

**FREEDOM OF EXPRESSION IN ISLAMIC AND WESTERN THOUGHT  
(A CONCEPTUAL ANALYSIS)**

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**ABSTRACT**

Freedom of expression is a new and little bit combative phenomenon in Islamic context, but we find enjoying equal importance in the contemporary Islamic and the Western sociopolitical context. Although their scope of appreciation is different but both thought equally recognize the issue of freedom of expression and its relevant areas and aspects. It is also a considerable issue that Islamic and the Western significance regarding freedom of expression are different. Islam gives importance to this fundamental human right due to human dignity and honor, to spread and search for truth etc. While in western context it's a sole right and you use it free anywhere any time without any objective. It is also claimed western of expression is a without any limit and boundaries. Human being will self-define its limits. It is basically a conceptual conflict between Islamic and western thought on this core issue. In this study effort are made to conceptually analysis the western and Islam point of view on this issue. In most of the issues Islamic thought conceptually contradicts to the western thought, however, in some areas both thought have consensus. Therefore, it is need of time that scholars should compare Islamic and western thoughts objectively. Comparative and analytical research methodology is adopting in this paper.

**Keywords:** Freedom of speech, Islam thought, western thought, conceptual analysis

**Introduction:** It is a historical fact that Islamic and western thought<sup>1</sup> have been opponent of each other from the centuries due to their diverse revealed and secular foundational sources respectively. So, the peace, physical and ideological war is part of the history on their fundamental sources. It is also an admirable discussion and thought that Muslims always try to adopt peace and peaceful co-existence with the West but these relationships were destroyed due to some misconceptions and incidents. Thus it is articulated through historical arguments that "The beginning of Muslim relations with West was very good. But after murder of Islamic Ambassador by Roman Governor it turned to hostility. Even, after effects of this incident can be felt up till now after many years of this incident".<sup>2</sup> It was the beginning of the thoughts of Islamic and Western interaction. This interaction was not in a peaceful environment but it was in the field of war and weapons. Therefore, from the day first, the Islamic and Western thoughts have become rivals of one another in every field of life. This opposition is due to their historical role and contribution in global socio-politics. Doubtlessly, Islam has a historical role to promote human rights, liberties and justice, when there was no one ready to raise a single voice for human rights. Once

international Human Rights Commissioner Marry Robinson said about Islamic thought most likely in OIC human rights summit;

“No one can deny that at its core Islam is entirely consonant with the principles of fundamental human rights, including human dignity, tolerance, solidarity and equality. Numerous passages from the Quran and sayings of the Prophet Muhammad will testify to this. No one can deny, from a historic perspective, the revolutionary force that is Islam, which bestowed rights upon women and children long before similar recognition was afforded in other civilizations”.<sup>3</sup>

There can be another factor for differences which are religious, Western thought historically links to Christianity and Islamic civilization links to Islam. According to my humble view, the Western thought is a combination of much humanism and ideas of human history. Many social, cultural, political and religious factors take part to make it. The basic difference between Islamic and Western thoughts is revelation, which makes it distinguish and sometimes opposite to the Islamic thought. Here, rightly observes from Islamic scholars that the Western civilization and thought is, “A purely materialistic civilization, its whole system is empty of any concept that favors a God centered life. It opposes Islam and seeks to eliminate those primary values on which Islamic thought stands”.<sup>4</sup> Thus, it is said, both thoughts mostly contradict to each other but some time they have an academic and social concusses up on an issue. Freedom of expression is one of them. In this study efforts are made to conceptually compare the notion of freedom of expression in Islam and modern western thought. Hopefully, this study will prove fruitful in the relevant field.

**Freedom of Expression in Islamic Context;** Freedom of expression is most imperious and interesting issue in modern Islamic thought. It is also fact that one of the most significant objectives of the free expression in Islam is protection of human dignity. Therefore, Islamic scholars give highly protection and appreciation about the dignity of man under teaching of the Holy Quran. “Here it is frequently read and learn that in Islam personal Dignity is observed as basic and unchallengeable right, which is widespread and indispensable for human life. Even it cannot be challenged and change in any course of the Islamic tradition.”<sup>5</sup> The second most imperative element to grant the freedom of expression in Islam is to search out and follow the truth in any case. Therefore, most of the Islamic teachings describe the truth and search of truth. Islam does not compromise on the truth and search out the truth. Even that one of the most beautiful name of Allah is al-Haq (the truth). In this course Islam does not care any blood or religious relation as affiliation. The Nobel Quran grants it in frequently and the teachings of the prophet ﷺ are more in this discourse. In clearer words the system of liberties and rights in Islam revolves around the core concept of human respect and dignity. Therefore, when we initiate or begin disunion on freedom of expression in Islam we cannot ignore the factor of human dignity and searching out the truth. Thus, Allah Almighty (the Creator and Owner of the universe) expresses the

dignity of human being in the Holy Quran with its spirit;

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِّنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَىٰ كَثِيرٍ مِّمَّنْ خَلَقْنَا تَفْضِيلًا

*“And We have certainly honored the children of Adam and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with [definite] preference”.*<sup>6</sup>

