

# Freedom of Speech in Islamic and Western Thoughts (A Comparative Analysis)

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## **ABSTRACT**

Islamic and Western thoughts give hallmark importance and space to the freedom of expression and thought. But it is also a fact that has different views about the limits and principles of freedom of expression. During the study, it is strongly perceived that in Islamic freedom of expression, we find various social, moral, and legal limits, but in the Western perspective, we find only legal restrictions because the Revealed Ethics have not any concern to the contemporary Western thought and civilization. These legal limits and principles protect freedom of expression and individual rights rather than civil and religious defamation. Therefore, all Western and Eastern laws and conventions limit the freedom of expression in various aspects. This comparative analysis of the issues of freedom of expression in Islamic and modern Western thought. The comparative and analytical research methodology is adopted in this study with the qualitative paradigm.

**Keywords:** *Freedom of speech, Islam thought, Western context, comparative analysis*

## **Introduction:**

Islamic and Western thoughts have different views points about concept, scope and principles of freedom of expression. During the study it is strong perceived that in Islamic freedom of expression, we find various social, moral and legal limits, but in the Western perspective<sup>1</sup>, we find only legal restrictions because the Revealed Ethics<sup>2</sup> have not been concern to the contemporary Western thought and civilization. These legal limits and principles protect freedom of expression and individual rights rather than civil and religious defamation. Therefore, all Western and Eastern laws and conventions limits the freedom expression in various aspects. Some international laws are the basic hurdle in this issue. For example, the article 19 of the ICCPR<sup>3</sup>, CDHR<sup>4</sup>, UDHR<sup>5</sup> and Article 10 of the ECHR<sup>6</sup> advocate unlimited freedom of expression without any interference. The legal limits are not enough in this regard because the freedom of expression is unlimited and legal restrictions

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are partial and it is not easy to prove them on a regional and international forum. According to the ICCPR legal restrictions;

“The exercise of the rights provided in (article 19/1-2), may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary :(a) for respect of the rights or reputations of others and (b) for protection of national and public order”.<sup>7</sup>

Both in Islamic and Western perspectives, the freedom of expression is a most sensitive issue. This issue has a lot of discussion and arguments from both sides. The Western scholars do not want to quit their stance on unlimited freedom of expression. The Muslim scholars want to restrict freedom of expression for the sake of religion and personal dignity. The Muslim scholars do not want to eradicate or ban the right to free speech but they have their point of view and demand with sufficient arguments that limited freedom of expression is good for the sake of humanity. They openly say that religious and civil defamation cannot be allowed in the name of freedom of expression. If limitless freedom of expression is exercised then reciprocally others will do the same and this creates law and order situation in societies as well conflict between the East (Muslim world) and the West (Europe and America). I think in contemporary socio-political scenario, it is not suitable for both particularly and for whole human being in general.

As we have observed in the Danish controversial Movie and Charlie Hebdo's cartoon issues of the Prophet ﷺ of Islam. According to Muhammad Junaid, an Australian Islamic scholar, “If you want to enjoy freedom of speech with no limits, expect others the exercise freedom of action”.<sup>8</sup> He tweets on social media after attack on Charlie Hebdo<sup>9</sup> newspaper cartoons issue of the Prophet Muhammad ﷺ. I think about the opinion that it is the tweet of the year. At least one dozen people were killed, including the editor and the four other cartoonists of this magazine after these cartoons were published. In fact, the fresh publication of cartoons of the Prophet of Islam is a planned continuous effort to trial the Islamic beliefs. The Western scholars are openly preaching the so-called theory of the clash of civilization from the perspective of Islamic thought and civilization. One of the significant BBC research reports, regarding this issue tells;

“The Clash of Civilization, the same debate starts as it was after the 9/11. There is a continuing emphasis on the discussion on Islamic extremism as dangerous to the Western democracy. A special atmosphere is created through using the same arguments in which a common Muslim considers it a serious threat to himself, on his religion Islam from the West”.<sup>10</sup>

Perhaps this nonsensical effort against Islam and Muslims exposes the West openly. The Western scholar say it freedom of expression and Muslim say it Islamophobia<sup>11</sup> and blasphemy of the Prophet of Islam. Therefore, a reasonable majority of Muslims scholars and public feel that it is not freedom

of expression but it is craziness and narrow-mindedness. If the West does not stop it the anarchism will spread worldwide. It is also observed from Muslim scholars the Islamophobia and blasphemy against Prophet of Islam has historical roots. As Uthmān Damūhī writes in a research article,

“The history of hostile movement against Islam and Prophet of Islam is very ancient. The West started this aggressive campaign against Islam after the defeat in Crusade by the hands of Islamic legend king, Sultan Selah-ud-Din up till now the European writers have written thousands of books on this hurting exercise against Islam and the Holy Prophet ﷺ. The difference is that in the past they wrote books and now they publish the hateful caricatures of the Prophet of Islam”.<sup>12</sup>

With the passage of time, the Muslim religious, social, political and economic status is under threat and danger. The clash is exceeding from cartoon to mental and physical punishment. Here, we cannot ignore the valuable views of a Pakistani parliamentarian and modern social activist Dr. Sherīn Mazārī,

“It would not be incorrect to say that post 9/11 expansion across the world and the so-called war on terror has additionally increased the troubles face by the Muslims living in as well as travelling to the West”.<sup>13</sup>

According to this magazine, the Danish newspaper is preparing to publish these controversial cartoons in millions all over the world. It is not Muslim observation but also depicts and articulates from any nation and international media houses also have exposed it. According to the BBC Urdu News, the legal adviser of Charlie Hebdo Richard Malacca said in an interview,

“We shall not accept defeat because the meaning of I am Charlie means the right to insult”.<sup>14</sup>

What should be the limits of freedom of expression? Where are the so-called global principles of freedom of expression? Different Global newspapers and magazines condemn and criticize Charlie Hebdo’s cartoon publication of the Prophet of Islam. According to the Saudi newspaper Al-Waṭan,

“Free speech should be stopped on the point where the insult of any religion, race and color starts. The blasphemy of religion is also considered the Racism”.<sup>15</sup>

But in Europe in those days, the scenario is totally different. In fondness and resemblance of liberties, they forget that Europe is legally and socially secular and a number of religious minorities especially a good number of Muslims are also part of the modern West.

