

Islamic Injunctions Regarding Freedom of Expression

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Abstract

Islam is a complete code of life. It gives us guidance in every sphere of life either it is private life or public life. In the private sphere of life, Islam gives us even minute and tiniest details for the guidance because a physical human being will never change till the Day of Judgment. But in the public sphere of life, it gives us rules which are to be followed. Islam is a great proponent of freedom of expression. The basic principle of Islam regarding freedom of expression can be derived from the Holy *Qur’ān* (3:256) “There shall be no compulsion in (acceptance of) the religion. Freedom of expression is a globally accepted phenomenon. The content analysis approach is used in this paper regarding the divine and viable approach regarding freedom of expression. This paper is an attempt to unveil the best possible rules regarding the freedom of expression with certain restrictions that are necessary for a system of checks and balances.

Keywords: Freedom of expression, *Qur’ān*, Sunnah, Islam

1. Introduction

In the context of discussions on human rights, freedom of speech is an important element as a medium to express their views. Freedom of expression not only involves the use of vocals but also involves the act of the body as an expression of stating what is in our hearts. Freedom of expression is also a way out to overcome the problem of communication between leaders and the herd. However, freedom of expression in today's realities has been a worrying concern for all. Some of the people speak without taking into account several elements before issuing an argument or opinion. Furthermore, street demonstrations also are the ones chosen by the public to voice their demands and grievances.

In the recent past, Freedom of expression has turned out to be the most significant phenomenon in the modern world. Due to its very important, every sphere of life is being affected by it. Freedom of expression is the fundamental right for humans in Islam. There are many Qur’ānic verses that state the importance of freedom of expression. The fundamental rule of the Islamic injunctions regarding conversation is to talk in a good way. As Allah says in the Holy *Qur’ān*: “And speak gently to the People³. Like many other misconceptions about Islam, it is also thought that Islam doesn’t support freedom of expression. This idea is

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³ Al-*Qur’ān* 2:83

prevailed not only in European scholars but also in some liberal Muslim researchers. The only reason behind this is the lack of knowledge about Islam as a complete code of life.

In contrast to the western concept of freedom of expression, Islam guarantees freedom of expression with certain limitations. Allah said, "Avoid false statement"⁴. Islam provides the best system of checks of balance in this regard. At other places in *Qur'ān*, Allah orders Muslims should refrain from lie and always speak the truth in these words "O you people of faith, Fear from Allah and always say right words"⁵. This is very necessary for making a society peaceful.

UNESCO defined Freedom of Opinion, Expression and Information in these words (a) everybody is free to have an opinion without any hindrance. (b) Every person is free to have different forms of freedom of expression including, which comprises liberty to pursue, get and convey all sort of thoughts and information, irrespective of borders, in any form of art either in writing or orally with the help of any form of media of his own choice. (c) Freedom of expression available to every human being is subjected to some restriction as enshrined in any form of International law. (d) Anybody who feels aggrieved by any form of the restriction imposed on his right to freedom of expression can challenge these restrictions to any lawful tribunal or court. (e) Any restriction imposed on the right of freedom of expression must be used in order to protect any kind of misuse of the right of expression.⁶ This declaration of freedom of expression is a universally accepted document for humanity. This declaration clearly supports the Islamic idea of freedom of expression.

2. Islamic Theory of Freedom of Expression

The right to freedom of expression in the Islamic model very comprehensive which helps society in smooth functioning. It is a flawless model because of its divine nature. People are only allowed to give an opinion, under the Islamic concept of freedom of expression, only when it is beneficial to society. But limitations on freedom of expression certainly do not shrink ascertaining the truth and not to vitiate humanity. *Qur'ān* says "So what would you love after clearance the truth except for error"⁷.

There are several reasons enshrined in the Holy *Qur'ān* about the freedom of expression. Ascertaining of just and truth is one of the most important factors and purposes of the freedom of expression. *Qur'ān* and Sunnah guide us in this very aspect. In *Qur'ān* Allah says that "And don't mix the truth with falsehood or

⁴ Al-*Qur'ān* 22:30

⁵ Al-*Qur'ān* 33:70

⁶ UNESCO (2000). Principles on Freedom of Expression and Protection of Reputation, UNESCO, ARTICLE 19, London. <http://www.ipu.org/splz-e/sfe/definition.pdf>

⁷ Al-*Qur'ān* 10:32

conceal the truth while you know it”⁸. In another verse in the *Qur’ān*, Allah says that “And the word of your Lord has been fulfilled in truth and injustice”⁹. The holy Prophet PBUH also stated the importance of truth in these words “To tell a word of truth to a tyrant king is the best form of Jihad”.¹⁰

