw.org/news/2024/10/23/submission-human-rights-watch-turkiye-human-rights-committee>.

366 Human Rights Watch, “Submission by Human Rights Watch on Türkiye to the Human Rights Committee,” October 23, 2024, <https://www.hrw.org/news/2024/10/23/submission-human-rights-watch-turkiye-human-rights-committee>; Nic Newman et al., *Reuters Institute Digital News Report 2025* (Oxford: Reuters Institute for the Study of Journalism, 2025), 114, <https://doi.org/10.60625/risj-8qqf-jt36>.

367 Turkish Penal Code, Law No. 5237 of 2004 (Türkiye), art. 217/A, as added by Law No. 7418, art. 29 (October 13, 2022); Amnesty International, *Türkiye's “Disinformation Law” Tightens the Government's Stranglehold on Freedom of Expression* (London: Amnesty International, October 2022), <https://www.amnesty.org/en/wp-content/uploads/2022/10/EUR4461432022ENGLISH.pdf>.

368 Turkish Publishers Association, *Report on Freedom to Publish, December 2020 – November 2021*, ed. Filiz Kocaboğa, trans. Turgay Bayındır (Istanbul: Turkish Publishers Association, January 2022), 4–5, 11–12, 14–17, 18.

369 *Fatih Taş v. Turkey* (No. 5), App. No. 6810/09, ECtHR judgment, April 4, 2017; see also “ECtHR Condemns Turkey in Case of Aram Publishing House,” *Bianet*, April 24, 2018, <https://bianet.org/haber/ecthr-condemns-turkey-in-case-of-aram-publishing-house-196474>.

house's current owner Hakkı Boltan and an employee, Delil Zengeralp, were charged under Article 7/2 of the Anti-Terror Law and went on trial in October 2025 at the Diyarbakır 4th High Criminal Court. Following further hearings in January and April 2026, the case was adjourned to July 2026.³⁷⁰ Boltan has simultaneously been prosecuted in a separate proceeding under Article 299 ("insulting the president"), receiving a sentence of one year, two months, and seventeen days' imprisonment in April 2026 for statements made during his earlier tenure as president of the Dicle Fırat Journalists' Association.³⁷¹

To gain a deeper understanding of the state of freedom to publish in Türkiye, we interviewed Zeynep Atiker, International Relations Manager of the Turkish Publishers Association. The Turkish Publishers Association (TPA) has documented violations of the freedom to publish in Türkiye annually since 1995 and confers awards on publishers, writers, booksellers, and other figures who resist attacks to freedom of thought and expression. As confirmed by our interviewee, the above-mentioned conditions have fostered self-censorship across the publishing industry, as publishers frequently avoid sensitive themes such as LGBTQ+ rights, as well as topics touching on ethnicity and historical trauma involving Kurdish and Armenian communities, to evade formal or informal complaints.³⁷²

"Today's situation is, I think, worse than many other times, I would say ... because it's a combination of so many things. Evolution, anything religious, anything LGBT, anything even about women could be problematic, you never know. You're always tiptoeing.

Everybody is feeling this. And it's not only the publishing industry, it's the whole cultural industries and individuals, because we've seen in recent years even civil citizens being punished for sharing something on their own personal social media account... And they've, I think they've succeeded very well in establishing that fear and constant concern."

Direct censorship is primarily enforced by the Board for the Protection of Children from Obscene Publications, under the Ministry of Family Affairs, which has declared dozens of titles "obscene," imposing severe restrictions on their sale, display, and access for minors.³⁷³

"This is obviously quite challenging because when a book is declared obscene, that means that book cannot be sold openly. That book should be sold in a closed, non-transparent envelope. There can't be any pictures on it, only the title of the book, and there should be a warning that says it's harmful to minors... and there are many booksellers who don't want to take any potential risks, so they just remove the book off the shelves, so that's another challenge that comes along with it."

The Board's restrictions on freedom to publish, however, are not limited to the title's declaration of obscenity: Zeynep Atiker also provided insight on how pressure is exercised through a double strategy of control over the dissemination of knowledge, enacted as a form of "positive censorship" ...

"The Ministry of Family Affairs publishes this book list that is kind of their recommended list of books, and they call it a list of child-friendly books. It's over 2,100 titles in the current list for ages from zero to 18. So,

370 Ardil Batmaz, "The Aram Publishing House Case Begins: The File Has Been Sent to the Prosecutor's Office for Final Opinion," *Expression Interrupted* (P24 / Platform for Independent Journalism), October 9, 2025, <https://www.expressioninterrupted.com/the-aram-publishing-house-case-begins-the-file-has-been-sent-to-the-prosecutor-s-office-for-final-opinion/>; "Aram Publishing House Case Adjourned," *Expression Interrupted* (P24), April 2026, <https://www.expressioninterrupted.com/aram-publishing-house-case-adjourned/>.

371 Media and Law Studies Association (MLSA), "Hakkı Boltan'a Gazeteciler Derneği'nin başkanıyken yaptığı açıklama için hapis cezası verildi" [Hakkı Boltan Sentenced to Prison for Statements Made as President of the Journalists' Association], April 2026, <https://www.mlsaturkey.com/tr/hakki-boltana-gazeteciler-derneginin-baskaniyken-yaptigi-aciklama-icin-hapis-cezasi-verildi>.

372 Interview with Zeynep Atiker conducted by Emma Viero on December 5th, 2025.

373 Turkish Publishers Association. *Report on Freedom to Publish (December 2020 – November 2021)*. Istanbul: Turkish Publishers Association, January 2022.

this is from the other way around, like making something affirmative, but effectively banning or censoring any other book outside the list. So that's why this kind of thing feels like a wider perspective changing or targeting that perspective change in people's minds."

Indirect pressures further asphyxiate the sector: economically, extreme lira depreciation and heavy reliance on imported paper have spiked production costs; at the same time, state mechanisms like the Press Advertising Agency (BİK) and the regulator RTÜK weaponize financial levers on media by channelling subsidies to loyalists while imposing significant fines on critical outlets.³⁷⁴ In this regard, Türkiye remains among the world's most repressive environments for journalists, with approximately 90% of national media under direct or indirect government control.³⁷⁵ The climate of legal jeopardy surrounding journalism extends by diffusion into book publishing, since the same statutory architecture (Article 299, Article 217/A, the Anti-Terror Law)³⁷⁶ and the same prosecutorial reflexes apply equally to authors, publishers, and book-sellers. Furthermore, social media "lynching campaigns" and physical intimidation episodes, including one mafia-style threat where a bullet was sent to a publisher at a book fair³⁷⁷, create a chilling effect which entrenches a state of constant fear and concern, ultimately limiting the diversity of literary production in the country and posing a significant risk to the publishers who decide not to comply.