The situation is so intense that if Charlie Hebdo decided to publish 6 million extra copies of the Magazine containing controversial cartoons where

the British and Israel distributes it freely in their countries. According to many national and international Newspaper reports<sup>16</sup>, after Charlie Hebdo attack, the first issue of magazine published and 3 million copies of it spread freely in British and Israel. On the other hand, thousands of British Muslims protested against Charlie Hebdo's cartoons and the British government policy on the cartoons of the Prophet ﷺ. They demanded to limit the freedom of expression against the sacred personalities and the religious symbols. According to Daily Mail newspaper;

“Swarming around Hero Monty, the hardliner Muslims are protesting against freedom of speech: Thousands gather outside Downing Street over 'uncivilized' Charlie Hebdo's controversial cartoonists (of Prophet Muhammad ﷺ)”.<sup>17</sup>

The demand against blasphemous activities and hate speech is very old. Although blasphemy laws in favor of Christianity are available in Britain to protect Christianity but the British government is not ready to consider it as blasphemy against Islam and his Prophet (ﷺ). Some years before after 1980 during the protest against notorious and controversial book of Selmān Rushdī against the Prophet Muhammad ﷺ when representatives of Muslim British community submit an application to include Islam in this law of blasphemy, which is specific to the Christianity. Here, a renowned Lawyer and expert of Blasphemy laws Ismael Qureshī stated about this controversy;

“The British Muslim nationals moved Chief Magistrate to get notice of Selmān Rushdī's profane book which had irritated Britain's Muslims community, but the compliant was rejected on the basis that the UK Blasphemy Law is only concerned with Christianity, it does not extend to attack on other religion such as Islam”.<sup>18</sup>

After it this judgment was approved in shape of decision by England divisional court. According to the High court decision, “We have no doubt the blasphemy Law of Britain as now stands; it does not extend to other religions”.<sup>19</sup> So, now we can think and is practically observed from Muslim leaders and scholars that it is a wide range and open discrimination in a most civilized country like Great Britain. As well as, in his famous decision by the USA Supreme Court on the issues of freedom of expression and blasphemy of religion, Justice Clark comments are very bold and clear about religion;

“From the stance of free speech and the press, it is sufficient to identify that the State has no legal concern defending any or all faiths from views offensive to them which is enough to validate prior limits upon the expression of those opinions. It is not the task of government in our nation to restrain valid or factual attacks upon a particular religious dogma”.<sup>20</sup>

It means the government is free to defend the religious attacks of any kind. In other words, it can be said rightly, now you are free to abuse religion

without any legal fear and threat. It is also noted that the free speech with any legal, ethical or social limits causes harm and abuse to the religious rights and rituals. Therefore, ‘Abdul Mājīd al-Omrī rightly says about limits of freedom of speech and respect of religion, “We have made it clear that liberty of speech without restrictions or boundaries would guide to abuse and violence to spiritual and ideological rights. This wants everybody to increase attempts to criminalize offending divine religions, the Messengers, the sacred Books, religious signs and places of worships (for all communities and faiths including Muslims )”.<sup>21</sup> If one’s try to understand it, it is very simple to understand that every person has the right to free speech and expression within limits and boundaries, rather than a right to abuse and hate.

Keeping in view, on any level Muslims do not insist on special rights and laws to Islam and the Prophet Muhammad ﷺ but they demand blasphemy laws for all religions and especially for all the Prophets (PBUH). As Professor Khurshīd Aḥmad rightly suggests at that issue, “We do not want special rights to Islam from the West but we only request to present us as we are, do not portray us as evil”.<sup>22</sup> Some Western scholars think that we cannot give special weightage and priority to Islam under the blasphemy law. They openly say the blasphemy laws are creating religious discrimination. A freedom house report’s author Jo Ann writes,

“The selective implementation of the blasphemy laws grants increases to prejudice supported on faith and belief, as religious minorities and heretical cults are frequently marked excessively”.<sup>23</sup>

I think it is not sufficient justification to abolish the blasphemy laws because Muslims have been demanding blasphemy laws in the West which they demand as a minority not as a majority. The blasphemy laws make sure the protection of Islamic faith and other minorities’ rights, live and beliefs. Mr. M I Qureshī correctly commented, “In fact the blasphemy law makes sure the life and safety of all those citizens against whom the blame of offence is not confirmed”.<sup>24</sup> This statement also tells us the minorities need not to be afraid because the blasphemy law protects them from harm and false accusation. Muslims countries are criticized for violation against minorities, but here the Muslims in West are minorities and demand law of blasphemy to ensure religious rights, rituals and symbols to be protected. This credit goes to Islam that Muslims respect and believes in all the Prophets, the Revealed Books, the Divine Rituals and sacred Personalities. Especially in case of prophets Muslims do not differentiate between them and believe and respects all of them. In this regard the Islamic creed about all the Prophets and the divine books is very clear. Thus, the Book of Allah pronounces;