Moreover, according to the Islamic teachings, the right of freedom of expression is not due to any struggle or historical incident, but Allah Almighty grants all rights and freedoms alone as a unique gift to humanity to acknowledge their dignity and their capacity to search for truth. Moreover, In Islamic perception, the first prominent source of this fundamental human right is the divine revelation (*Waḥī*). The last Prophet Mohammad (ﷺ) explained it by his sayings (*Aḥādīth*) and actions (*Sunnah*). Professor ‘Abdul Jabbār Shākir truly argues; “Islam grants all reasonable rights and liberties to human being without any historical struggle and efforts as compared to the modern West”.<sup>7</sup> As well as Freedoms, liberties and human rights are not sole right and property of the west, but Islam provides these rights and liberties since its foundation. Professor Khurshīd Aḥmad says; “It is not a firm claim or solid argument, but just like a joke that the contemporary west is trying to become the sole proprietor of the human rights and civil liberties, while Islam granted these rights and freedoms fourteen hundred years ago”.<sup>8</sup> The age of caliphate was the model era of all kinds of Islamic liberties and fundamental rights. Therefore, Sheikh Ḥāmid Anṣārī comments likely; “Ḥaḍrat ‘Umar’s (RA) era was the excellent period for freedom of expression and freedom of speech. It is his routine approach that he called people in Masjid of the Prophet Muhammad ﷺ, when an important issue occurred. Every person freely expressed his opinion in front of the Khalīfah (The Head). Also, He incorporated the spirit of common consultation in the Islamic Government”.<sup>9</sup>

Numerous historical evidences show that the concept and practice of freedom of consultation and thought which is a fundamental part of freedom of speech, expression and criticism in the Islamic state and society are found since the early ages of Islam. It is also a notable point that Islam grants these rights and liberties without any human efforts and struggle. Therefore, these rights and liberties are permanent and no power can alter or terminate them. Hence, Isrār-ul-Haq rightly observes, “The human rights and civil liberties in Islam are granted by Allah; these rights and liberties are not granted by any state or society. Therefore, no state or society, king or assembly, can prevent or eliminate them ultimately”.<sup>10</sup> It is also from the great distinctiveness of Islam that Islam awards not only freedom and rights for human dignity, respect and physical survival but as well as, to search the truth and, social justice and for common goods. Therefore, as a point of its distinction Fathī Muhammad Othmān rightly comments;

“In Islam, the human being is not simply supposed to survive at the low level of biological endurance, but to enjoy the dignity, universality, and good life bestowed on him/her by Allah, and to grow all the human potentials, morally, spiritually and

academically, as well as physically”.<sup>11</sup>

In spite of it, the Western rights and freedoms are granted by man-made legislation, so they can eliminate and prevent them or they shall allow absolute freedom, and in this way they may harm the society. According to a scholarly comment; “Human rights are specific entitlements of different types and spectrum that are enacted by the legislature, under certain condition of thought, so as to practice by secular arrangements”.<sup>12</sup> Thus, Islamic Rights and liberties are not absolute, but have some reasonable moral, legal and social boundaries to manage human oppressive behavior. Consequently, Islamic freedom of speech is not absolute but responsible. Mr. Ghulām Hassan Malik writes likewise;

“It is necessary to put some reasonable limits and restrictions in a civilized society on freedom of speech. So, in Islam, freedom of speech is not unlimited but some reasonable legal, social and moral restrictions are imposed on it”.<sup>13</sup>

Moreover, the Islamic scholars have a consensus on this issue that the absolute freedom of expression is not possible anywhere and if provided it will create conflict and anarchy in the society. Islam grants liberties to a person with this responsibility that he may not harm any other person. Dr. Anwar al-Jundī says, “Islam by granting liberties to people put a duty that they will not harm or abuse other members of the society”.<sup>14</sup> Accordingly, Islam understands that the absolute freedoms are not beneficial for human beings, but they can harm and damage the society. Mawlānā Mawdūdī argues, “The absolute right to freedom of expression can be harmful and destructive for ethical and moral values of the society and no law of any civilized society can bear it”.<sup>15</sup> Accordingly, it rules out reliable moral, legal and social restrictions, which are meant to save the society from chaos and turmoil. In the Islamic context, the scholars count different approaches and their impacts on freedom of expression and other fundamental rights and liberties.

Moreover, in Islamic perspective, the right of freedom of expression is not due to any struggle or historical incident, but Allah Almighty grants all rights and freedoms alone as a unique gift to humanity to acknowledge their dignity and their capacity to search for truth. Moreover, In Islamic perception, the first prominent source of this fundamental human right is the divine revelation (*Waḥī*). The last Prophet Mohammad (ﷺ) explained it by his sayings (*Aḥādīth*) and actions (*Sunnah*). Professor ‘Abdul Jabbār Shākir truly argues; “Islam grants all reasonable rights and liberties to human being without any historical struggle and efforts as compared to the modern West”.<sup>16</sup> As well as Freedoms, liberties and human rights are not sole right and property of the west, but Islam provides these rights and liberties since its foundation. Professor Khurshīd Aḥmad says; “It is not a firm claim or solid argument, but just like a joke that the contemporary west is trying to become the sole proprietor of the human rights and civil liberties, while Islam granted these rights and freedoms fourteen hundred years ago”.<sup>17</sup> The age of caliphate was the model era of all kinds of Islamic liberties and fundamental rights. Therefore, Sheikh Ḥāmid Anṣārī comments likely;