374 Reporters Without Borders. *Türkiye*.

375 Reporters Without Borders. *Türkiye*.

376 Turkish Penal Code, Law No. 5237 of 2004 (Türkiye), art. 299 ("Insulting the President"); Turkish Penal Code, art. 217/A ("Publicly Disseminating Misleading Information"), as added by Law No. 7418, art. 29 (October 13, 2022); Anti-Terror Law, Law No. 3713 of 1991 (Türkiye), esp. arts. 7 and 7/2.

377 Interview with Zeynep Atiker.

UNITED STATES

Few countries better illustrate the paradox at the heart of this report than the United States. While its constitutional protections for freedom of expression are among the oldest and most robust in the world, current data place it among the most rapidly deteriorating publishing environments among liberal democracies. The US case demonstrates that formal legal guarantees do not automatically produce substantive publishing freedom—and when structural conditions erode, the burden of defence falls almost entirely on private actors.

Freedom in the World 2026 classifies the country as “Free” with a score of 81/100, a three-point fall that Freedom House records as the sharpest single-year decline among the 88 countries it rates Free, and the country’s lowest score since Freedom House began using the 0–100 scale in 2002.³⁷⁸ The 2026 Reporters Without Borders World Press Freedom Index ranks the United States 64th out of 180 countries with a score of 62.61, a fall of seven places from its 2025 position of 57th, and part of a prolonged structural decline.³⁷⁹ V-Dem (2026) formally downgraded the United States from a liberal democracy to an electoral democracy, describing the shift as the “most dramatic decline in American history” and characterizing the Trump administration’s actions as a “rapid and aggressive concentration of powers in the presidency.”³⁸⁰ This downgrade from liberal to electoral democracy is the most consequential classification change in the 2026 report globally, and signals that formal electoral processes can coexist with the erosion of the liberal constraints, rule of law, judicial independence, and checks on executive power, which make publishing genuinely free.

One hundred and fifty-seven years before the adoption of the Universal Declaration of Human Rights, the United States enshrined freedom of expression in the First Amendment of its Constitution. Enacted in 1791, it forbade Congress from creating any law “abridging the freedom of speech, or of the press.” Few have articulated its significance as forcefully as Justice Hugo L. Black, appointed to the Supreme Court in 1937, who held that the First Amendment is absolute: “Freedom to publish means freedom for all and not for some.”³⁸¹

The enduring influence of this principle is visible not only in jurisprudence but in how the contemporary publishing ecosystem organizes itself to defend the freedom to publish. As Terrence Hart of the Association of American Publishers (AAP) observed, today’s challenges echo earlier moments of constitutional crisis, from the McCarthy era to the current wave of book restrictions emerging across several states.³⁸²

PEN America’s research documents a significant chilling effect linked to government surveillance, illustrating how writers are increasingly avoiding topics they believe will expose them to monitoring, including military affairs, mass incarceration, drug policy, and criticism of the government. This pervasive

378 Freedom House, *Freedom in the World* 2026.

379 Reporters Without Borders, *World Press Freedom Index* 2026.

380 V-Dem Institute, *Democracy Report* 2026.

381 Hugo L. Black, majority opinion, *Associated Press v. United States*, 326 U.S. 1, 20 (1945).

382 Terrence Hart (representative, Association of American Publishers), interview conducted for this study, 2025–2026.

assumption that communications are under surveillance produces what PEN America calls a restricted flow of information, with direct consequences for freedom of expression.³⁸³

Authors argue that the current climate threatens the very nature of creation. Salman Rushdie notes that “the creative act requires... the assumption of freedom,” and that if an artist is afraid of the consequences of their subject choice, those choices are often determined by fear. This environment of “don’t-rock-the-boat” responses suggests that censorship is increasingly justified when interest groups declare themselves “affronted” by a piece of work.

In 2023, when more than sixty state bills sought to limit what Americans, especially students, could read, AAP and the American Library Association reaffirmed the 1953 Freedom to Read Statement.³⁸⁴ Its revival was less symbolic than strategic. As the interviewees recalled, it mobilized authors, publishers, and booksellers into a front line that, in many states, has become the only meaningful barrier between political agendas and readers’ access to books.

Two pieces of legislation illustrate the sophistication of the current approach. Arkansas Act 372 (2023) threatened librarians and booksellers with criminal penalties for allowing minors access to vaguely defined “harmful” materials, a provision so broad it would have forced bookstores to either ban all minors or quarantine large portions of their stock. A federal court blocked the law as unconstitutional, but the state continues to appeal. Texas House Bill 900, the “READER Act,” passed in 2023, took a different approach, requiring anyone selling books to public schools to rate their titles for sexual content and, in some cases, recall previously sold books. As Hart recalled, the criteria were so poorly defined that small bookstores and publishers with no way to reconstruct decades of sales faced impossible compliance burdens. This law has also been halted in court but remains under appeal. Both cases illustrate the same strategic logic: legislation that is ultimately unenforceable can still reshape behaviour before it is struck down, and the cost of litigation falls on the industry.³⁸⁵

Bestselling authors such as Jodi Picoult have noted that, while established writers may reach readers through alternative channels, authors whose livelihoods depend on writing for middle-grade and young adult audiences are “suffering greatly” from removal from school and public library shelves.³⁸⁶

These political pressures intersect with a structural decline in reading. The proportion of Americans who read for pleasure daily has dropped by approximately 3% per year over the last two decades, falling from a peak of 28% in 2004 to just 16% in 2023. Reading enjoyment among children and young people (aged 8 to 18) is at its lowest point since 2005, with only 32.7% reporting they enjoy reading “very much” or “quite a lot”. Moreover, widening gaps exist in reading participation. In the U.S., disparities are increasing based on race, education, and income; conversely, women remain consistently more likely to read for

383 FDR Group and PEN America, *Chilling Effects: NSA Surveillance Drives U.S. Writers to Self-Censor* (New York: PEN American Center, 2013), <https://pen.org/report/chilling-effects/>.

384 “The Freedom to Read Statement,” American Library Association, July 26, 2006 <https://www.ala.org/advocacy/intfreedom/freedomreadstatement>.

385 Arkansas, Act 372 of 2023, *An Act to Protect Children from Harmful Content in School Libraries and Public Libraries*, codified at Ark. Code Ann. § 5-68-203 (2023); blocked as unconstitutional in *Fayetteville Public Library et al. v. Crawford County, Arkansas*, No. 5:23-cv-05086 (W.D. Ark. 2023), appeal pending. Texas, H.B. 900, 88th Legislature, Regular Session (2023) (the “READER Act”); enjoined in *Book People, Inc. et al. v. Wong*, No. 1:23-cv-01121 (W.D. Tex. 2023), appeal pending.