﴿أَمَّنَ الرَّسُولُ بِمَا أُنزِلَ إِلَيْهِ مِنْ رَبِّهِ وَالْمُؤْمِنُونَ كُلٌّ آمَنَ بِاللَّهِ وَمَلَائِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ لَا نُفَرِّقُ  
بَيْنَ أَحَدٍ مِّنْ رُّسُلِهِ﴾

*“The Messenger believeth in what hath been revealed to him from his Lord, as do the men of faith. Each one believeth in Allah, His angels, His books, and His messengers. We make no distinction between one and another”.*<sup>25</sup>

A renowned Islamic scholar Sheikh Sālih al-Fowzān interprets this verse of the Quran, “It is recommended for a Muslim to believe in all the Prophets (PBUH) from the first to the last and as well as give them regard, respect and love because they are all the great personalities and sent from Almighty Allah”.<sup>26</sup> Islamic creed gives high importance and value to the faith in Prophet-hood. Therefore, faith in Prophets is one of the pillars of Islam. The Prophet Muhammad ﷺ said, “<<You confirm your belief in Allah, in His angels, in His Books, in His Prophets, in the Day of Resurrection, and you confirm your belief in good and bad Taqdīr from Allah>>”.<sup>27</sup> Muslims believe in all Prophets of God and do not differentiate one from the other such as Hindus, Jews and Christians do it. I think it is a historical fact and even do not reject it the opponents of Muslims on any level because the Book of Allah, the Sayings of the Prophet of Islam ﷺ, Islamic Jurisprudence and Islamic history and Muslim conduct are eye witness of this fact. Allah describes this fact too;

﴿أَفَكُلَّمَا جَاءَكُمْ رَسُولٌ بِمَا لَا تَهْتَوُونَ أَنْفُسَكُمْ اسْتَكْبَرْتُمْ فَفَرِحْتُمْ بِهَا كَذِبًا وَفَرِحْتُمْ بِهَا تَقْتُلُونَ﴾

*“Is it that whenever there comes to you a messenger with what ye yourselves desire not, ye are puffed up with pride? -Some ye called impostors, and others ye slay!”*<sup>28</sup>

The Prophet ﷺ prohibits differing or giving priority to one another from the Prophets of Allah. The Prophet of Islam ﷺ said:

*“<<Do not differentiate the Prophets (ﷺ) in reverence and respect>>”.*<sup>29</sup>

This judgment has excellent impacts on the Muslim creed towards the Prophets of Allah. It is the dignity of the Messengers of Allah ﷺ that He commands the believers not to differentiate between them in level of respect regard and faith. Although, Allah Himself sates their difference of position in the Quran;

﴿تِلْكَ الرُّسُلُ فَضَّلْنَا بَعْضَهُمْ عَلَى بَعْضٍ وَمِنْهُمْ مَن كَلَّمَ اللَّهُ وَرَفَعَ بَعْضَهُمْ دَرَجَاتٍ﴾

*“Those messengers We endowed with gifts, some above others: To one of them Allah spoke, others He raised to degrees (of honor)”.*<sup>30</sup>

Here a group of Muslim scholars raised an important point about Prophet-hood. It is said that it is the characteristics of the Muslims that they do not make distinction between Prophets According to Allah’s command,

*“We make no distinction between one and another prophet”*<sup>31</sup>(al-Baqrah 2:285).

This means they do not differentiate in keeping faith in all the Prophets of God. Therefore, we say, we believe in all Prophets and bear witness of their Prophet-hood that they are sent from Allah. As well as, we do not say as said by the Jews,

*“We believe in some but reject others”<sup>32</sup>*

Accordingly, Muslims’ attitude and faith towards the Prophets and the Messengers of God have been very careful throughout the history. Muslims give respect from the depth of their hearts and souls to all the Prophets. Therefore, due to these excellent teachings of Islam, Muslims have been giving respect and regard to the Prophets and founders of different religions from a long tenure of fourteen centuries. Muslims ruled over great territories of the world, they excellently treated other religions, the history of the Muslim rule is an eye witness to this fact and the books are full of these descriptions.

Muslim history bear witness to it, that they not only regard the Prophets but they also regard and respect the religious feelings and rights of other communities which were part of the Muslim Rule (the righteous caliphate). The non-Muslim writers also appreciate this key feature of the Muslim state and society. It is also a fact that some people of Christian and Jews minorities at times blasphemed the Prophet ﷺ in terms of political and religious tool. Therefore, the blasphemy movement has a long history and Muslims have been facing it even during their rule. A Western historian, Lane pole’s views;

*“Christians had complete religious freedom in Muslims Spain but due to their blindness they misuse it. Some fundamentalist priest misguided the Christian youth. They suggested them to blaspheme the Prophet Muhammad ﷺ and due to this they will be crucified and meet Jesus Christ in Heaven”<sup>33</sup>*

In Christian history they have special regard and fame as Christian martyrs. Actually, they were not martyred but they were blasphemers of prophets and Christian crusaders made them stand bot this shameful act in religious bigotry and revenge.