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**Freedom of Speech in Western Perspective;** In the Western perspective, the scenario is entirely different on the scope of the freedom of expression. Doubtlessly, the Western scholars and all human rights instruments give it thorough going importance due to human liberty, equality, development and for human entertainment etc. This fundamental aspect differentiates the scope of freedom of expression in the Western perspective from Islamic point of view. One of the most key observations of the European Court of Human Rights goes to it. They stated that “Freedom of expression constitutes one of the essential foundations of such a society, one of the basic conditions for its progress and for the development of every man”.<sup>25</sup> Therefore, up till now many Western scholars have been elaborating and interpreting this fundamental right and liberty according to their own interest and style but one of the major similarities among these interpretations is human center liberty and for entrainment rather than for a most positive and constructive objective. This is also a dilemma that the Western liberty of free speech protects the idea of freedom but does not protect the personal dignity of human being as individual in general and collectively as special. Thus, a Western spokesman of the freedom of expression Kathleen Sullivan argues on this issue;

“This view of freedom of speech as liberty starts from a textual interpretation of the Free Speech Clause as “written in terms of ‘speech,’ not speakers. Unlike clauses that aim to protect “persons” from state coercion, thus, “Congress shall make no law abridging the freedom of speech,” without mentioning “persons” or denominating any ontological prerequisites for who or what may invoke its protection”.<sup>26</sup>

This statement also elaborates this discussion that the Western thought has deep concern to human liberty and liberal entertainment but it has no concern to the moral and ethical side of human being because according to Muslim observation revealed ethics are not concern of the Western thought. From the above debate it can be easily observed and analyzed that the fundamental objective on the scope of freedom speech and of expression is totally different in Islamic and Western thoughts. Islamic thought focuses on spiritual and moral development but the Western thought focuses on political and material development. This difference is due to divinely revealed and non-revealed basis of religious and secular thinking.

There are many definitions found in Islamic and Western perspectives on freedom of speech but there is no specific and agreed upon definition of the freedom of expression in both perspectives, generally in Islamic and specially in Western context. Every person and group defines it according to its needs, requirements and interests. But till now the scholars could not succeed to reach on the unanimous and comprehensive definition of the term freedom of expression. Here, Hāshim

Kamālī's<sup>27</sup> views are more important and considerable. He speaks on the discourse of definition of freedom of expression in an academic manner. According to him, "definitely, there are many attempts have been made by academicians, writers, scholars and observers to define freedom (of expression) but till now they cannot open to some level of uncertainty and doubts".<sup>28</sup> It is also observed the definition of term freedom is different in the Eastern and the Western context. Even some religious interpretations make it more critical to this term. For example, some religions use the term freedom as freedom from sins and evils and Sufi school of thought use it in entirely different way. Therefore, it is summed up from the above academic debate that the Islamic concept of freedom including freedom of speech and expression is totally different from the Western stand point, for example when we review the definition of the freedom of expression and Speech in Islamic perspective, the study finds out some moral, social and legal limits and restrictions which bound and limit it for the sake of individual and society. Here from Islamic context Mr. Ali Muhammad Bhat defines it most suitable to Islamic teachings, "Freedom of expression means the right of an individual to prefer the stance about certain public or private issue and express them before others avoid of delinking, seemly or evil when it is obscene, immoral or harmful".<sup>29</sup> This definition or interpretation basically limits the freedom of speech in some religious, moral and social perspectives. This definition is also opens that Islamic concept of freedom of expression is not unlimited or absolute but it has some reasonable limits and boundaries and every person can enjoy his liberty under these boundaries and limits.

Instead of it the Western scholars advocate maximum freedom of expression and reject or dislike all kind of restrictions and limits on human freedom. In Western context the New World Encyclopedia defines the freedom of expression with any limit and boundary. He opens this debate that "Freedom of speech is the capability to speak without any restriction. It is also called freedom of expression, it refers not only to oral speech but any act of corresponding information or ideas mean written communication".<sup>30</sup> It is observed from Western literature and legal perspective, not only encyclopedias and dictionaries but also the Western human rights instruments (UDHR<sup>31</sup>, ICCPR<sup>32</sup> and ECHR<sup>33</sup> etc.) and constitutions also promote maximum freedom of speech as we pronounce in the United human right instrument which is globally implanted and appreciated and known as Universal Declaration of Human Rights, "Everyone has the right to freedom of opinion and expression, this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers".<sup>34</sup> Contrary of it, the Islamic (Cairo) Declaration of Human Rights (CDHR<sup>35</sup>) bounds it with (Shari'ah) Islamic laws and some other moral and social restriction. It opens the discussion that "Every human being has the right (and freedom) to enjoy his legal capacity in terms of both obligation (duties) and commitment (responsibilities)".<sup>36</sup> In between the lines the researcher, categorically agrees that in Western perspective also have some limitations and restrictions but these limits are minimum or do not

implanted with their legal and political spirits so these are insufficient to save the society from its controversy. Furthermore, these very difficult near to impossible to prove these limits and restrictions on national and international level freedom of expression. Therefore, Muslim scholars observe that the Western concept of freedom of expression is different from that of Muslims due to claim and propagation of unlimited and freelance freedom. According to an eminent advocate of absolute freedom of expression and speech from western perspective, John Stuart Mill<sup>37</sup>;