386 Salman Rushdie, “On Censorship,” Arthur Miller Freedom to Write Lecture, PEN World Voices Festival, New York, 6 May 2012, published in *New Yorker*, 23 May 2012, <https://www.newyorker.com/books/page-turner/on-censorship>.

pleasure than men. Interestingly, while fewer people are reading, those who *do* read are spending slightly more time on it, averaging 1 hour and 37 minutes on days they engage with a book.³⁸⁷

Ultimately, the findings in the United States suggest that while censorship is not a new battleground, the current assault on intellectual freedom represents a calculated effort to silence perspectives that challenge dominant power structures. The US case is an example of how even when there are extensive constitutional safeguards for the freedom to publish, much of the practical defence of that freedom falls to private actors who must fight state policies through successive lawsuits.

387 Jessica K. Bone, Feifei Bu, Jill K. Sonke, and Daisy Fancourt, “The Decline in Reading for Pleasure over 20 Years of the American Time Use Survey,” *iScience* 28, no. 8 (2025): 113288, <https://doi.org/10.1016/j.isci.2025.113288>. The study used a nationally representative sample of 236,270 respondents from the American Time Use Survey (2003–2023) and found a 3 percent annual decrease in the proportion reading for pleasure daily, with widening disparities by race, income, and education level. For children’s reading data, see Scholastic, *Kids & Family Reading Report: 8th Edition* (New York: Scholastic, 2023), <https://www.scholastic.com/readingreport>.

DIRECT AND STRUCTURAL CENSORSHIP: AN EXPANDING LANDSCAPE

Across the twenty-two national contexts examined in this study, a single overarching pattern emerges with striking consistency: the threats to freedom to publish have multiplied and compounded. Direct state censorship persists across numerous contexts and is, in several countries, intensifying. What this study documents is how the augmentation of direct state censorship by a proliferating layer of structural, indirect, and often self-reinforcing mechanisms of constraint operates alongside direct prohibition and frequently amplifies its effects.

This shift also signals a fundamental change in the actor landscape of censorship. The classical framework, derived from Habermas and its successors, positioned the state as the primary threat to expressive freedom, against which publishers and civil society required protection. That framework retains structural validity: even where private actors are the proximate source of pressure, state frameworks and state failures of accountability typically provide the conditions under which private power over publishing operates without constraint. But the actors capable of exercising censorial power have multiplied and diversified. Media conglomerates, digital platforms, organized pressure groups, and transnational market configurations now routinely shape what is published, not through prohibition but through the reconfiguration of incentives, the concentration of distribution, and the diffuse accumulation of risk. The link between democracy and freedom to publish is therefore changing not only in its mechanisms but in its subjects: the threat is now a structural configuration of actors whose effects are distributed, informal, and largely invisible to existing monitoring frameworks.

This finding demands a methodological caution that runs throughout the study. Standard indices of democratic health (RWB, V-Dem, Freedom House) are essential for understanding the broad state of a country's democratic institutions and formal protections for expression, and we advise the reader to examine each one independently to understand their full scale. The indices were designed to measure regime type and constitutional guarantees. They were not designed to capture what constrains publishers in their publishing decisions. Thus, the markers framework developed in this study addresses what these indices cannot capture. It does not replace them. On the contrary, it provides the analytical vocabulary necessary to understand the mechanisms through which publishing freedom operates across diverse national contexts.



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IV

FREEDOM TO PUBLISH: *A CROSS-CASE ANALYTICAL SYNTHESIS*

IV.I. FOUR ANALYTICAL LENSES: *THE MARKERS FRAMEWORK*

Making sense of the diversity documented across twenty-two cases requires an analytical framework that is both comparative and sensitive to context. The markers framework presented here does not rank countries against one another in a simple hierarchy, as such a ranking would misrepresent the multidimensional and often contradictory character of publishing environments. Instead, we propose four analytical lenses through which any publishing environment can be characterized: **the legal environment, the political climate, structural enabling conditions, and the gap between formal and substantive freedom to publish.** These four markers interact, reinforce, and sometimes substitute for one another. A highly robust legal environment can be partially offset by a hostile political climate, as in Germany. Weak structural enabling conditions can compound the effects of an already precarious legal environment, as in Nigeria and Mozambique. Thus, the markers are most analytically powerful when used together.

TABLE I: MARKERS AND SUB-MARKERS OF FREEDOM TO PUBLISH

MARKER	SUB-MARKER	DESCRIPTION	ILLUSTRATIVE CASES
LEGAL ENVIRONMENT	Formal legal protection	Presence and robustness of constitutional or statutory safeguards for freedom of expression and publishing.	• Japan • South Korea • Norway • Germany
	Enforcement reliability	Whether formal protections are consistently and impartially enforced, or subject to selective application and political override.	• Brazil (Crivella, appellate reversal) • Egypt • Azerbaijan
	Judicial overreach	Abuse of civil or criminal legal proceedings to impose financial, reputational, and psychological costs on publishers regardless of outcome, including through defamation suits carrying custodial sentences.	• Thailand • Canada • Slovenia • Brazil • Australia
	Weaponization of overbroad statutes	Deployment of colonial-era, disinformation, or national-security provisions against publishers for content their drafters did not intend to regulate.	• India (S. 295A) • France (1949 law) • Türkiye (2022 disinformation law) • South Korea (NSA) • Nigeria (Criminal Code/Cybercrimes Act) • Azerbaijan (Criminal Code defamation)
POLITICAL CLIMATE	Political polarization	Degree to which partisan polarization generates institutional pressure on publishers, independent of formal legal mechanisms.	• USA • Brazil • Germany • Slovenia
	Opportunistic use of power	Deployment of institutional or administrative levers by political actors to restrict content outside established legal channels.	• Hungary (MCC/Libri) • Brazil (Crivella) • India (administrative bans) • Germany (Weimer/Buchhandlungspreis)
	Absence of accountability for censorship promotion	Lack of sanctions for political actors who promote book bans or content restriction, creating permissive conditions for repeat action.	• Brazil • USA
	Electoral-cycle sensitivity	Intensification of content pressure during electoral periods, when political actors have heightened incentives to mobilize cultural grievances.	• Brazil • USA • Hungary • Mozambique (2024 post-election violence)