Contrary to this, to protect the Prophet’s ﷺ sanctity and religious feelings is a highly important value of Islamic civilization and Muslim has been regarding it throughout the centuries. The dominant blasphemy law has been a special value in Muslim societies throughout the history. The Muslim rulers always care this value and punished all blasphemers of the Prophets. The big motive of this cause was a collective consciousness of the Muslim society, which do not accept blasphemy in any case and the second reason was the Islamic law. In the contemporary era Muslims also face the ever badly and worthless behavior of the West towards the dignity and respect of the beloved Prophet Muhammad ﷺ. The Western scholars name it the freedom of speech and press but the actual situation is very bizarre. The evidences and continuous publications of blaspheme cartoons, films, books and news articles give clue to hate speech, vilification and Islamophobia against Muslim.

The case of Charlie Hebdo is a test case for the West against Islamophobia. The clear evidences show that this was not freedom of expression issue but actually it was the preplanned conspiracy and the case of Islamophobia and hate speech against Islam and Muslims. There was a time when Europe was considered a safe place for all religious, social and cultural communities on the globe but now it is a completely different Europe. The West is facing moral crises. In this sense we should give value and preference to local Muslims scholarly suggestions and views. Many Muslims have given their scholarly output. Here, Shākir's observation on Islamophobia has more weightage to highlight this burning issue; "It is no amplification to guess that in Europe (all the Wes including America) there continue the danger of descending into profound ethical crisis (In the shape of Islāmophobia, racism and hate speech), if it submits itself to these fears".<sup>34</sup>

Moreover, it is observed that the serious moral crises during the publication of blasphemous caricatures of the Prophet of Islam ﷺ. The founder editor of Charlie Hebdo, Henri Russell, makes it responsible to Stephan Charb (A partial Jews guy) for this heinous action of an interview, "The slain editor dragged the team to their deaths by overdoing provocative cartoons. What made him feel the need to drag the team into overdoing it?"<sup>35</sup> On the other hand the British parliamentarian Jorje Galway said whiles his address to a protest in British was in the favor of Islam. He clearly denies the trial of Islam in any case, "We shall not trial Islam in the name of freedom of expression. Further, he said, Europe hates Islam under the banner of free speech".<sup>36</sup> Notable point is that it is not a statement from any Muslim leader or organization but strong demonstrational views from the heart of the West. These are the most important and powerful comments to defend Islam in such a violent and heinous situation. It is a serious effort to heal Muslim injuries, especially in those days when there is a hunt by the phobia of freedom. As a point of objection, many Westerns insist unlimited freedom but the Freelance freedom of expression is not good even for speakers as because when anything exceeds its limitations loses its charm and importance. The legal experts also talk to limit it. A renowned Western scholar Cox Archibald writes,

"Liberty of expression benefits more than the speakers. The hearer and reader suffer a violation of their spiritual liberty, if they are denied access to the ideas of others".<sup>37</sup>

Therefore, to save the humanity and society from this suffering and chaos it is very necessary to adopt those principles and laws which do not stop freedom of expression but they restrain and limit the free speech.

Another important aspect of the Western freedom of expression and speech is the double standards and discriminative behavior to East with special reference to Islam and religious offence. On the one hand, they publish the controversial and heinous cartoons of the Prophet of Islam ﷺ and claim it the right of so-called freedom of expression, on the other hand, if any person

criticizes the Jews Holocaust, Israel's Creation, Jesus Christ personality, American cruelty on Red- Indians, British Queen or Secular Constitution of Nationalist States, they arrest it, persecute it and even send him to jail for a long time, till they apologies or pay fine but if issue is related to Islam and Muslims they interprets it as right to freedom of expression which is not a justified act . A famous Pakistani journalist Āmir Liāqat Hussein analyzes this situation most likely;

“The freedom of expression is a sweet philosophy but its standards are different in different places. Especially the behavior of the Western world about the beloved Prophet Muhammad ﷺ is completely nonsense in the subject of free speech”.<sup>38</sup>

The debate about holocaust is prohibited and is a police case in France. Many persons have suffered from it. An important story is related to the History professor's denial of the Holocaust. The fresh victims of it are American news Chanel anchor Jim Clancy and French comedian Dieudone. They criticized Jews during Charlie Hebdo cartoon issue. Newspapers tell us that a renowned American News Anchor Jim Clancy is terminated from his service due to his comment on cartoon issue against Jews. A French author raised a question over the arrest of French comedian Dieudonne, “Why does liberty of expression stop at Dieudonné? Asked Nicolas Bourgoïn, an author and blogger, following the news, adding the case showed a double standard of free speech in France in its entire splendor”.<sup>39</sup> Is this not a double standard of the West regarding freedom of expression? Pakistani Foreign office condemned these controversial and shameful cartoons and considered it as double standard of the West about freedom of expression. Actually, Muslim Ummah is feeling pain and hatred on the publication of controversial cartoons. If opinion against Holocaust is racial crimes then why the Prophet's cartoons are not counted as a heinous crime.

This is the hypocrisy of the Western freedom of speech. According to Muslim scholars the continuous publication of controversial cartoons of the Prophet Muhammad ﷺ is not the freedom of expression but it is blatant terrorism and enmity against the Prophet of Islam and Muslims. According to an Islamic scholar and senior journalist Ouriyā Maqbūl Jān; “Here issue is not to protect the freedom of expression. If the freedom of expression is so charming to the Europe, then anybody should be allowed writing or speaking against Jews, Israel and Holocaust. Nobody is allowed to speak or write against these issues. Even some of the people have been persecuted due to this freedom”.<sup>40</sup> An Algerian scholar and journalist Ḥabīb Rāshdīn maintains; “It is not so-called freedom of expression but it is a new crusade against Muslims. The French government assists Charlie Hebdo financially; gives him facility to publish these controversial cartoons again. He suggests the Muslims public to launch petitions of religious insult against French Ambassadors of the