“In the West the freedom to say what you like, to criticize the authorities, and to discuss ideas openly and without fear, is agreed to be of fundamental importance. What there is less agreement about is when this freedom may be properly curtailed. It may seem surprising, then, that Mill devotes most of his famous account of these matters in *On Liberty*”.<sup>38</sup>

It besides gives a clue to absolute freedom of expression that, in modern Western discourse any kinds of limits or control to freedom is considered as its negative impact. Therefore, from above advocacy of maximum freedom of speech and expression, majority of Western scholarship and public has faith in absolute freedom of speech. Although it does not exist or even not possible in the East and West both but their mind set is not ready to accept any kind of limits, sanctions and restrictions on freedom of expression and speech, because due to secular approach maximum liberty have become part of their behaviors. Many studies show that the Western scholars promote maximum freedom of expression to individuals. When we overview the Western thought and academicians, seems like they deliberately propagate the concept absolute and unlimited notion of freedom. For example, in Western thought there is found an idea of positive and negative freedom. The most interesting issue is that they grade negative freedom as maximum freedom and positive freedom as limited freedom. The well-known theory of the Western scholar Ishaia Berlin totally revolves around this issue. Moreover, it is also a fact of the history in the contemporary era the negative concept of liberty has become dominant due to Western advocacy of unlimited freedom of expression.

“From the 16<sup>th</sup> Century Liberty has been considered mainly in its negative concept as an opposition to authoritarian prescriptions and restraints in Religion Government and Economics. In this it expresses the philosophy of individualism that found its first modern expression in the Renaissance and Reformation”.<sup>39</sup>

It is also observed, impartial Western scholars also recommend some limits and sanctions for freedom of expression, and a noticeable voice of them is David H. Bialy. He defines it in this way, “The absence of restraints upon the ability of individuals or group to communicate their ideas to others, subject to the understanding that do not in turn coerce others into paying attention or that they do not invade other rights essential to the dignity of others”.<sup>40</sup> Although there is found a group of scholars who do not favor the limited freedom of expression and opinion but these voices are not dominant in the contemporary Western society. According to my observation the majority of Western scholars like and propagate the freelance concept of freedom of

expression, although practically it is not possible. If we read and analyze the modern philosophy of civil liberties and rights, the Western scholars allow everything to express and speech in the name of freedom of expression. Even most of them advocate the freedom of Pornography<sup>1</sup> and demand its rights. The most interesting issue is that according to the Islamic scholars it is craziness, radicalism and abuse of humanity in the name of freedom.

**Comparison in Islamic and Western Contexts:** When we categorically try to examine the Islamic and Western concepts of freedom of expression we find some major conflicts. The Islamic concept of freedom is based upon the revelation and revelation is not a result of human experience. It is the word of Almighty Allah for all humanity and base for all Islamic legislation, rights and liberties. These are fixed and nobody has authority to make amendment in it even the Prophets. The Western concept of freedom of expression depends upon human mentality and rationality. The human mindset is limited and fluctuates from person to person, so it focuses on materialistic approach and wants to get rid of all kinds of social and moral sanctions. I think the concept of unlimited freedom of expression may harm the society because every person is not responsible and think only for his individual benefit. In every civilized country the laws are set to limit and to discourage chaos but the power of morality is superior to laws.

According to the Islamic scholarship, Islam presents much variety of the freedom of expression, the main areas of the freedom of expression are, for example, freedom of opinion, freedom of religion, freedom of thought, freedom of press, freedom of criticism, freedom of association, freedom to get and spread knowledge (academic freedom), freedom of consultation. The contemporary Western thought also discusses major areas of the freedom expression. According to the Encyclopedia of Philosophy; “Freedom in the abstract is a class comprising many species -freedom of thought and speech, freedom of association , freedom of Assembly, freedom of worship, freedom of movement , freedom in the use or disposal of property, freedom in the choice of one’s employer or occupation and so on”.<sup>41</sup>

The Western scholars also describe a wide range of the freedom of expression, for example, freedom of opinion, freedom of religion, freedom of thought, freedom of press, freedom of criticism, freedom of Assembly association, Academic or intellectual freedom, freedom of election or Right to vote etc. As well as, an interesting information and knowledge about Islamic and Western freedom of expression is that all Western national and international constitutions and human rights instruments and claims freedom of speech as right and liberty but the Islamic thought considers the freedom of expression right and as duty both. According to the Islamic point of view sometimes the freedom of expression becomes an obligation for the Muslim society and individual. Allah declares about this responsibility as;

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلِيَاءُ بَعْضٍ يَأْمُرُونَ بِالْمَعْرُوفِ وَيَنْهَوْنَ عَنِ الْمُنْكَرِ وَيُقِيمُونَ الصَّلَاةَ وَيُؤْتُونَ  
الزَّكَاةَ

*“The believers, men and women, are Awliyā’ (helpers and friends) of one another; they enjoin Al-Ma'ruf (good), and forbid from Munkar (bad)”*.<sup>42</sup>

Thus, Dr. Fathī considers the freedom of expression as a duty of a Muslim; “Freedom of expression and information, constituting both a right and a duty for every believer, should be established and maintained by all Muslims - men and women, rulers and ruled”.<sup>43</sup> This and many other evidences show that in Islamic perspective and Muslim world view, the freedom of expression, speech and criticism are part of their ethical and religious obligations. Sometime this freedom of expression and speech is seen as a fundamental right; sometime it is observed as a duty and mostly it is declared as both of them together.