MARKER	SUB-MARKER	DESCRIPTION	ILLUSTRATIVE CASES
STRUCTURAL ENABLING CONDITIONS	Literacy, reading culture, and linguistic access	Adult literacy rates and the vitality of reading habits as the demand-side foundation of a viable publishing ecosystem.	• Nigeria (38% illiteracy) • Mozambique (39% illiteracy) • Norway (strong) • South Korea (youth revival) • South Africa (11 languages, 78% English market share) • India (22 scheduled languages; English/Hindi concentration)
	Distribution infrastructure	Robustness and plurality of physical and digital distribution networks; vulnerability to gatekeeping by dominant actors.	• Nigeria • Mozambique (14 bookstores nationwide) • Indonesia (Gramedia) • Hungary (Libri) • France (Amazon, Apple)
	Market concentration risk	Degree to which ownership consolidation in publishing, distribution, or retail creates structural leverage over editorial decisions.	• Hungary (MCC/Libri) • Indonesia (Gramedia) • France (Hachette/Bolloré; Amazon, Apple)
	Platform and digital exposure	Dependence on large digital platforms for distribution and visibility, creating exposure to private, transnational, non-judicially reviewable content removal.	• France (Apple/Izneo removes ~1,500 comics) • Australia
	Socioeconomic and production conditions	Currency stability, tariff environment, piracy rates, and access to production inputs as determinants of publishing viability.	• Nigeria (tariff asymmetry on paper inputs; currency devaluation) • Egypt (currency) • Türkiye (inflation)
FORMAL / SUBSTANTIVE GAP	Implementation gap	Distance between formal legal protection and its practical application, often produced by inconsistent enforcement or institutional capacity failures.	• Egypt • Azerbaijan • Brazil • India
	Export-driven anticipatory constraint	Editorial decisions shaped by the censorship standards of export markets with superior purchasing power, displacing domestic regulatory context.	• Egypt (Gulf market)
	Self-censorship intensity	Degree to which internalized risk avoidance substitutes for external enforcement as the primary mechanism of content regulation.	• Türkiye • Japan • India (Murugan) • Canada
	Visible signalling	Sectoral chilling effect by which high-profile withdrawals, prosecutions or administrative bans teach the rest of the publishing community what is unsafe — reshaping editorial behaviour through example rather than through any formal rule change.	• India (Penguin/Doniger recall; Aleph withdrawal) • Canada (Écosociété/Noir Canada) • Mexico (PRH tripling legal vettings post-Televisa) • France (Gallimard/Celine; Fayard/Mein Kampf)
	Institutional buffer	Publisher associations, freedom of expression organizations, and civic defenders translating formal rights into operational defence. Where strong, it narrows the gap; where absent, it widens it.	• USA / France (active-buffer cases) • PEN International (cross-contextual monitoring and advocacy) • Indonesia / Thailand (limited-capacity)

MARKER I:

Legal Environment

The first marker concerns the character of the legal framework within which publishers operate, whether those protections are reliably enforced, and if there are legal instruments available that can be weaponized against publishers and authors regardless of the formal guarantees on paper.

Three pathologies recur across the case studies. The first concerns colonial-era or overbroad statutory provisions pressed into service against content their drafters never had in mind. India's Section 295A of the Indian Penal Code was enacted under British colonial administration and has been mobilized by Hindu nationalist pressure groups to initiate criminal proceedings against publishers. France's 1949 law on publications for youth, designed to regulate comics and children's magazines in the post-war period, was invoked in 2023 to ban a picture book addressing childhood sexuality, without prior notification to the publisher and through a ministerial decree that bypassed judicial review. Türkiye's 2022 disinformation law, nominally aimed at combating false information, functions in practice as a broad instrument of editorial chilling, generating uncertainty about what can legally be published and without providing clear prohibitions.

A second pathology turns the legal process itself into the penalty. Here the instrument is the SLAPP, which works as censorship whatever its outcome. It is important to distinguish SLAPPs from ordinary legal proceedings: not every lawsuit brought against a publisher constitutes judicial harassment. A SLAPP is characterized by the abuse of procedural mechanisms against a publisher who has acted lawfully, through partially or wholly unfounded allegations, disproportionate claims for damages, serial litigation against the same defendant, or the use of criminal proceedings to amplify pressure. Civil SLAPPs impose financial costs that fall disproportionately on smaller, independent publishers; criminal SLAPPs, including defamation proceedings that carry custodial sentences, extend the threat to include imprisonment. In both forms, SLAPPs also impose reputational and psychological harm that is analytically distinct from their financial dimension. Thus, the stigma of litigation, the disruption to editorial operations, and the chilling effect across the wider sector are significant independent of whether the proceedings succeed. This pattern is documented in Mexico, Canada, Thailand, Brazil, Slovenia, and Australia, and has been identified as an emerging vulnerability in Norway.

The third pathology inverts the logic of the other two. Where prohibition subtracts titles, what the Türkiye case study calls positive censorship establishes in advance which titles count as acceptable. The booklist issued by the Turkish Ministry of Family Affairs for children forbids nothing outright. It defines acceptability, and in doing so consigns everything left off the list to a zone of regulatory ambiguity that publishers learn to navigate by anticipating what disfavour might bring. This mechanism is distinct from the banning of specific titles and deserves explicit recognition as a separate instrument of content regulation, one that operates through the construction of orthodoxy instead of the punishment of deviance. Spain marks the limit of what this marker can explain. There the constitutional prohibition on prior censorship worked exactly as designed, and the book still never reached readers. What unites the three pathologies is that the law supplies the instrument while the decision to reach for it lies elsewhere, in the political conditions that the second marker addresses.

MARKER II:

Political Climate

The second marker concerns the political environment within which publishing operates, specifically, the degree to which political polarization, opportunistic use of institutional power, and the absence of accountability for political actors who promote censorship combine to create a climate in which publishers face political risk that is neither codified in law nor enforceable in court.

Hungary provides the most fully developed illustration of this marker. The Orbán government's parliamentary supermajority has been used not merely to pass restrictive legislation but to restructure the cultural market itself. The government-linked Mathias Corvinus Collegium's acquisition of a 98.5% stake in the Libri Group, Hungary's dominant publishing and bookselling network, represents a form of structural political capture that does not require the censorship of any individual title. Publishers seeking access to Libri's distribution network may anticipate political sensitivities without any explicit instruction to do so. As the Hungary case study observes, this mechanism turns publishing into a high-risk endeavour aligned with state ideology, not through coercion but through the reconfiguration of incentives.

The same dynamic surfaces in a democratic register across the United States, Brazil and Mexico. In Brazil, the Crivella case –in which the mayor of Rio de Janeiro ordered the removal of a graphic novel from a book fair on the grounds of protecting children from LGBTQ+ content– was resolved only at the appellate stage, years after the seizure order had been issued and the chilling effect on exhibitors produced. The resolution at the appellate level demonstrates that formal democratic safeguards can function, but also that their functioning is structurally uneven: it depends on the availability of legal resources, the speed of judicial response, and the willingness of publishers to contest decisions that, even when ultimately reversed, impose immediate costs. The absence of sanctions for political actors who promote censorship means that the political climate is self-reinforcing.

Germany and South Korea point to a prospective version of the same risk, since both case studies identify the risk of future institutional capture by anti-democratic political forces as the primary structural vulnerability, even in the absence of current political censorship. Germany's AfD party has established denunciation platforms targeting teachers who use certain books, creating a chilling effect on educational content without constituting formal censorship. South Korea's National Security Act restricts expression related to North Korea and political ideology, serving as a standing ideological constraint that varies across administrations depending on how strictly it is enforced. Law and politics, however, presuppose a sector with the means to publish at all, and it is those material foundations that the third marker examines.

