

## FREEDOM OF SPEECH & ITS LIMITATIONS IN REVEALED RELIGIONS

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This article focuses on the right of free speech and its ethical limits in revealed religions. Free speech is a topic of great significance as now a day's people are exercising their right of free speech but they do not know its limitations. There is a direct relation between morality and restrictions on free speech. Our words are expressions which reflect our ethical standards and morality. Morality as a principle is part of every religion and morality as mode of behavior does not come under the context of religion alone, but it is a behavior of human beings in both religious and secular world views. Through freedom of speech, one can show his understanding of other's beliefs and it shows how people of all religions relate to each other. Although ethics and belief have a strong relation with each other as religious beliefs could be different from each other but the ethical values and standards are of great importance in every faith. This article analyses the teachings of Islam Christianity and Judaism on free speech and explore the limitations imposed by all three revealed religions on 'freedom of Speech'.

**Keywords:** free speech, freedom of expression, limits, religious world view, secular world view

### INTRODUCTION

There are many rights given by Allah ﷻ to mankind by exercising which one can lead a peaceful life. Freedom of speech is one of those rights, it helps us to express our thoughts and ideas and voice our opinions. By exercising this right we can easily communicate our thoughts and feelings to others. But the problem is that sometimes people use this right in a way which hurts the religious feelings of people professing religious faiths. Freedom of speech is actually the freedom to share your ideas and beliefs. Article 19 of Universal Declaration of Human Rights (1948) states that *“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>1</sup>

In religious and secular worldviews there is no conflict or disagreement as to existence or acceptance of this right of

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‘Freedom of Speech’ but there is a conflict on exercise of this right and its limitations. It is important to find out how limitation on free speech can serve to keep society in harmony and peace. The research focuses on the principles laid down in revealed religions on exercise of the right of freedom of speech and limitations imposed on the use of this right. Limits have been imposed in order to achieve peaceful and harmonious society and well being of humanity.

A civilization where a person is free to show his ideas takes the social order toward progress. Freedom of speech is very important for dignity of every individual and community and it plays a vital role in democratic structure. But it is a concept about which people have different perspectives. Supporters of democracy are not in harmony in exercise of freedom of speech as some of them have forgotten its limitations. Freedom of speech has also given rise to controversies i.e. giving it the name of “Clash of Civilizations”. The people who are aware about their ethical limits may be familiar with the concept of limitations on free speech but sometimes they overlook ethical values and forget its limits. They seem to be unaware about the value and importance of limitation in free speech from ethical point of view and thus show irresponsible behavior. Various countries and cultures have participated in this discussion and have brought forward arguments but they have conflict in their views and have not reached on any unanimous outcome. Imposing ethical limits on free speech is important as it reflects adherence to moral values of a society. There is a direct relation between morality and restrictions on free speech as your words are expressions which reflect your ethical standards and morality. Morality as a principle is part of every religion and morality as mode of behavior does not come under the context of religion alone, but it is a behavior of human being in both religious and secular world view. While making boundaries of free speech it is important to get together with followers of others faiths and share their views on the subject. All religions are not supposed to be restricted to follow the rules made by only one religion. Through freedom of speech, one can show his understanding of other’s beliefs and it shows how people of all religions relate to each other.<sup>2</sup> Although ethics and belief have a strong relation with each other as religious beliefs could be different from each other

but the ethical values and standards are of great importance in every faith. So the limit of using any right has a relation with the standards of any faith. Therefore it is not difficult to gather all faiths on a unanimous view about the limits of free speech.

Hashim Kamali takes *Hikmah* and *Mizan* into account while discussing freedom of speech and says '*Hikmah*' means wisdom and '*mizan*' means balance so being in ethics one can find out the limits of free speech. Islam has gifted us with the '*hikmah*' and being human one can understand that how the free speech is actually free. It is free when it would not be harmful to the public and also does not violate the rights of others.<sup>3</sup>

### FREE SPEECH IN ISLAM

Qur'an lays great stress on using the right of speech in handsome and amicable manner. It recognizes this right for humans to practice so that they may express their views and opinions and considers it important for self development of individuals. If Allah has bestowed humanity with intellect then the only way through which human beings can express their thoughts and ideas is through words and actions. Quran states:

لَا يُحِبُّ اللَّهُ الْجَهْرَ بِالسُّوءِ مِنَ الْقَوْلِ إِلَّا مَنْ ظَلَمَ وَكَانَ اللَّهُ سَمِيعًا عَلِيمًا