It is clearly observed, that the Islamic and Western thoughts represent different worldviews thus; they adopt different approaches to solve every socio-political and ethical issue. Accordingly, the solution and result of both thoughts differ to each other and most of time contradicts to each other. Unremarkably, there are many reasonable distinctions located in the Islamic thought which differentiate it from the Western concept of thinking and practicing. One of the most vital themes is freedom of expression and speech.

The first most important difference of the Islamic freedom from the Western freedom is that, it is responsible and limited one. Of course, it is a big quest of the modern day, especially in Western perspective; either freedom of expression can be restricted through law or moral values to prevent sedition and conflict with other socio-religious values or it should leave free for everyone at all. Here, in some extent, the Islamic freedom of speech is very sensitive and demands responsibility because it is granted by Almighty Allah instead of any court, parliament or constitution. Hence, Islam does not allow hurting anyone under the shadow of freedom of expression and speech. Although, Islam accepts free speech as a fundamental right of people but does not allow anyone to spread mischief under the cover of freedom of speech and expression. So for that purpose Islam puts some legal and ethical restraints and limits up on it for the sake of societal peace and prosperity. According to a leading Islamic scholar Prof. Dr. Fathī Osmān Muhammad views;

“Any speech and expression cannot by any way persuade a digression from Islamic values or a perpetration of what is forbidden. A discussion which may happen about the faiths and the laws of Islam must observe neutrality and avoid illegal offense, confrontation and provocation”.<sup>44</sup>

The second most vital difference of Islamic freedom of expression is that it keeps balance between liberties and responsibilities, while the Western freedom of speech mostly leave balance between freedoms and responsibilities. It is also a notable point that Islam does not totally ban freedom of expression but sometimes limits it for some important socio-political objectives and benefits. Here, Dr. ‘Abdul Ḥakīm Hassan comments, “Islam does not want to put complete restriction on freedom of expression any time, even in e sedition and anarchy, but Islam has given some principles and limits for the freedom of expression”.<sup>45</sup> Therefore, Islamic approach to freedom of

expression differ it from Western approach of freedom due to its responsibility and objectivity. Hence a renowned scholar Dr. Afzalur-Rehman rightly observes;

“The Western trend of freedom is a license to like and dislike without any moral restrictions but in Islam there is another concept of freedom and West is not aware of this. It is an objective right from Allah with some restrictions and responsibilities”.<sup>46</sup>

The third most significant difference from the Islamic perspectives on freedom of expression is that Islam focuses on morality, divinity and spirituality but the Western approach focuses on secularism, liberalism and humanism. In other words, the Western laws do not care the moral and spiritual side of human being but they protect and safe the secular side of human being because divine ethics have not much concerned to the Western thought including freedom of expression. Thus, it is observed that the Western liberties and rights are human centered while Islamic liberties are moral centered. It is fundamental difference between Islamic Western approach towards liberties and rights. Here, Misbah Taqi assumed;

“(In the West) if freedom threatens the life, health and properties of human beings, the law will put a restraint on it (Otherwise not).....(But in Islam) The lawmakers have to observe the spiritual and divine interests while the Islamic government has to prevent that which is harmful to the spiritualities of human beings both”.<sup>47</sup>

Obviously, this most substantial difference of opinion fundamentally differentiates the Islamic concept of freedom of expression from the Western concept of freedom of expression.

The fourth most important aspect of freedom of expression in Islamic and Western context is that Muslim are not so crazy or sensitive in their liberties because their religion grants all kind of liberties with some limits and without putting any struggle. They are well aware from their rights, liberties and responsibilities. They believe in Allah, the Creator of universe and He grants all kind of rights and liberties to Muslims. These rights and liberties are not due to any historical revolution, struggle, king, parliament or convention. So, they are less sensitive than Western people. The Western scholarship and public is more sensitive for rights and liberties because they get their rights after a long, horrible and tough struggle in the history. They fought for their liberties with church, barons and kings. Therefore, now they have unseen fear and do not ready to compromise on their rights and liberties.

Another fundamental difference between Islam and West is that Islam relates freedom with social justice and exploring of truth but considers them same. Thus, it is assumed, “In Islamic perspective there is no place of any freedom including freedom of expression and speech without justice, and these two values freedom and justice have been the inspiration and motivator of the great revolutions in the world, be they political, economic or social”.<sup>48</sup> Therefore, when we analyze and compare the Islamic and Western concepts of freedom of expression we find some major conflicts. The Islamic concept of freedom is based upon the revelation and revelation is not a result of human experience. It is the word of Almighty Allah for all humanity and base for all Islamic legislation, rights and liberties. These are fixed and nobody has authority

to make amendment in it even the Prophets. The Western concept of freedom of expression depends upon human mentality and rationality. The human mindset is limited and fluctuates from person to person, so it focuses on materialistic approach and wants to get rid of all kinds of social and moral sanctions. I think the concept of unlimited freedom of expression may harm the society because every person is not responsible and think only for his individual benefit. Although in every civilized country the laws are set to limit and to deter chaos but the power of morality is superior to the laws.