MARKER III:

Structural Enabling Conditions

The third marker addresses the socioeconomic and cultural conditions that determine if publishing is practically possible regardless of what the law says.

Nigeria shows what this looks like in practice. Roughly 38% of the adult population cannot read, distribution networks remain thin outside the main cities, currency devaluation has inflated production costs, and the tariff regime taxes imported paper and other printing inputs while finished books enter duty-free. Piracy erodes the revenue that sustains publishing. Political and legal risk is real, as the prosecution of Dele Farotimi in 2024 and the continued use of the Cybercrimes Act make clear, yet the conditions that most consistently determine what can be published and read are structural. The National Book Purchase and

Distribution Policy (2023) and the National Literacy Strategy (2015) exist as formal policy commitments, but implementation remains vague and underfunded. In this context, speaking of freedom to publish as a legal or political category captures only a small fraction of what determines whether diverse publishing is practically achievable.

The structural marker also captures market concentration in distribution, a form of constraint that is particularly visible in the Global South cases but is not limited to them. In Indonesia, the Gramedia distribution network's dominance functions as a de facto editorial gatekeeper, shaping which books reach readers independently of any legal or political intervention. In Hungary, Libri's integration of publishing and retail across a dominant network creates structural leverage over what achieves commercial visibility. In France, the dominance of large digital platforms produces algorithmic gatekeeping that operates across national legal frameworks and removes content not because it violates any specific legal standard but because it triggers platform-level content policies. This form of market concentration risk is the most structurally novel finding of the study, since it represents a form of censorship that is private, transnational, and largely immune to the legal and political accountability mechanisms that existing press freedom frameworks were designed to monitor.

Norway's case study advances an argument that deserves systematic application across all contexts: that freedom to publish depends not only on legal protections for publishers but on the population's capacity and freedom to read, which is itself a function of literacy, educational investment, library infrastructure, and the cultural habits that sustain long-form reading against the competitive pressure of digital media. Where reading culture is strong, diverse publishing is structurally supported by demand. Where it is weak, formal publishing freedom is practically hollow because there is no audience to sustain it.

MARKER IV:

The Gap Between Formal and Substantive Freedom to Publish

The fourth marker is, in a sense, the overarching thesis that the other three markers collectively demonstrate: that formal legal guarantees of freedom to publish are necessary but not sufficient conditions for the substantive realization of that freedom, and that the gap between formal and substantive freedom is the primary diagnostic variable in characterizing a publishing environment.

This gap takes qualitatively different forms across the case studies. In Japan, the post-war Constitution explicitly prohibits state censorship, yet informal socio-cultural pressures - the "reading the air" culture, anticipatory sensitivity to public backlash and conservative social norms - produce an editorial environment in which certain subjects are structurally avoided without any formal prohibition. In Canada, constitutional protections exist but are structurally insufficient without policy support, since the close integration of Anglophone Canadian publishing with the United States market has produced a situation in which formal freedom coexists with economic conditions that constrain what can viably be published. In South Korea, a formally liberal democratic framework coexists with criminal defamation laws that place the burden of proof on publishers even for factually accurate statements, and with a National Security Act that functions as a standing ideological constraint.

The gap is most acute, and most analytically significant, in cases where the formal legal framework is itself the instrument through which substantive freedom is curtailed. Azerbaijan exemplifies a system in which formal publishing freedoms coexist with pervasive informal and structural restrictions. State repression, market concentration, and internalized self-censorship interact to significantly limit both the diversity of

published content and its accessibility, while the formal guarantee remains nominally intact. Egypt’s case adds a further dimension: the uncertainty generated by inconsistent application of national security laws is itself a mechanism of constraint, since publishers cannot predict what will trigger prosecution and therefore apply the most conservative possible editorial standard as a precaution.

IV.II. TYPOLOGY OF PRESSURES AND DYNAMICS

It is essential to acknowledge that these typologies are neither discrete nor mutually exclusive. In practice, mechanisms overlap, reinforce one another, and operate simultaneously within single publishing environments. A publisher in Brazil may face direct state pressure (seizure), structural pressure (litigation burden), and self-censorship effects (institutional precedent) within the same editorial decision. In Mexico, organized violence (direct), strategic litigation (structural), and market-driven avoidance (self-censorship) coexist. The typologies are most useful as a vocabulary for describing how constraint operates in a given context, naming which mechanisms are present, which dominates, and how they interact, and they are least useful when treated as fixed categories. That distinction matters because configuration and intensity vary so widely. Direct state censorship predominates in some countries and structural mechanisms in others, while most sit between the two, which is why the analysis that follows reads the markers in combination instead of assigning each case to a single type.

TABLE II — TYPOLOGIES OF CENSORSHIP PRESSURES AND DYNAMICS

TYPOLGY	MECHANISM	DESCRIPTION	ILLUSTRATIVE CASES
DIRECT / STATE-DRIVEN	Explicit book bans and administrative prohibition	Formal state orders banning, recalling, or destroying specific titles; police raids and seizure of stock.	- India (J&K forfeiture order under BNSS s. 98; Penguin recall) - Egypt (pre-publication blocking) - Türkiye (Ministry restrictions)
	Criminal prosecution of publishers and authors	Use of criminal law — blasphemy, defamation, sedition, anti-terrorism, lèse-majesté — to impose personal legal risk and consequences on content producers, including imprisonment, reputational harm, and prolonged legal jeopardy independent of outcome.	- Azerbaijan - Egypt - Thailand - India (S. 295A) - South Korea (NSA)
	Administrative gatekeeping	Delay or restriction in access to ISBNs, book fair participation, import licenses, or classification approvals as a de facto prior censorship mechanism.	- Egypt - Azerbaijan - Türkiye - Australia (Classification Board)
	Positive censorship	State-defined lists of approved or recommended content that implicitly delegitimize everything outside them, producing constraint through the construction of orthodoxy rather than the prohibition of deviance.	- Türkiye (Ministry of Family Affairs booklist) - Hungary (textbook state list)