Muslim countries”.<sup>41</sup> Uthmān Damūhī observes it an open terrorism against Islam and Prophet ﷺ;

“Under the banner of freedom of speech, to insult the Prophet ﷺ is an open terrorism from West. Unfortunately to stop the spread of speedy growing Islam the anti-Islamic powers have done these unethical activities from the centuries but in the contemporary ages, these activities are more on top”.<sup>42</sup>

The freedom of expression is not under threat or sanctions but an open insult to the sacred personalities is no way to freedom. Even the Australian High commissioner for human rights considers it illegal. There is no ban on freedom of expression but this cannot be allowed to insult the Prophets and religious personalities in the cover of freedom of expression. If you do not stop these controversial cartoons you should be ready to more attacks as done on Charlie Hebdo. The French Prime Minister says it is the war against terrorism not against Islam, but on the other hand, he does not say a single word in the rejection of these heinous and controversial cartoons. The French Prime Minister Manuel Vales says in his fresh address to the French assembly;

“His country is at war against terrorism, radicalism, and Jihadist struggle and (we are) not against common Muslims and Islam. He further said; “Islam is the second largest religion of France”.<sup>43</sup>

In this scenario Denmark ex-foreign minister’s statements is very reasonable and effectively try to cool down the situation. Aleman Jonson states, “I regret the fact that the cartoon controversy began from my own country when a newspaper decided to print the caricatures in an immature effort to express the freedom of speech. It occurred last autumn, and at that moment I disagree openly against it, what I consider it as an insensible act because it harms other people’s religious thoughts”.<sup>44</sup> On the other hand, the controversial magazine again published the cartoons of the Prophet ﷺ on the front page of the magazine. According to BBC Urdu News, “The Charlie Hebdo has published the controversial cartoons of the Prophet of Islam on his front page in his January 14, 2015 publication a 30 million copies”.<sup>45</sup> The normal circulation of the Magazine is maximum of 60 thousand copies. It means they publicly want clash between Islam and the West because this controversy is leading to an ultimately conflict between Muslims and the Western world. This notorious effort provokes the extremist powers of the East and West to confront each other. Mr. Effie rightly stated; “Now that the clash over the caricatures representing the Prophet of Islam Muhammad (ﷺ) is failing down, or thus I expect it is apparent that the only winners are the radicals in the Islamic World and (the West) Europe”.<sup>46</sup> Consequently, after this incident the debate starts about the limits of freedom of expression and religious criticism. One group is demanding to ban the freedom of expression

while other is blaming religion especially Islam due to this extreme activity. But the question is that why do you provide opportunity for that issue?

If we want global peace and interfaith harmony among faith and civilizations then we need to limit the freedom of expression with some boundaries. Thus, there is the need of time for international peace and harmony to establish an international blasphemy law by the UN, in which insult of the sacred personalities and religion should be considered a punishable crime. If we want to stop such incidents we need to rethink about the boundaries of the freedom of expression. For universal peace and prosperity, there is need of a new comprehensive social contract at international level to ban insulting religious personality and places. Continuously, insulting the Prophets and religion by the Western media is not freedom of expression. It is a hostile movement of the West against Islam under the cover of freedom of expression. It is also observed that when freedom of expression crosses its limits it becomes freedom to insult. This cannot be allowed in any case in any country, in any situation. The scholars are demanding to ban it but their demand is given no weightage from the Western world including UN. According to the good deal of scholars, this issue can become an igniting step to the clash of civilizations, rather than harmony and tolerance. Therefore, it is suggested from Muslim scholars that the West should rethink the limitations of freedom of expression. Freedom of expression does not mean freedom to degrade and insult. There is need to redefine free speech and its limits to save the world from clash of civilization. According to some scholars, the violation of values should be declared as hatred crime on the international level. It is also an important issue that if West is careful about his values than Muslim also has some values. Here, a renowned Pakistani scholar Professor Hamid Kamāl al-Dīn suggestion is like to share; “We suggest the limit of freedom of expression up till where it may not cause any hurt or violation to human values. Otherwise, this world cannot achieve peace and peaceful coexistence with double standard of freedom of expression”.<sup>47</sup>

It is concluded that Islamic limits and restrictions are not new and not against freedom of expression as well. Islam talks about those limits and restriction on freedom of expression that is not against any religion or community but these are universal and globally recommended in all prominent thoughts and laws. In the modern Muslim countries, which are affiliated with the UNO have also freedom of speech, thought and religions in their countries but they limit it according to their circumstances. Accordingly, for this regard the Cairo Declaration of Human Rights in Islam, 1990 (CDHRI), is an important document from the OIC on the limits and boundaries of free speech. The CDHRI article No. 22 rightly suggests;

“Each person shall have the right to freedom of expression in such behavior as would not be opposite to the doctrine of the

Islamic Sharī'ah. (b) Everybody shall have right to promote what is proper, and spread what is good and advice against what is incorrect and wicked according to the standards of Islamic Sharī'ah".<sup>48</sup>

Islamic missions and ambassadors raise voices against violent and hate speech opposing the religion. Now many voices have been raised against hatred and blasphemous speech from the international community as well. According to the Guardian Newspaper report, "Two years before, the European Union (EU)<sup>49</sup>, the Arab League (AL)<sup>50</sup> and the Organization of Islamic Cooperation (OIC) demand in a joint statement. While fully recognized freedom of expression, we believe in the importance of respecting all the Prophets".<sup>51</sup> It can become a positive initiative for international blasphemy laws, if International community is ready to stop this verbal terrorism activity. Otherwise the so-called theory of the clash of civilization is going to be practiced.