The fifth fundamental difference between Islamic and Western concept of freedom of speech is that the objectives of the Islamic freedom of expression and speech are different one from the Western objectives. One of them have to construct the society not destruct it or for not just the sake of human entertainment and liberty. “According to Islamic teachings, freedom of expression is an important duty as well as a fundamental human right for construction of the society not for the destruction and human entertainment only”.<sup>49</sup> While contrary to this, the Western thought considers philosophy of civil liberties and rights as human entertainment and abstract right, the majority of Western scholars allow everything to express and illustrate in the name of freedom of expression and speech. Even most of them advocate the freedom of pornography and obscenity and demand its rights openly as human entertainment. Most interesting thing is that according to Islamic scholars it is craziness, radicalism and abuse to humanity in the name of freedom of expression but the Western thought considers it as a right of entertainment for human being. Therefore, Islamic scholars observe , “Islam grants the right to free speech for transmission of goodness not for evil and this concept of freedom of expression is better than that of the West( as well differ one)”.<sup>50</sup>

It is also perceived the Islamic principles provide boundaries and limitations of freedom of expression but the West wants to keep it an absolute right and liberty which is not bearable. Moreover, Islamic freedom of speech and expression are responsible but the Western freedom of speech is freelance and sometime it becomes a right to abuse. Here, Dr. ‘Madnī accurately commented, “The freedom in Islam is like allowance of movement to a horse tied with a rope. It is like an authority which implies responsibility and accountability and provides the justification for the Day of Judgment (but the West is empty from this feature)”.<sup>51</sup> Keeping in view, although the words and terms look like same in Islamic and Western concept of freedom of expression but actually the Islamic freedom of speech is ultimately different from the Western notion of freedom of speech. Therefore, it is noticed, the Western concept of freedom of expression is basically a right to defame other’s values, religions and ethics and that kind of freedom is not compatible with Islamic divine teachings. In famous words we can say it is right to abuse rather than freedom of expression and speech. Therefore, if we wish for a peaceful, harmonized, modest and humble society then it is necessary to adopt the unique principles of the Quran and the Seerah of the

Prophet ﷺ.

Keeping in view, Islam cares the individual rights and liberties but it is most careful about the collective norms and values of the society and tries to keep a balance between liberties and responsibilities. On the behalf of this study I would like to say, it is not more than a leashed propaganda against Islam that it bans the rights and liberties and it opposes dignity and freedom of a person. While the fact is that Islam does not ban the freedoms and rights but make balance between rights and duties, liberties and responsibilities As well as, at the same time, Islam cannot overlook a fact accepted by modern legislation, namely in some cases freedom of expression may be limited provisionally or partially to retain other human rights, public goods and national interests. Therefore, in most of the Islamic countries legislations, even in this modern era, freedom of speech is bounded with social and moral values and public interests.

Here, I would like to sum up the discussion that Islamic and Western thought are equally like freedom of expression and speech but there are some major differences on the behalf of their interest, sources and historical perspectives. For example, Muslim interest in freedom of expression and speech is due to religion and its preaching, consultation and behalf of it welfare and transformation of the society, criticism and behalf of construction of government and public behavior, freedom of association and behalf of it to initiate joint efforts for the sake social welfare religious strengthen and betterment of the individual and society. In other word the Islamic concept of freedom of expression revolves around the social justice and exploring of truth. At that point Abdul Hay Madni raises a valid argument;

“In Islam there is no freedom (including freedom of expression) without justice and these two values freedom and justice have been the inspiration and motivator of the great revolutions in the world, be they political, economic or social”.<sup>52</sup>

Contrary to this, in Western perspective, the basic objective of the liberty in general and specific in case of freedom of expression and speech are entirely different. According to the researcher’s view, the foremost objective of the freedom of expression is to enjoy their personal lives, wishes and personal interests. Due to lack of religious spirit preaching is not their basic objectives. Furthermore, due to conflict with religion they have no revealed ethics so their manmade ethics are not enough to control whims but every person and scholarly school of thought have its own interpretation of ethics and laws. In very simple words, Islamic concept of expression is entirely different from the Western concept of freedom. Both are entirely contradicted to each other. There is no similarity between them except terms and meanings. Therefore, a well-known Western scholar Eric Kolig precisely rightly stated about the view point of Muslims regarding western freedom of expression;

“Freedom of speech is considered in the West a high public good and an important social value, underpinned by legislative and ethical norms. Its importance is not shared to some extent by conservative and devoted Muslims, who read Islamic

doctrines in ways seemingly incompatible with Western notions of freedom”.<sup>53</sup>

History is an eye witness of the issue that every thought and ism (religion) which does not believe in revelation of Almighty Allah could not become beneficial to the humanity. It can be perceived from the above discussion that contemporary Western thought is not much different according to its impacts and demerits for humanity because this can be said that things are known from their fruits. The current socioeconomic and sociopolitical scenario of the Globe is testifying the notorious impacts of Western thought. Accordingly, we can observe that human being is much suffering from the venom fruits and impacts of the contemporary Western civilization.

### **Conclusion;**

On the behalf of above study there are some important conclusions are drawn;

1. Islamic thought is a revealed thought while the western thought is a man mad thought, so both have major differences on many issues, freedom of expression is one of them.
2. Sometimes terms and literal definitions are look like same but their actual interpretation and means are interlay different.
3. On limits and boundaries of freedom of expression Isalmaic and western thought have contradiction to each other.
4. In Isalmaic thought freedom of expression is not a sole right but it is a privilege on the behalf of duty and responsibility, while in western thought issue is entirely different.
5. Freedom of expression as scope and right is same in Isalmaic and western thought but in details and explanation they are entirely different o each other.
6. Islamic concept of freedom has some major differences from the western concept of freedom of expression. Some of them are; it is a responsible one, divine one, limited one and correlated with moral and social values.
7. It is also a notable point that western rights and liberties protect only personal and materialistic interests of a man but Islamic philosophy of rights protects spiritual and collective interests of the man and society as well.