*"Allah loveth not that evil should be noised abroad in public speech, except where injustice hath been done; for Allah is He who heareth and knoweth all things."*

This verse teaches us that we should abstain from making evil speech public. Evil speech should only be voiced when there is a requirement to establish justice. Freedom of speech must not hurt the feelings of other persons.<sup>5</sup>

Hashim Kamali adds that *shariah* defines free speech in a sense of *hisbah* (the promotion of good and prevention of evil). Everyone has the right of freedom of expression but it has conflict of views about its limitation among people. The powerful tool of free speech can be used to claim your rights and it is a means of rendering misconduct of leader or ruler who exceeds limits of his authority.<sup>6</sup>

### 1.2 Ethical Limits on Freedom of Speech in Islam

In Quran, Allah Himself explains the limitation of speech that at what level the freedom of speech becomes evil. In Islam, free speech is limited to save society from negative impact. Following verse emphasizes on talking 'good' to people:

وَقُولُوا لِلنَّاسِ حُسْنًا<sup>7</sup>

*“And Speak fair to the people.”*

Most important limitation imposed on free speech is that it should not lead towards falsehood. Falsehood is unethical and is strictly prohibited in Islam. Quran says:

وَلَا تَلْبِسُوا الْحَقَّ بِالْبَاطِلِ وَتَكْتُمُوا الْحَقَّ وَأَنْتُمْ تَعْلَمُونَ<sup>8</sup>

*“And do not overlay the truth with falsehood, and do not knowingly suppress the truth”*

وَاجْتَنِبُوا قَوْلَ الزُّورِ<sup>9</sup>

*“But shun the abomination of idols, and shun the word that is false.”*

Instead of falsehood, Quran exhorts on speech directed towards right in following words:

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَقُولُوا قَوْلًا سَدِيدًا<sup>10</sup>

*“O ye who believe! Fear Allah, and [always] say a word directed to the Right”*

The second restriction imposed by Quran on freedom of speech is that it should be devoid of defamation. Quran says itself that by using the power of free speech do not defame anyone through your words. Defamation includes being sarcastic towards others, insulting others, calling them with offensive nicknames and injuring someone's reputation.

الظَّالِمُونَ هُمْ فَأُولَئِكَ تَبَىٰ لَهُمْ مِنَ الْإِيمَانِ بَعْدَ الْفُسُوقِ إِلَّا سَرِيحًا بِأَلْقَابٍ تَنَابَرُوا وَلَا أَنْفُسَكُمْ تَلْمِزُوا وَلَا<sup>11</sup>

*“Nor defame nor be sarcastic to each other, nor call each other by [offensive] nicknames: Ill-seeming is a name connoting wickedness, [to be used of one] after he has believed: And those who do not desist are [indeed] doing wrong”*

Another limitation to free speech is to abstain from talking vain about Allah and His Messenger. Broadly speaking one should not talk ill about the religious beliefs.

إِنَّ الَّذِينَ يُؤْذُونَ لِرَسُولِهِ لَعَنَهُمُ اللَّهُ فِي الدُّنْيَا وَالْآخِرَةِ وَأَعَدَّ لَهُمْ عَذَابًا مُّهِينًا<sup>12</sup>

*“Those who annoy Allah and His Messenger - Allah has cursed them in this World and in the Hereafter, and has prepared for them a humiliating Punishment.”*

According to Hasim Kamali communal expression of hurtful speech is also prohibited in Islam by virtue of verse 4:148 of Qur'an. Public expression of hurtful speech is not liked by

Allah ﷻ. The commandment contains the ethical advice and no penalty is commanded. It is hurting the religious sensibilities and causing personal harm to the addressor.

Imposition of Harm (*Darar*) through speech is also prohibited. *Shariah* limits the freedom of speech when it causes harm to others. The legal maxim proclaims that “Harm must be eliminated,” it means that everyone is protected against harm.

There are also other limits as well but these are of more significance to be kept in mind while using right of free speech in Islam.<sup>13</sup>

### **FREEDOM OF SPEECH IN CHRISTIANITY**

Concept of free speech in Christianity is also proved through biblical text as it is a duty imposed by God and treating name of God as Holy. Any law of government which gives right of free speech of truth is aligned by the Godly law. Anyone who prevents an individual to use his right go against the law of God as there is no divergence between the biblical law and community principles. The communities that claim the liberty of saying truth also make laws against the hate speech.<sup>14</sup>

Just like in Islam, Christianity also lays great stress on speaking the truth. Falsehood is prohibited and disliked in Christianity and is one of the limitations imposed on the use of right of freedom of speech. It is stated in Bible that:

*“Instead, speaking the truth in love, we will grow to become in every respect the mature body of him who is the head, that is, Christ.”<sup>15</sup>*

Bold and fearless speech is encouraged in Christianity, meaning that one should not shy away from speaking the right thing and supporting the truth.