The freedom of expression without any limits and principles creates harms and conflict in the society. In other words, freedom of speech without any reasonable restrictions becomes freedom of abuse and violates the genuine rights of others. Muslim scholar's advice;

"Every civilized society differentiates the freedom of expression and anarchism, because when this freedom accedes its limits it becomes cause of chaos in the society and makes result as violations of others rights. Therefore, this freedom can become fruitful for society when it gives the guarantee and security of rights and interests of others".<sup>52</sup>

It means if we want to save the future of freedom of expression and speech, we need to make laws against blasphemous speech, Islamophobia and religious defamation as well. Here, Western scholar Agnes Callamard reservation cannot be ignored, "The events of the last months (aftermath of Danish Cartoons issue), with special reference to the Danish cartoons, have positioned freedom of expression and aggravated the feeling of the global controversy and risk of aggression".<sup>53</sup> Islamic sources and divine laws provide the competent solutions of these global problems. The CDHRI state;

"If Islamic wisdom is shared with faith, it will satisfy the hopes of the world communities to lead all human being to save from conflict because of diverse and contradictory ideas and thoughts of theirs and grant solutions for all troubles of this world".<sup>54</sup>

With the passage of time this conflict is creating the situation of clash between global communities specially Islam and the West. The recent blasphemous incidents in the Western countries in the name of freedom of expression and secular democracy are not reflected as good thing for global human peace, prosperity and harmony. A most liberal Pakistani

parliamentarian Shīrīn Mazārī remarks on double standards of the Western freedom likewise;

“Different elements make a strange concept of “Islam Vs other world” in the plural West and this issue is creating a problem in Muslim and non-Muslim peaceful co-existence in the Western countries. Moreover, issue of the recent blasphemous cartoons of the Prophet (ﷺ) is a big example of the clash between the freedom of speech and the right to peaceful existence”.<sup>55</sup>

It is also a considerable issue that the West claims the blasphemous speech as a right to free speech but actually it is an attempt to hide behind the freedom of speech. Therefore, at that point Charles Amjad Ali rightly commented, “The attempt to hide behind freedom of speech, while generating xenophobia, racism and Islamophobia have been a rather cynical camouflage used in the West”.<sup>56</sup> In this scenario, when different faiths and communities are living in this world, peaceful coexistence should be a necessary policy. According to a Western politician’s fair advice; “If you desire to live in the same room as other people, you have to avoid confronting them through redundant irritation. The room we are discussing about is no longer the local pool but the global village and obviously the peaceful co-existence is the key to peaceful coexistence”.<sup>57</sup> According to researcher humble opinion here the West is not differentiating between freedom of speech and freedom of abuse intentionally or unintentionally. In other words, the Western world is not feeling the sentiments of Muslims in this issue.

“There is lot of difference between liberty and anarchism. If liberty means to be free from all boundaries it becomes chaos. It violates the rights and liberties of others. Freedom and responsibility are mutual relationship between each other. Freedom cannot be permitted to insult others or violate others rights”.<sup>58</sup>

The West needs to play a responsible role to cool down this chaos. There would be true efforts to tackle the fire between Islam and the West. The West should not forget this fact that the dignity and sanctity of the Prophet ﷺ is the issue of life and death for every Muslims.

Accordingly, International legal forums, human rights commissions and authorities should rethink about this fact that freedom to insult the religion is not freedom of expression but it is freedom of abuse, which violates other’s rights and creates law and order situation in state and society. Additionally, this freedom of expression creates clash between human rights, religious respect and reasonable free speech. This is also a valid question to the civilized global community and the UN where the international laws of defamation, racism, blasphemy, hate speech and insult to religion are. They are ineffective because it is matter of Muslims, not about the Jews and Christians. It is simply

discrimination and enmity with Islam, Muslims and with the Prophet of Islam. While the International Declaration of Human Rights the UDHR considers all human being equal in rights and liberties. According to article no. 1 of the Declaration, “All human beings are born free and equal in rights and dignity and should act towards one another with the spirit of brotherhood”.<sup>59</sup> The Muslim community is the second largest religious community of the world and in the West and America. Then why their behavior with Muslims is so rude. If it is not so, then why the civilized global community does not consider the insult to the Prophet of Islam a crime. With sorry to say, the West condemns attack on *Charlie Hebdo* but does not condemn the attack on sanctity of the beloved Prophet Muhammad ﷺ and hurting the Muslim feelings and religious sentiments of the Muslims. According to a fresh Western study on blasphemy issue in this regard;

“The attack on the French satirical magazine *Charlie Hebdo* in January 2015 was an attack on freedom of the press and freedom of expression ..... This embodies an unfortunate message, and it is about time that society stood up for free speech in a clear and unequivocal manner, also when it comes to religious issues”.<sup>60</sup>

As a point of objection, commonly, in the West it is considered illegal and unethical to disturb other fellow or neighbors even with loud music but in the issues of Muslims they do not bother it. Moreover, in the West, there are rights of animals but they are insensitive to hate and insult inflicted upon the Muslims and their beloved Messenger ﷺ. It is supposed that the West claims the rights and safety for cats and dogs but they insult the greatest religious elders. This unethical and illegal behavior cannot be permitted from any ethical system and law. It is very strange that the Western people misuse the free speech as abuse to Islam in the presence of such special laws and restrictions on freedom of expression in Western perspective except it is not but an open bigotry against Islam and Muslims. At that point Mr. Khalid Mateen rightly stated about current western behavior about Islam;