TYPOLOGY	MECHANISM	DESCRIPTION	ILLUSTRATIVE CASES
INDIRECT / STRUCTURAL	Market capture and distribution control	Acquisition or alignment of dominant publishing, distribution, or retail actors with state or politically connected interests, shaping editorial access without formal censorship.	· Hungary (MCC/Libri 98.5%) · Indonesia (Gramedia) · Azerbaijan (state-linked publishers) · France (Vivendi/Hachette)
	SLAPPs and litigation burden	Strategic lawsuits — civil and criminal — used to impose financial, reputational, and psychological costs on publishers regardless of outcome. Civil SLAPPs produce economic attrition; criminal SLAPPs, including defamation suits carrying custodial sentences, extend the threat to include imprisonment. Both forms produce a chilling effect across the wider sector independently of their outcome.	· Mexico · Thailand · Canada · Brazil · Slovenia · Australia
	Platform and algorithmic gatekeeping	Private, transnational platform content removal or visibility suppression operating outside the legal and political accountability frameworks of any single jurisdiction.	· France (Amazon, Apple) · Australia
	Symbolic erasure and social media pressure	Online harassment campaigns, denunciation platforms, and mobilized public pressure causing publishers to withdraw or modify content without formal prohibition.	· Germany (AfD platforms) · France (social media campaigns) · Canada · USA · Australia (UQP/Bila: A River Cycle) · South Africa (From the River to the Sea)
SELF-CENSORSHIP	Anticipatory self-censorship	Avoidance of content through the pre-emptive alteration of works based on perceived risks, caution shaped by past restrictions and reprisals against colleagues, operating in the shadow of prior or possible threats, through internalized perception of legal, political, or reputational risk.	· Japan (“reading the air”) · Türkiye (routine manuscript reviews) · Egypt (Gulf anticipation) · Germany (online campaign anxiety)
	Reactive self-censorship	Withdrawal or modification of content after pressure has been applied, with signalling effect across the publishing sector.	· Canada (Ecosociété) · France (Gallimard/Céline) · India (Penguin/Doniger) · Japan (Kadokawa/Shrier) · Spain (Anagrama/El Odio)
	Market-driven self-censorship	Avoidance of content for commercial rather than political reasons, viability calculus producing constraint without legal or political pressure.	· Canada (US market integration)

IV.III. CROSS-CUTTING PATTERNS

The Protection of Children Justification as a Cross-Contextual Mechanism

One of the most striking cross-case findings of the study is the recurrence of child protection as a justificatory frame for content restriction across contexts that are otherwise radically different in their political character, legal traditions, and cultural settings. In Hungary, the 2021 Child Protection Law required opaque wrapping for any book depicting LGBTQ+ themes, barred such books from youth sections and banned them from schools, until the government elected in 2026 moved to repeal those provisions. In Brazil, the Crivella case turned on the alleged unsuitability of a graphic novel for younger readers. In France, the 1949 law invoked to ban a children's sexuality picture book is formally a measure for the protection of youth. In Türkiye, the Ministry of Family Affairs' recommended booklist is framed as a child-friendly initiative. In Australia, the Classification Board's mandate covers content that is considered harmful to minors. In Canada, Alberta's ministerial orders on school libraries and its 2026 bill on public libraries are presented as measures to keep sexually explicit images away from children, while publishers' associations argue that the restrictions fall disproportionately on works centering 2SLGBTQIA+ experiences. In the United States, the book banning campaigns that have accelerated since 2021 are predominantly framed as parental rights initiatives aimed at protecting children from age-inappropriate material. Spain shows the same justification raised judicially rather than legislatively, and refused: prosecutors sought to halt distribution of *El Odio* on behalf of the privacy and image rights of two murdered children, and the courts declined twice, warning that suspension risked amounting to prior censorship.

The analytical significance of this pattern lies in its structural function across different political contexts. Child protection is a justification that is difficult to contest publicly without appearing to oppose the welfare of children, which makes it structurally versatile as a basis for content restriction. It can be deployed by conservative religious movements, progressive municipal governments, authoritarian states, and liberal democracies with equal plausibility. Its cross-contextual recurrence is not coincidental; it represents a convergence on the most politically durable available ground for legitimizing the restriction of content that is, in most cases, targeted for other reasons, most commonly, LGBTQ+ representation, sexual content more broadly, and content that challenges prevailing social and ideological norms. The pattern is not confined to publishing. Reporting to the Human Rights Council in August 2026, the UN High Commissioner for Human Rights found that states regularly adopt frameworks pursuing legitimate aims, child protection among them, which in practice broaden the scope for interference with expression and observed of age-verification and access-gating measures that they can erode rather than strengthen online safety.³⁸⁸

Self-Censorship: A *Taxonomy of the Invisible Mechanism*

Self-censorship emerges as the least visible mechanism in the great majority of cases, and the data support a more refined taxonomy than the term usually implies. For this study, self-censorship is defined as the structural alteration of publishing decisions — whether in content, framing, timing, or distribution — in response to perceived legal, political, commercial, or social risk, independently of whether any formal prohibition has been issued or any threat has been directly communicated (see the *Introduction*). Therefore, it serves as a rational response to a structural environment in which the costs of publishing certain content have been rendered sufficiently high that avoidance becomes the default. Three analytically distinct forms can be distinguished based on the case study evidence.

388 Office of the United Nations High Commissioner for Human Rights, *Protecting Human Rights Defenders in the Digital Age*, UN Doc. A/HRC/63/52 (August 7, 2026), paras. 9, 17 and 20.

Anticipatory self-censorship: the pre-emptive alteration of works based on perceived risks — caution shaped by past restrictions and reprisals against colleagues, operating in the shadow of prior or possible threats. It is the most structurally significant form because it requires no enforcement action directed at that publisher by any external actor and leaves no formal record. It operates through the internalization of structural, ambient risk: the publisher scans the observable environment (the prosecution of a colleague, the withdrawal of another publisher's title, the removal of content by a platform, the pattern of harassment campaigns targeting certain subject matter), and adjusts editorial decisions accordingly, without needing to receive any specific signal or instruction. This is precisely the spiral of silence mechanism introduced in Section I. II. The structural threat is invariably already present, constituted by the accumulated record of what happens to those who publish certain content. *Anticipatory self-censorship* is the publisher's rational response to that record. This form, once established across a sector, requires no maintenance cost from the state or other gatekeepers, since reactive events involving other publishers generate the environmental signals that sustain it. Japan's "reading the air" culture, Türkiye's routine manuscript legal reviews conducted before submission to any authority, and the Egyptian publisher who adjusts content at the commissioning stage to meet anticipated Gulf market requirements are all instances of anticipatory self-censorship at different points on the severity spectrum, but in each case, the internalized constraint derives from a structural environment already saturated with prior signals of consequence.

Reactive self-censorship: the withdrawal of content once pressure has already been applied, which is the one form that leaves observable traces. In Canada, *Ecosociété* agreed to stop publishing *Noir Canada* in an out-of-court settlement, Gallimard suspended the planned reissue of Céline's antisemitic pamphlets after public campaigns, and Kadokawa cancelled a planned translation in Japan following public criticism. Anagrama's withdrawal of *El Odio* is the starkest instance, since the publisher abandoned the book after twice defeating the prosecution's attempt to stop it, under pressure from a victim's campaign and a boycott by bookshops. Their significance lies partly in the individual withdrawal, but more importantly in their signalling function; they communicate to other publishers' what kind of content produces the kind of attention that leads to withdrawal, and they thereby shape anticipatory self-censorship across the sector.