Another important purpose of freedom of expression is freedom of speech. Islam provides the freedom of opinion and speech to every person with some limitation. In Holy *Qur’ān*, Allah Almighty says “Invite all the people to your Lord with wisdom and best preaching, and only argue with them most graciously, Allah knows who is on the right path and who has strayed from the right path”¹¹. Dr. Salman bin Rehman, a well-known religious scholar stated the freedom of opinion and speech in Islam. “The right to the freedom of opinion and speech in Islam can be exercised only when it will be controlled with some restriction i.e., one has to talk to the opponents most beautifully and graciously so that there is no disturbance in the peace of society”.¹² It is very clear from the above-mentioned verses of the Holy *Qur’ān* that we should use our right to free speech very carefully and in the most optimistic manner. Our right to free speech should encourage people to find out the truth among them. It should be kept in mind that *Qur’ān* and Sunnah outline some rules for the collective matters and didn’t discuss in minute details as in personal matters. Prophet PBUH has set himself as a role model for Muslims in this regard.

It is in the very nature of the Islamic Injunctions, that the right of freedom of expression is not a result of any evolution, effort or struggle by humans but it is a gift by the Almighty Allah to the humanity because he doesn’t want to impose his injunctions on any person. But he will be held accountable for his deeds and freedom to act on his own will on the Day of Judgment. Allah says “Do justice between people by what Your Allah has revealed and don’t follow their vicious desires and follow the truth which has come to you”¹³. Hence, in the Islamic viewpoint, the main imperative source of this ultimate human right is the Wahī, and the second one is the teachings of Holy Prophet PBUH i.e., Sunnah. In contrast to the western world, the concept of Islam is not due to any struggle or evolution from people but it provides a reasonable right to the people.

Islam didn’t only give the right of expression but also guides us on how to use it with responsibility. There are two words and terminologies which were coined by early Muslims i.e., Hisbah and Naseehah. The first terminology Hisbah was

⁸ Al-*Qur’ān* 2:42

⁹ Al-*Qur’ān* 6:93

¹⁰ Imam Abu Dawod, Sunnan Abu Dawod, Hadith No. 438, Shaikh Ashraf publishers, Lahore, 2004

¹¹ Al-*Qur’ān* 16:125

¹² Dr. Salman Bin Abdul Rahman, Islam and Human Rights, Al-Hadi Publications, Lahore, 2011, PP. 95

¹³ Al-*Qur’ān* 4:48

invented by Umar (RA), the second among the Pious Caliphs. It means a moral obligation and duty of Muslims to enjoin each other for good deeds and ask others to refrain from bad deeds. Should be conveyed to the people in a very friendly and good manner so that people don't get offended from it. *Qur'āns* says that "You are the best nation produced for mankind. You enjoin what is right and forbid what is wrong and believe in Allah".¹⁴ At another place in the same Surah Allah says "And let there be arising from you a nation inviting to all that is good, enjoining what is right and forbidding what is wrong and those will be successful."¹⁵

Islam provides civil liberties and public freedom from its beginning. Western scholars don't have any deep knowledge about Islam, but many Muslim scholars which are being influenced by the dominant western civilization also claims that freedom of expression, women rights and other civil rights are the gift of Europe for the rest of the mankind. They think that these rights are the sole rights of the west, which is just a false claim. It is nothing more than a joke that Europe is the only proprietor of human and civil rights of Humanity. This is just a form of ignorance. Islam provides the foundation of all these human rights and civil liberties without any demand but as a matter of utmost right for a human.

In addition to it, it is also accepted by almost all the prominent historians that the period of Khulfae Rashideen (Pious Caliphs) as a yardstick to measure the ideal form of human and civil liberties. In this context, Hamid Ansari said that the Era of Hazarat Umar (R.A) was the ideal for the freedom of expression and civil liberties. Whenever any important problem occurred, Umar (R.A) called upon a meeting of top companions of the Holy Prophet (PBUH) in the Masjid Nabvi. There in the meeting, every person was free to give his opinion without any fear or restriction in front of Khalifah. It is his routine approach that he called people in Masjid of the Prophet Muhammad (SAW) when an important issue occurred. Every person freely expressed his opinion in front of the Khalifah (the head of state). He included the spirit of consultation of Islam in true sense.¹⁶

Islam provides freedom of expression and speech with some reasonable moral restrictions. Therefore in order to make society peaceful it is very imperative to impose certain restrictions on the freedom of expression in any civilized society so that nobody can misuse his right. The main reason to give the freedom of expression is that it should be used to propagate good and virtuous things and not for those things which are prohibited by Allah Almighty. The same is directed by