“Now it’s not a secret that the Western champion of rights, equality and freedom has become the symbol of double standard of hypocrisy and discrimination. The actual face of the Western advocates of liberalism and enlightened moderation has exposed. The continuous hostile and blaspheme movement against Islam and Muslims tell us that the freedom of expression in West is not more than a religious blasphemy and defamation attempt against, Islam, Prophet of Islam ﷺ, rituals and values of Islam and Muslims”.<sup>61</sup>

At that point, the study tries to understand this reality that clash and conflict is not suitable for Islam or the West. The West should understand the religious and ethical values of Islam and Muslim community. Here, a well-

known Pakistani Parliamentarian articulates, “Islam is a religion of the large minority all over the West; it needs to be accepted as truth that will not go missing. The danger of extremisms to be evaded and the disparaged Muslims need to be carried into the mainstream, especially the youth”.<sup>62</sup> Undoubtedly both the point of views are diriment to each other but a constructive dialogue between Islam and West especially on freedoms and rights may be conducted. Therefore, Fathī Uthmān suggests;

“Maintaining rights of expression in argument are essential for such a dialogue which must be conducted on both the sides within methodological and ethical guidelines in order to make it fruitful. Those who are born Muslims should not be deprived of the right to a similar discussion of their faith within the same lines”.<sup>63</sup>

The conflict on freedom of speech is creating a harsh clash between Islam and the West day by day because the sanctity of the Prophet Muhammad ﷺ is a Muslim core value and the freedom of expression is a Western value. Therefore, we should be careful when the issue is related to other values and their sensitivity. Hence, Mr. Uffe rightly recommended;

“We must avoid situation where dissimilar values confront each other in ways that cause violence. We must try to build link between faiths, morals and norms”.<sup>64</sup>

Consequently, we find, on one side, they consider the Prophet’s ﷺ cartoons as freedom of expression but on other side they do not allow even joke on Charlie Hebdo. If Charlie Hebdo hurts 1.5 billion Muslims in all over the world by publishing these notorious cartoons of the Prophet of Islam ﷺ, then it is freedom of speech and if Muslims in reaction burn the French flags it is violation of laws and to be apologized for. Such circumstances compel me to rethink about Western world having hypocrisy, double standard and injustice against Islam, Prophet of Islam and Muslims community. Moreover, if the West does not stop this then they will never achieve peace and prosperity because if they want limitless freedom of expression then they should be ready to face freedom of action. Therefore, it is concluded after this long conversation that the Islamic freedom of speech and expression has some moral, legal and social limits and boundaries but the Western freedom of expression has some nominal legal limits which is not sufficient to eliminate hate speech, religious defamation and blasphemous speech.

## **Conclusion**

Some important results and conclusions from the above study are intimated below;

1. On limits and boundaries of freedom of expression Islamic and Western thought have contradictions to each other. In Islamic 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.

2. All Western laws and instruments recognize the freedom of expression with in legal boundaries. Actually, the religious blasphemy, religious violation and Islamophobia has no sufficient legal protection due to some political issues. Especially the increasing trend of Islamophobia and blasphemy of the Prophet of Islam has become cheap fashion from the Western world under the umbrella of freedom of expression.
3. In Islamic perspective the philosophy of rights and duties has reciprocal relationship to each other, because according to Islamic teachings everyone is responsible for his or her actions and words in this world and the world hereafter as well.
4. In Western perspective freedom of expression is sole right and every one use tis right without any care and limit. Western laws have a relaxation in case of free speech.
5. Islamic and Western thoughts are somehow consensus on importance and scope of free speech, otherwise there is no similarity in both.

## REFERENCES AND NOTES

1. **Western Perspective:** in academic use, 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.
2. **Revealed Ethics:** Revealed or religious ethics are not a concern of the contemporary Western thought because they focus on humanistic or secular ethics, which is derived from Greek and Roman philosophy. These ethics are entirely different from the revealed ethics, especially since the separation of religion from political affairs the ethics is not a priority of the West. If somebody has doubt please check the current situation of the west. For example, according to Will Durant modesty (Hayā') is a vital feature of a civilization but today the West lacks of modesty and Hayā'.
3. **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.
4. **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 were suggested in UDHR with special reference to Shrī'ah.
5. **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.
6. **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.
7. International Convention on Civil and Political Rights”, *Human Rights Law Journal* 4 (1983):443-460. [https://www.academia.edu/4672897/Freedom\\_of\\_Information\\_/Article no.19 \(3\), 597](https://www.academia.edu/4672897/Freedom_of_Information_/Article_no.19_(3),_597).
8. [http://www.dailymail.co.uk/news/article-2901415-freedom\\_of\\_speech/](http://www.dailymail.co.uk/news/article-2901415-freedom_of_speech/) Accessed: 13/1/2019.
9. **Charlie Hebdo:** It is a French weekly magazine. The Magazine published the controversial cartoons of the prophet Muhammad ﷺ in January 2015. Muslim reacted severely against it across the world.
10. [http://www.bbc.co.uk/urdu/world/2015/02/150202\\_france\\_clash\\_of\\_civilisations/](http://www.bbc.co.uk/urdu/world/2015/02/150202_france_clash_of_civilisations/) Access: 3/2/2019.
11. **Islamophobia:** Literally means fear from Islam. It ia is a form of intolerance and discrimination motivated with fear, mistrust and hatred of Islam and its adherents. It is often manifested in combination with racism, xenophobia, anti-immigrant sentiments and religious intolerance. Manifestations of Islamophobia include hate speech, violent acts and discriminatory practices, which can be manifested by both non-state actors and state officials.
12. <http://www.express.pk/story/333583/> Accessed:5/3/2019.
13. Sherīn Mazārī, “Multiculturalism and Islam in Europe”, *Policy Perspectives* 7:1 (2010), 92.
14. [http://www.bbc.co.uk/urdu/world/2015/01/150113\\_chalie\\_hebdo\\_issue/](http://www.bbc.co.uk/urdu/world/2015/01/150113_chalie_hebdo_issue/) Accessed: 13/3/2019.