*“For which I am an ambassador in chains. Pray that I may declare it fearlessly, as I should”.<sup>16</sup>*

#### **2.1 Ethical Limits on Freedom of Speech in Christianity**

Similar to Islam there are limitations imposed on freedom of speech in Christianity also. Speech should be clean that does not disgrace, defame or hurt anyone. Corrupt words are prohibited and one must be very careful in exercise of this freedom.

*“Let no corrupt word proceed out of your mouth, but what is good for necessary edification, that it may impart grace to the hearers”.<sup>17</sup>*

As New Testament itself proves that free speech is limited to the responsibility that no one is allowed to speak anything evil against anyone. Following quotation from the Bible says that three types of speech is prohibited, Loose, abusive language, Foolish talk and Coarse jesting:

*“Neither filthiness, nor foolish talking, nor coarse jesting, which are not fitting, but rather giving of thanks”.*<sup>18</sup>

Instead man is encouraged to speak with grace and respect and indulge in sensible speech.

*“Let your speech always be with grace, seasoned with salt, that you may know how you ought to answer each one”.*<sup>19</sup>

Yet another important principle is laid down in Bible which invokes principle of accountability for every word spoken. It is stated in Bible that:

*“But I say to you that for every idle word men may speak, they will give account of it in the day of judgment”.*<sup>20</sup>

Importance of speech may be realized by the following quote that human condemnation and justification depends on one’s speech.

*“For by your words you will be justified, and by your words you will be condemned”.*<sup>21</sup>

*“in all things showing yourself to be a pattern of good works; in doctrine showing integrity, reverence, incorruptibility, sound speech that cannot be condemned, that one who is an opponent may be ashamed, having nothing evil to say of you”.*<sup>22</sup>

*“For you, brethren, have been called to liberty; only do not use liberty as an opportunity for the flesh, but through love serve one another. For all the law is fulfilled in one word, even in this: “You shall love your neighbor as yourself.” But if you bite and devour one another, beware lest you be consumed by one another”.*<sup>23</sup>

*“And whatever you do in word or deed, do all in the name of the Lord Jesus, giving thanks to God the Father through Him”.*<sup>24</sup>

So it is proved through the verses of New Testament that freedom of speech comes with certain limitations and these limitations are imposed for the well being of humanity and for promotion of good relations among members of a society.

### **3. FREEDOM OF SPEECH IN JUDAISM**

The free speech is important part of any society but all freedoms have some responsibilities in their exercise. It is the right of civilized people to express their ideas but there are also some rules

and limitation of the social order which should not be broken down. Everyone has a right to say anything according to his will as it is essential part of society to function properly.

### **3.1 Ethical Limits on Freedom of Speech in Judaism**

Freedom of Speech and Expression is one of the most important human rights. The Jewish law contains many expressions which supports the pluralism and multiplicity of views. Law is made to explain ones right of free speech. As right of free speech is given to the Jews there are some limitations attached with it too.<sup>25</sup>

The characteristics that distinguish humans from animals are the powers which are given to human beings from God. Animals are neither given intellect nor speech like humans. We must realize that ability to speak is not only a blessing but a responsibility as well. One should be aware of the consequences before saying anything because harming someone by using the power of speech is more horrifying than stealing something. The words that come out the mouth once can never be taken back so be careful before saying anything<sup>26</sup>

Limitation on speech is also proved through the verses of Old Testament. It teaches that harshness of speech stirs up anger which should be avoided and on the other hand soft speech and answer turns away the wrath. Therefore one should be careful in his speech and use this right of speech for his benefit and protection of humanity. One must not behave like fools and engage in foolish speech.

*“A soft answer turns away wrath, But a harsh word stirs up anger. The tongue of the wise uses knowledge rightly, But the mouth of fools pours forth foolishness”.*<sup>27</sup>

At another place in the Old Testament it is advised to use pleasant words in speech because pleasant speech is like a honeycomb. It carries with it the sweetness of honey and the strength of it.

*“Pleasant words are like a honeycomb, Sweetness to the soul and health to the bones”.*<sup>28</sup>

In following quote from Old Testament is an advice to speak less, because it is the fools who speak most. It also emphasizes on fulfilling of promises because promise too is a word of mouth so it should be kept.