¹⁴ Al-*Qur'ān* 3:110

¹⁵ Al-*Qur'ān* 3:104

¹⁶ Mawlānā Hāmid Anārī, *Islam kā Nizām-e-Hukūmat* (The System of Government in Islam, URDU) (Lahore: al-Faisal Publishers, n. d.), 112.

the Holy Prophet PBUH in one of the hadith as “a Muslim is one from whose tongue and hands other Muslims are safe.”¹⁷

These historical events and many others in the Islamic literature show that freedom of expression and speech along with the freedom of other human activities were the part and parcel of the Islamic injunctions from the very early stage. It is again worth mentioning that Islam grants these rights and civil liberties without any demand as a matter of right. These rights are conferred by Allah Almighty and no ruler can suppress these rights. In Islam, freedom of speech and expression is curtailed and limited only when any section of society is being hurt by using the freedom of expression as a tool. Wiederhold argued that according to many Islamic scholars, the basic offence which creates the significant cause for the curtailment of freedom of expression is blasphemy. According to Islam, any act of expression which is having a hostile slant against any of the fundamentals of Islam especially Allah, *Qur’ān*, and Prophet Muhammad PBUH. These blasphemous statements are used to insult the Muslims. *Sabba* (to abuse, insult) and *Shatam* (Vilify) common words used in Islam for describing blasphemy.¹⁸ In this way Islam safeguards the basic civil and fundamental rights of freedom of expression and speech and also imposes some restrictions on its use so that nobody can misuse his freedom to annoy others and to create chaos in the society. The Islamic concept of freedom of expression is based on high moral standards along with self-imposed restrictions. The same is concluded by Ali Muhammad Bhat in his research article that Islamic legal theory has discussed the freedom of expression and speech in a much-classified way. It tries that society should be put up on a highly ethical base. The reason to build up high ethical base for society is to make society peaceful and provide a platform for the member to live with harmony and love. Islam bounds freedom of expression and speech where it turns as sacrilegious, offensive blasphemous and creates social disorder. Islamic law built on the Holy Qur’an and Sunnah preserves the right to freedom of speech and expression but controlling it when it results in obstructing the reason for the finding truth, even where speech is violent and spiteful. But there is no worldly punishment for it in Islamic Injunctions as the matter is left exclusively to Allah Almighty¹⁹.

Western and Islamic concept of freedom of expression and speech is entirely different in two aspects. Firstly Islamic concept of freedom of expression is not a result of any evolution and a struggle from any segment of the society but it is a

¹⁷ Sahih Muslim: 69

¹⁸ Wiederhold L (1997). “Blasphemy Against the Prophet Muhammad and his Companions (*sabb al-rasūl, sabb al saḥābah*): The introduction of the topic into Shāfi’ī legal literature and its relevance for legal practice under Mamluk rule.” *J. Semitic Stud.* 42/1:39-70.

¹⁹ Ali Muhammad Bhat, Freedom Of Expression From Islamic Perspective. *Journal of Media and Communication Studies* 6: (2014)69-77.

divine gift from Allah to humanity whereas the western concept of the freedom of expression is the result of the struggle. Secondly, the western concept of freedom of expression is limitless in its nature, whereas the Islamic model of freedom of expression is not limitless but articulated with certain restrictions.

As Riaz Ahmad Saeed expressed that there is no second opinion that human rights and freedom of expression are the most important tenets for humans, particularly the freedom of expression as a priceless tool for communication but Islamic and Western concept of freedom of expression is quite different from each other. Under Islamic law, the right of expression and speech is coupled with some moral and legal limitations whereas the West leaves it limitless or put few limits which are unable to protect the dignity and morals of the society. West forces Islamic Organizations, Islamic states and common people to follow European concept of freedom of expression. Freedom of Expression and speech is though very important part of human life but you can't force your viewpoint on the others It is also abuse of power and gross violation of human rights. Moreover, the legal checks and balances are not enough to end religious defamation due to unlimited freedom of speech. Despite the existence of laws related to defamation, religious profanity have turn out to be the most hazardous and harmful weapon against minorities in Europe, specifically against the Muslim community of Europe. It is also perceived, the blasphemy of the Holy Prophet (SAW) has become a leisure pursuit and hurting approach from the western community under the banner of freedom of speech. Muslim scholars see it as organized propaganda and Islam phobia rather than freedom of expression²⁰.