### **References:**

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<sup>1</sup>Western thought: In academic context, West is not considered as a piece of land. It is a dominant thought and civilization which was developed after reformation and renaissance movement in the context of Judio-Christian tradition, Roman laws, Greek philosophy, secularism, liberalism and modern sciences. Now, it has become an antagonist of Islam from past many years.

<sup>2</sup>Ḥamīdullāh, Muhammad, *The Prophet of Islam* ﷺ (Lahore: Beacon Books, 2011), 347.

<sup>3</sup>Suhaila Nik Saleda, “A conceptual analyses of rights in international and Islamic human rights instruments”, *American international Journal of Contemporary Research* 2:4(2012):155-164.

<sup>4</sup>Mawdūdī, Syed Abū al-A‘lā, *Islam and the Secular Mind* (Karachi: Islamic Research Academy, 2008),76.

<sup>5</sup>Kamālī, Muhammad Hāshim, *The Dignity of Man* (Cambridge: Islamic Text Society, 2002), 9.

<sup>6</sup>Sūrah al-Isrā' 17:70.

<sup>7</sup>Shākir, 'Abdul Jabbar, "Tohīn-e-Risālat aur Maghrib", *Mahnāmah Da'wah* 14:11(2008):3-13.

<sup>8</sup>Khurshīd Aḥmad, "Secular Democratic Rights and Blasphemous Caricatures", *Policy Perspectives* 7:2 (2010):20-53.

<sup>9</sup>Anṣārī, Mawlānā Hāmid, *Islam kā Niẓām-e-Ḥukūmat* (Lahore: al-Faisal Publishers, n. d.),112.

<sup>10</sup>Isrār-ul-Ḥaq, *Islam Aur Magharib kā Taṣādum* (Lahore: Bait-ul-Ḥikmat, 2007), 133.

<sup>11</sup>Fathī, *Human Rights in Contemporary World; Problems for Muslims and Others*, 3.

<sup>12</sup>Atṭīyah Naīm, *Contribution in the General Theory of Freedoms* (Cairo: Dār al Ghowmīyah, ), 161.

<sup>13</sup>Malik, Ghulām Hassan, "Islam aur Āzādī-e-Izhār", *Monthly Da'wah* 14:11(2008):50-55.

<sup>14</sup>Jundī, M. Anwar, *Qaḍāyā al-'Aṣr wa al-Mushkilāt al-Fikr fī Zaw al-Islam* (Beirut: Dār al-Fikr, 1984), 177.

<sup>15</sup>Mawdūdī, Syed Abū al-a'lā, *Khilāfat-o-Malūkīyyat* (Lahore: Idāra Tarjumān al-Quran, 1999), 261.

<sup>16</sup>Shākir, 'Abdul Jabbar, "Tohīn-e-Risālat aur Maghrib", *Mahnāmah Da'wah* 14:11(2008):3-13.

<sup>17</sup>Khurshīd Aḥmad, "Secular Democratic Rights and Blasphemous Caricatures", *Policy Perspectives* 7:2 (2010):20-53.

<sup>18</sup>Anṣārī, Mawlānā Hāmid, *Islam kā Niẓām-e-Ḥukūmat* (Lahore: al-Faisal Publishers, n. d.),112.

<sup>19</sup>Isrār-ul-Ḥaq, *Islam Aur Magharib kā Taṣādum* (Lahore: Bait-ul-Ḥikmat, 2007), 133.

<sup>20</sup>Fathī, *Human Rights in Contemporary World; Problems for Muslims and Others*, 3.

<sup>21</sup>Atṭīyah Naīm, *Contribution in the General Theory of Freedoms* (Cairo: Dār al Ghowmīyah, n. d.), 161.

<sup>22</sup>Malik, Ghulām Hassan, "Islam aur Āzādī-e-Izhār", *Monthly Da'wah* 14:11(2008):50-55.

<sup>23</sup>Jundī, M. Anwar, *Qaḍāyā al-'Aṣr wa al-Mushkilāt al-Fikr fī Zaw al-Islam* (Beirut: Dār al-Fikr, 1984), 177.

<sup>24</sup>Mawdūdī, Syed Abū al-a'lā, *Khilāfat-o-Malūkīyyat* (Lahore: Idāra Tarjumān al-Quran, 1999), 261.

<sup>25</sup>Brid Moriarty (ed.), *Human Rights Law (Handyside v UK)* (Oxford University Press, 2012), 283.

<sup>26</sup>Kathlīn M. Sullivan, "Two Concepts of Freedom of Expression", *Harvard Law Review* 124:1 (2010):143-178; <http://harvardlawreview.org/2010/11/two-concepts-of-freedom-of-speech>.