Market-driven self-censorship: the avoidance of content for commercial rather than political reasons is structurally distinct from the other two forms because it does not require either a legal framework or a political climate that is hostile to specific content. It operates through the logic of viability: content that is unlikely to generate sufficient commercial return, or that is likely to generate controversy that has commercial costs, is avoided regardless of whether it is legally permissible or politically contested. This form is most visible in the Canada case, where English-language publishing is closely tied to the United States market, but it is likely under-identified across the case studies, since it produces no external pressure that researchers can document through interviews.

IV.IV. THE TRANSNATIONAL DIMENSION: *BEYOND NATION-STATE ANALYSIS*

Several of the most analytically sophisticated findings of the study resist purely nation-state-centred analysis. The Egypt case documents a dynamic that deserves to be named explicitly as a structural phenomenon: Egyptian publishers must anticipate the censorship standards of Gulf export markets when making editorial decisions at the point of manuscript commissioning, well before any Gulf review occurs.

This means that the effective regulatory environment for Egyptian publishing is not determined solely by Egyptian law and political conditions but by a transnational configuration that gives the most restrictive market in the export chain a disproportionate structuring influence over what is published in a different country. This export-driven anticipatory self-censorship is structurally distinct from domestic self-censorship and implies that freedom to publish analysis must take account of the architecture of export markets and their differential bargaining power over producing country publishers.

Platform governance raises a parallel challenge. When Apple's App Store requirements lead a French digital comics platform to withdraw some 2,800 French-Belgian titles, around 1,500 of which remained unavailable, or when Amazon removes educational comics from its Kindle catalogue under its own terms of service instead of the legal standards of the jurisdiction in which the publisher operates, the regulating actor is not a state at all. Platform governance is defined by a critical accountability deficit: core decisions are shaped by terms of service, algorithmic filtering, and commercial logic within corporate headquarters far removed from the publishing markets they affect. Consequently, these private decisions operate without the judicial review, parliamentary scrutiny, or constitutional checks that traditionally govern state restrictions. This represents a qualitatively new form of content gatekeeping that existing conceptual and legal frameworks for freedom to publish were not designed to address, and whose implications for publishing freedom are among the most urgent directions for future research.

The Content Dimension: *What Is Targeted and Why*

Examining what is targeted across the twenty-two cases reveals two analytically important patterns. The first is that censorship mechanisms, however varied their form, are deployed against a remarkably consistent set of thematic categories: LGBTQ+ representation and content, political and government criticism, religious and communal identity narratives, content related to historical trauma or contested national memory, and material on sexuality, particularly as it relates to minors. The consistency of targeted content across contexts that differ radically in their legal, political, and cultural character suggests that the content of censorship is not primarily a function of the specific regulatory framework but of what is deemed strategically sensitive in each context.

The second pattern is that the relationship between censorship instruments and targeted content is not arbitrary. Different instruments are systematically deployed against different content types. Defamation law and national security legislation are the preferred instruments against political criticism and investigative publishing, as documented in South Korea, Thailand, India, and Brazil. Child protection legislation and classification systems are the preferred instruments against sexual content and LGBTQ+ representation, as documented in Hungary, France, Türkiye, Australia, and the United States. Administrative discretion (ISBN access, book fair exclusion, pre-publication review) is the preferred instrument in contexts where legal mechanisms are less reliable or more visible, as documented in Egypt and Azerbaijan. Understanding which instrument is available and against which content it is most likely to be deployed is essential to predict where pressure on publishing freedom is most likely to emerge.

TABLE III — TYPOLOGIES OF TARGETED CONTENT

JUSTIFICATORY GROUND	THEMES TARGETED	INSTRUMENTS TYPICALLY DEPLOYED	CASES
Protection of children / morality	LGBTQ+ representation; childhood and adolescent sexuality; nudity; content deemed age inappropriate.	Classification systems · content wrapping mandates · school library removal · administrative bans · platform removal	· Hungary · France · Türkiye · Australia · USA · Brazil · Indonesia · Canada (Alberta)
National security / anti-terrorism	Content on contested territories, secessionism, or political dissent framed as a security threat; North Korea-related content.	Anti-terrorism statutes · administrative bans · police raids · criminal prosecution	· India (Kashmir) · South Korea (NSA) · Thailand (monarchy/CCA) · Egypt
Religious sentiment / blasphemy	Texts perceived as insulting to religious communities; critical historiography of religions; content engaging with minority religious practices.	Colonial-era blasphemy provisions · criminal complaints · out-of-court settlement pressure · bookshop raids	· India (S. 295A / Penguin-Doniger) · Brazil (afro-Brazilian religion) · Indonesia · Egypt
Political / government criticism	Investigative non-fiction; critical political biography; content challenging governing parties or elite reputations.	Defamation law · criminal prosecution · denial of distribution access · administrative harassment	· Azerbaijan · Egypt · Türkiye · Thailand · South Korea · Mexico (Televisa v. PRH) · Nigeria (Farotimi) · Canada (Écosociété/Black Canada)
Historical trauma / contested memory	War and atrocity narratives; colonial history; atomic bombing; extremist historical texts; contested national identity.	Educational filtering · textbook certification · self-censorship by major publishers · social media pressure	· Japan (Barefoot Gen) · Germany (Mein Kampf critical ed.) · France (Céline pamphlets) · Türkiye (Armenian and Kurdish historical narratives)
Race, ethnicity and systemic violence	Systemic racism; colonial violence; minority identity; content perceived as racially sensitive by any political direction.	Institutional self-censorship · administrative removal · litigation risk · social media campaigns	· Canada (title withdrawn over a single racial slur) · Brazil (O Avesto da Pele) · USA
Territorial and cartographic sensitivity	Maps depicting contested borders or disputed territories; content on sovereignty disputes.	Administrative seizure · import restrictions · pre-publication review	· Egypt (maps / territorial disputes) · India (Kashmir content)
Monarchy and elite protection	Criticism of or commentary on royal families and politically protected institutions.	Lèse-majesté criminal law · Computer Crimes Act · SLAPP litigation · anticipatory self-censorship	· Thailand

Each row represents a distinct justificatory logic through which censorship pressure is applied. Colours are unique per ground for ease of reference.



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V

POLICY RECOMMENDATIONS

The cross-case analysis presented in this study provides not only a typology of constraints but also practical directions for strengthening freedom to publish across the different national contexts. The findings resist simple prescription, because no single institutional intervention works equally well across different settings. What the twenty-two cases share, however, is a plain lesson. Formal protections alone are insufficient, and freedom to publish in practice depends on institutional effort that has to be maintained without interruption. Four broad directions emerge from the evidence, and each operates across different timescales and requires different kinds of political commitment.