Islam is a religion of human rights because it debates about different social issues. Allah Almighty sent the Prophets among the people and not in any space. Therefore Islam is a social religion, giving the solution of all social evils. The *Qur'ān* is undisputed primary source of guidance in Islam. Mr. Jallow says that Islam encourages Muslims to debate any matter openly. The freedom of right to information and expression is a fundamental human right. Our capability to express ourselves without any fear should be within moral limitations which should not harm society.²¹

A significant thing in this regard is that in Islam right to free speech is given by Allah Almighty, the creator of mankind, to balance the rights and duties. The west wants to be the only proprietor of civil liberties but this is mere ignorance of west. Islam has given all the necessary human rights fourteen hundred years ago whereas West announced these rights in 1948. Islam is a staunch supporter of freedom of speech and expression. It believes in true civil liberties but these liberties should be having some limitations so that the freedom of others don't be

²⁰ Riaz Ahmad Saeed, *Qur'ānic Concept of Freedom of Expression*, Al-Qalam 18(1).(2013) 85

²¹ : Jallow AY, *Freedom of Expression from the Islamic Perspective*. Journal of Mass Communication and Journalism 5(10).(2015)

disturb. In order to make society peaceful and progressive we should adopt Islamic principles of freedom of expression. **Discussion:**

Freedom of Expression based on Islamic Perspective Islam gives broad freedom to every human being. This freedom includes the freedom itself, freedom of religion, freedom of thought, freedom of speech etc. In Islam, the right to freedom of expression had been justified and has been recognized to all human beings irrespective of the religion they profess. Freedom of expression from the perspective of Islam is named as al-ra'y huriyyah. Every Muslim is given freedom of speech in all matters whether about the world or things related to religion.

A major purpose of the freedom of speech is to build love, tolerance, social harmony and create understanding within society. Freedom of expression is a human right that is essential for living a life. Everyone is allowed to submit their opinions for the benefit of all mankind. Islam does not forbid the speech and expression as long as it does not violate the *Qur'ān* and al-Hadith. Moreover, freedom of expression is also allowed to implement the concept of enjoining good and forbidding evil. Each Muslim is obliged to admonish and fellow Muslim opinion either enjoin good or forbid evil. The concept of enjoining good and forbidding evil is widely mentioned in the *Qur'ān* and al-Hadith.

Hadiths also explain the need for every individual Muslim to express their views on matters of rights. However, every member of the Muslim community should follow the limits of shariah law to avoid negative consequences. Islam has outlined some manners in freedom of expression. The etiquette of freedom of speech is to use a polite manner and did not issue verbal abuse or ridicule that can cause strife among people. Besides, do not raise your voice when you speak, finally, freedom of expression is carried out in a safe state without causing any damage.

In the aspect of freedom in expressing their views and freedom of expression in Islam, various ways can be done. Among them is through negotiations, the mediator and advise and preach the good. Freedom of expression in Islam is done wisely and prudently. Speaking or expressing their views in a way that means wisdom and expressed the view by using words that will still honor and respect that party. Other than that, using words that can be beneficial to other parties without degrading someone. Islam requires that every human being on this earth to prevent them from doing any evil deed regardless of positions. Muslims should be counseled or expressing their views through a wise and thoughtful way in advance.

Islam is very concerned about the views or voices of individuals in matters of religion and the world. View or voice of each attract can contribute to the good of the state and society. However, freedom of expression must be in accordance with the framework of Islam. Also, rejecting injustice and evil and has no elements of

coercion in any of the views received. Islam focuses on the delivery of the opinion or voice by stealth in order to preserve the honor of the party advised. Therefore, this study was conducted to identify the concept of freedom of expression from the perspective of Islam. This is because freedom of speech in Islam must be clarified to prevent Islam and Muslims as a community. Besides, this study also aims to explain the Islamic guidelines related to freedom of expression derived from the *Qur'ān* and Hadith. Also, describe the dos and don'ts for freedom of expression.

Conclusion:

Islam is a complete code of life having laws and ethics relating to an individual as well as public life. West left the religion from their public life because their religions don't have any practical rules and regulations related to the public sphere of life. But Islam is a divine religion and still in its original form. It will continue to be practice till Day of Judgment. So in order to guide humanity in every individual or public life, Islam gives complete directions. Freedom of Expression and Speech is the basic right of the people. In order to evaluate the man for his deed, he should be giving free will regarding different civil rights. Freedom of Expression in Islam is not absolute and unlimited but coupled with certain restrictions for the betterment of the society. It is a priceless gift of the creator of the universe to every creature of this universe. The sole aim of freedom of expression in Islamic theory is to spread and enjoin the good deed and to forbid from wrongdoings. The Islamic concept of Freedom of Expression and speech is the only complete form of charter blended with rights and duties.