*“Do not be rash with your mouth, and let not your heart utter anything hastily before God. For God is in heaven*

*and you on earth; therefore let your words be few. For a dream comes through much activity, and a fool's voice is known by his many words. When you make a vow to God, do not delay to pay it; for He has no pleasure in fools. Pay what you have vowed".<sup>29</sup>*

*"He who has knowledge spares his words, and a man of understanding is of a calm spirit".<sup>30</sup>*

Speech of arrogance and pride is also prohibited in Judaism. Humility is praised and liked by God so it is advised to be humble in speech in the following words of Old Testament.

*"No one is holy like the LORD, for there is none besides you, nor is there any rock like our God. "Talk no more so very proudly; Let no arrogance come from your mouth, for the LORD is the God of knowledge; And by Him actions are weighed".<sup>31</sup>*

*"Do not take advantage of each other, but fear your God. I am the LORD your God." <sup>32</sup>*

It means that do not take advantage of power of free speech. It is not allowed to do wrong to a person through speech. The speech that harms the position of other person may include the insult or anything which is private matter of that being. Throbbing the feeling of any individual by misusing your right of liberated speech is a performance which is also prohibited by *mitzvah*.<sup>33</sup>

### **CONCLUSION**

Using right of free speech is a huge responsibility. A person is accountable for his words and actions if he violates that right he is liable for the punishment. These laws are present in all three revealed religion, because the religious text is the deciding authority in religious world view. It is also said that the freedom of expression is linked with the responsibility law never changes for anyone but the right of free speech should be used with responsibility so as not to violate others right and not hurt religious feelings of others. It is highly protected right so limits should be kept in mind while saying or doing anything. The dignity of other's religion, their Prophets and religious sensibilities should be kept in mind. Freedom of speech and expression is a right which exists in all revealed religions but it is a responsibility which everyone cannot fulfill.<sup>34</sup>



Concept of free speech is explored through this research in all the three revealed religions. It is concluded that free speech is a human right but it also has some limitations with it. When a person speaks about someone's private issue then he is actually crossing the line and entering into his personal matter. Giving views about anything is allowed but the person who is using his right of free speech should know the difference between the good and evil speech. Our words show our behaviors, ethics and morality. As human beings it should be kept in mind while saying or doing anything that it should not hurt the other person and nothing negative should be said about other's faith. Although religious rules and beliefs are only for those who are the followers of that religion but ethics and good behavior is something which is important to follow for every human being. Using of right of free speech is not a crime but limitations and responsibility attached to it should be kept in mind. One has a right to hold opinion but one is not allowed to say anything hurting in the name of freedom of speech. According to the Justice Oliver Holmes<sup>35</sup>

*"Freedom of speech does not allow one to shout fire in a crowded theater where no fire exists."*<sup>36</sup>

Pope Francis<sup>37</sup> said that

*freedom of expression has limits and Use of right of freedom of expression for insulting someone or someone's belief is not acceptable at all.*<sup>38</sup>

Free speech is not only a religious issue but an ethical and moral issue too. No matter which faith we are professing we have no right to hurt anyone's religious or personal feelings. All three revealed faiths teach that freedom of speech must be exercised within certain limitations. Thus laws should be made to punish those who exceed the limitations of freedom of speech.

If this right is harming others religious sensibilities then it's a need of time to find out its limitations and take some steps to solve it and to discover the boundaries in order to save right of free speech.<sup>39</sup>

## REFERENCES & NOTES

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- <sup>20</sup> Matthew 12:36
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- <sup>29</sup> Ecclesiastes 5:2-4
- <sup>30</sup> Proverbs 17:27
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- <sup>33</sup> *Mitzvahs are any of the 613 commandments that Jews are obligated to observe. It can also refer to any Jewish religious obligation, or more generally to any good deed*".
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- <sup>35</sup> <http://www.let.rug.nl/usa/biographies/oliver-wendell-holmes/>

Oliver Wendell Holmes, was a judge in Boston. Holmes grew up in a literary, and prosperous, family.

<sup>36</sup> Wein, R.B. *free speech* Available at:

<http://www.jlaw.com/Commentary/free.html> retrieved on 8th June,2016

<sup>37</sup> <http://www.biography.com/people/pope-francis-21152349> retrieved on 9th June,2016

Jorge Mario Bergoglio was elected the 266th pope of the Roman Catholic Church in March 2013, becoming Pope Francis. He is the first pope from the Americas.

<sup>38</sup> <http://www.theguardian.com/world/2015/jan/15/pope-francis-limits-to-freedom-of-expression> retrieved on 9th June,2016

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