RECOMMENDATION I:

Structural Policy Support for Diverse Publishing Ecosystems

(Short to Medium Term)

Cultural and market policy can act as a protective environment for publishing, but when they are poorly designed, they can also become an additional source of constraint. The United States illustrates how coalitions of publishers, authors, and library associations respond to restrictive legislation through coordinated advocacy and legal challenges. These actions help delay or block laws that would otherwise limit access to books. By contrast, the concentration of state-linked publishers in Azerbaijan's production and distribution networks shows how structural market conditions can reduce diversity in publishing without any direct censorship. Unlike legal reform, structural policy changes such as public purchasing, targeted subsidies for independent publishers, and distribution regulations can be started more quickly and adjusted as conditions change. However, their effects are gradual, because conditions needed for a diverse publishing ecosystem develop over years rather than months, so this direction belongs to the medium-term horizon while allowing for more immediate first steps.

In addition, to tackle the transnational censorship exercised by corporations through platform-driven content governance, states can develop and strengthen national and regional policy instruments designed to reduce structural dependency on a small number of digital platforms, thereby diminishing their capacity to perform as *de facto* censors of literary content. Concretely, this may include public funding mechanisms for platform-independent distribution infrastructure. A more diverse and resilient publishing ecosystem is a structural precondition for freedom to publish in the digital age, and a necessary counterweight to the transnational censorship power that concentrated platform ownership has accumulated.

RECOMMENDATION II:

Investment in Independent Institutional Architecture

(Medium to Long Term)

Investing in institutional architecture is recommended in the medium to long term. Independent institutions play an essential role in maintaining freedom to publish over time. Norway's Freedom of Expression Commission, established in 2020, is an example of a government-created but editorially independent body that produces evidence-based assessments of the social, technological, and legal conditions for freedom of expression and makes recommendations that carry public and political influence because of

its institutional independence. Moreover, Slovenia's *Javna Agencija za Knjigo* (JAK) shows how a dedicated book agency can provide sustained financial and cultural support to a small-language publishing market without becoming a tool of political control. Lastly, Germany illustrates how institutional safeguards, including constitutional reforms to prevent political capture of the Federal Constitutional Court, alongside international advocacy and investment in reading literacy, help sustain freedom to publish. These cases suggest that institutional architecture works less as a guarantee than as a necessary condition that requires continued political commitment and independence from government. These institutions cannot be built quickly because their reliability depends on verified independence across multiple political periods. This is what makes their establishment a long-term investment and makes them very difficult to reverse once they begin to decline.

RECOMMENDATION III:

Reform of Legal Frameworks

(Long Term)

A recurring concern across jurisdictions relates to the existence of defamation laws without legal mechanisms to prevent their distortion; and the misuse of anti-terrorism and cybersecurity frameworks to suppress writers and publishers. To address these threats to freedom of expression, the following recommendations should be taken into consideration: first, the enactment of Anti-SLAPP legislation to shield individuals and organizations from litigation designed to silence rather than seek justice; second, the decriminalization of defamation, replacing penal sanctions with proportionate civil remedies; and third, the non-application of anti-terrorism and cybersecurity laws where freedom of expression is at stake.

Secondly, the further reformation of legal frameworks is needed. The existence of outdated or colonial era laws is one of the legal vulnerabilities presented in this study. In India, Section 295A of the Indian Penal Code, which is a provision introduced under British colonial rule, continues to be used as a tool of control against publishers working with religiously or politically sensitive material, which creates a chilling effect that goes beyond individual prosecutions. In France, the 1949 law on children's literature allowed an administrative ban to be issued without a court decision or prior notification to the publisher. As a result, the SNE did not challenge the legal basis of the responsible commission, but asked for a reassessment of the regime. Legal reform of this kind is necessarily a long-term process because repealing foundational legal provisions requires sustained political support, cooperation between civil society and publishing associations, and more significantly, the ability to resist structured opposition. Despite it, the evidence of this study suggests it is essential. If the law allows non-transparent restrictions, even the strongest guarantees for freedom of expression offer insufficient protection in practice. Freedom to publish cannot be built on legal frameworks designed for political conditions that no longer exist.

Furthermore, while child protection constitutes a legitimate and fundamental state interest, the comparative evidence gathered in this study revealed a persistent pattern of misuse: the invocation of children's welfare as a justificatory frame for content restrictions that, upon closer scrutiny, serve political ends rather than genuine protective purposes. From Hungary's 2021 Child Protection Law targeting LGBTQ+ literature to book-banning campaigns in the United States framed as parental rights initiatives, the rhetorical weaponization of child safety has become one of the most effective tools of censorship. This trend is compounded by the fact that legal instruments designed to protect children's rights are susceptible to selective or decontextualized interpretations. Accordingly, this report recommends that any content restriction justified on child protection grounds be subject to rigorous scrutiny: states and courts must follow pa-

rameters applied by international human rights courts to verify whether the restriction is permissible. For instance, the three-step test applicable by the European Court of Human Rights to verify violations of the right of freedom of expression enshrined in Article 10 of the ECHR: the measure must be prescribed by law, pursue a legitimate aim, and be strictly necessary and proportionate in a democratic society. Vague reference to morality, age-appropriateness, or family values, absent clear evidence-based harm, should not satisfy this threshold. States must be called upon to ensure that the legal framework protecting children is never instrumentalized as a pretext for censorship, and that children’s own right to access information and freedom of expression, guaranteed in the UN Convention on the Rights of Children, is given full and equal weight in any regulatory assessment.

RECOMMENDATION IV:

Cultivating Reading Culture as Democratic Infrastructure

(Long Term)

Finally, cultivating reading culture is an important part of democratic infrastructure in the long term. The consistently overlooked finding of this study is perhaps the freedom to publish, understood as covering the entire process from decision on content to readers, but it cannot be separated from the conditions of reading itself. Brazil’s efforts to modernize public libraries and bring authors into schools, and South Korea’s growing independent publishing sector and book fair culture, show that reading culture is not a background factor but an active part of publishing freedom. UNESCO’s 2025 literacy data shows 739 million adults worldwide still lack basic literacy skills. Cultivating reading culture requires sustained investment in education, library infrastructure, and civic programming. It is a long-term commitment with no shortcuts, but its benefits grow steadily over time.

CONCLUSION

Across all four directions, the evidence points to a single conclusion. Formal protections such as constitutional guarantees, legal frameworks, and international commitments are necessary but insufficient. Each pathway identified above requires active maintenance. Legal frameworks must be regularly reviewed—considering the political conditions. Structural policies must be monitored to ensure they do not reduce competition or disrupt the market. Institutions must be protected from political intervention across different governments. Reading culture must be treated as a matter of public policy. The difference in timing between these measures is important. Short and medium-term actions create the immediate conditions for a more resilient publishing environment. Long-term commitments build the institutional and cultural foundations without which any short-term progress stays fragile. As Mr. Einarsson noted, “*what we thought was not possible at all, five years ago, is now possible.*” Publishing freedom does not maintain itself; it depends on sustained institutional effort in all cases, and it becomes vulnerable when that effort is absent.