<sup>27</sup>Prof. Dr. Hāshim Kamālī: He is one of the most prominent Muslim scholars in modern era. He is afghan citizen completed his graduation from Kabul University. He did his PhD from London University. He has served many world leading institutes. He has worked as professor and faculty Dean at international Islamic university Malaysia from 1985- 2004. He is an author of several academic books and articles on Islamic jurisprudence, human rights and contemporary issues. Now he is CEO of Institute of Advance Islamic Studies at Malaysia.

<sup>28</sup>Kamālī, Muhammad Hāshim, *Freedom of Expression in Islam* (Kuala Lumpur: Berīta Press, 1994), 8.

<sup>29</sup>Bhat, 'Alī Muhammad, "Freedom of Expressing from an Islamic Perspective", *Journal of Media and Communication Studies* 6:5 (2014),72.

<sup>30</sup>Bram, Leon L. (ed.), *Funk and Wagnall's Encyclopedia* (New York: Funk & Wagnall, 1985), 24:262.

<sup>31</sup>UDHR: It stands for the Universal Declaration of Human Rights. In contemporary era it is considered as most important document from the united nation on international, level. It was announced by the UN on 1948.

<sup>32</sup>ICCPR: Stands for International Convention on Civil and Political Rights. It is an international, the most significant human rights instrument which firmly manages to provide and respect the fundamental human rights and civil liberties for its signatories. It was adopted and implemented by UNO General Assembly on March 23, 1976.

<sup>33</sup>ECHR: Stands for European Convention on Human Rights is an international convention to protect human rights and political freedoms in Europe. Drafted in 1950 by the Council of Europe and implemented on 3 September 1953. All European states (47) are member of the Convention. The Convention established the European Court of Human Rights . Any person who feels his or her rights

have been violated under the Convention by a state party can take a case to the Court. Convention has 16 protocols with several articles.

<sup>34</sup>Alfreosson, Guomundur, *The Universal Declaration of Human Rights: A Common Standard of Achievement* (London: Martinus Nighoff Publishers, 1999), Article 19:256.

<sup>35</sup>CDHR: It stands for Cairo Declaration of Human Rights which was declared by the Muslim scholars of the Organization of Islamic Countries (OIC) at Cairo in 1990. Major rights are same as were in mentioned in UDHR but some useful amendments was suggested in UDHR with special reference to Shri'ah.

<sup>36</sup>Lawson, Edward (ed.), *Encyclopedia of Human Rights* (Washington: Taylor & Frances, 1996) CDHR, Article 8:177.

<sup>37</sup>John Stuart Mill: He was a prominent English active politician, thinker and economist. He was born in 1806 in UK. He got his early education from his father, who was also a well-known Utilitarian scholar. His point of view was different from his father's. He worked as editor in the 'London Review'. He also actively participated in active British politics from 1865-1881. He is also considered a modern liberal scholar due to his important work on liberalism.

<sup>38</sup>Will, Cartwright, "Mill on Freedom of Discussion", *Richmond Journal of Philosophy* 15:4 (2003):1-7 ; [www.richmond-philosophy.net/rjp/back\\_issues/rjp5\\_cartwright.pdf](http://www.richmond-philosophy.net/rjp/back_issues/rjp5_cartwright.pdf).

<sup>39</sup>David T Holland, *The Encyclopedia Americana* (Danbury: Grolier Inc., 1986), 17:303.

<sup>40</sup>Bailey, David H, *Public Liberties in the New States*. New York: Rand McNally, 1964), 27.

<sup>41</sup>Paul, Edwards (ed.), *The Encyclopedia of Philosophy*. New York: Macmillan & Co., 1967), 3,:223.

<sup>42</sup>Sūrah al-Tawbah 9:71.

<sup>43</sup>Fathī, Uthmān Muhammad, *Huqūq al-Insān Bayna al-Sharī'ah al-Islāmīyyah wa al-Fikr al-Qānūnī al-Gharbī* (Beirut: Dār al-Shurūq, 1982),113.

<sup>44</sup><http://topbooklibrary.com/download/Freedom+Of+Expression/Accessed; 25/1/2019>.

<sup>45</sup>Al-Ī'lli, Abdul Ḥakīm Hassan, *al-Hurrīyyah al-'Āmmah* (Beirut: Dār Fikar al-Arabī, 1983), 484.

<sup>46</sup>Afzal-ur-Rehman, *Shakhshī Āzādī (Personal Liberty)* (Lahore: Feroze Sons, 1993), 60

<sup>47</sup>Misbāh, Muhammad Taqī, *Freedom the unstated Facts* (Isfahan: ABWA Publishers, 2006), 51.

<sup>48</sup>Madanī, 'Abdul Haiyy, "Freedom and Its Concept in Islam, Conference on Humanities", *Historical and Social Sciences* 17 (2011), 117.

<sup>49</sup>Muhammad Ismā'īl, *Questions on Islam* (Lahore: al-'Atīque Publishers, 2009), 43.

<sup>50</sup>[http://www.mubashirnazir.org/human\\_rights\\_in\\_Islam\\_and\\_west/](http://www.mubashirnazir.org/human_rights_in_Islam_and_west/) Accessed; 27/1/2019.

<sup>51</sup>Madnī, *Freedom and Its Concept in Islam*, 117.

<sup>52</sup>Madnī, *Freedom and Its Concept in Islam*, 116.

<sup>53</sup>Kolig Erich, *Freedom of Speech and Islam* (London: Ashgate Publishing Company, 2014), I.