15. [http://www.alwatan.com.sa/Politics/News\\_Detail.aspx?ArticleID=212041/](http://www.alwatan.com.sa/Politics/News_Detail.aspx?ArticleID=212041/)  
Accessed:16/12/2019.
16. **Newspaper Reports:** Due to its importance and sensitivity this incident was covered and broad casted by national and international print and electronic media houses with long range.
17. <http://www.dailymail.co.uk/news/article-2944946/html#ixzz3RDZ6zbeM/>  
Accessed:9/2/2019.
18. Qurayshī, Muhammad, Ismā'il, Muhammad: *The Messenger of God and the Law of Blasphemy in Islam and the West* (Lahore: Naqūsh Publishers, 2006), 90.
19. Robert Martin, *The Source Book of Canadian Media Law* (Carleton: University Press, 1994), 444.
20. Terry Eastland (ed.), *Freedom of Expression in the Supreme Court (US)* (New York: Row Man and Littlefield Publishers Inc., 1992), 135-136.
21. [https://www.reddit.com/r/mediaquotes/comments/3fpx1x/freedom\\_of/](https://www.reddit.com/r/mediaquotes/comments/3fpx1x/freedom_of/) Accessed: 12/1/2019.
22. Khurshīd Aḥmad, *Islam and the West* (Lahore: Islamic Publications Buru, 1963), 60.
23. Prud'homme, Jo-Ann, *Policing Belief; Impacts of Blasphemy Laws* (USA: Freedom House, 2010); P: 2,  
[https://www.freedomhouse.org/sites/default/files/Policing\\_Belief\\_Full.pdf](https://www.freedomhouse.org/sites/default/files/Policing_Belief_Full.pdf).
24. Qurayshī, Muhammad: *The Messenger of God and Laws of Blasphemy in Islam and the West*, 68.
25. Sūrah al-Baqarah 2:285.
26. Fowzān, Šāliḥ bin 'Abdullah, *al-Manṭaqā Šāliḥ al-Fowzān* (KSA: al-Majlis al-'Ilmī, n. d.), 1:34.
27. Qushayrī, Muslim bin Ḥajjāj al-Qushayrī, *Šaḥīḥ Muslim*.Riyadh: Darussalam, 2007. Ḥadīth no.102.
28. Sūrah al-Baqrah 2:87.
29. *Šaḥīḥ Muslim*, Ḥadīth no.1844.
30. Sūrah al-Baqrah 2:253.
31. Surah-Baqrah 2:285.
32. Surah al-Nisā 4:150
33. Stanley Lane-Poole, *The Moors in Spain* (London: T Fisher Unwin Publishers, 1888), 78-95.
34. Shākir Hassan, "Will Europe Surrender Selected Racism", *Arches Quarterly*4:7 (2010), 84-94; [www.thecordobaoundation.com/.../ARCHES\\_Vol%204\\_Edition%207](http://www.thecordobaoundation.com/.../ARCHES_Vol%204_Edition%207).
35. <http://www.telegraph.co.uk/news/worldnews/europe/france/11346641/>  
Accessed:19/1/2019.
36. Abbās Aṭṭar, (ed.), *Daily Express News*14:321(January 20, 2015), A.12.
37. Archibald Cox, *Freedom of Expression* (London: Harvard University Press, 1981), 1.
38. Āmir Liāqat Husain, *Āzādī-e-Izhār kay Nām per* (Khalid Mateen) (Lahore: 'Ilmo-Irfān, 2013), 425.
39. <http://www.ft.com/cms/s/0/8329e256-9bed-11e4-a6b600144feabdc> Accessed: 16/1/2019
40. Khalid, Mateen, *Āzādī-e-Izhār kay Nām Par* (Lahore: 'Ilmo-Irfān Publishers, 2013), 456.
41. [http://www.bbc.co.uk/urdu/world/2015/01/150114\\_charlie\\_hebdo\\_reaction\\_zis/](http://www.bbc.co.uk/urdu/world/2015/01/150114_charlie_hebdo_reaction_zis/)  
Accessed:16/1/2019.
42. <http://www.express.pk/story/333583/> Accessed: 5/3/2015.
43. <http://www.businessinsider.com/afp-we-are-at-war-against-terrorism-not-islam/>  
Accessed:14/1/2019.
44. [www.project-syndicate.org/commentary/coexistence-or-no-existence/](http://www.project-syndicate.org/commentary/coexistence-or-no-existence/) Accessed: 20/2/2019.
45. [http://www.bbc.co.uk/urdu/world/2015/01/150113\\_french\\_pm\\_war\\_zis/](http://www.bbc.co.uk/urdu/world/2015/01/150113_french_pm_war_zis/)  
Accessed:14/1/2019.

46. Khurshīd Aḥmad, “Secular Democratic Right and Blasphemous Cartoons”, *Policy Perspective* 7:2 (2010), 9.
47. Kamāl al-Dīn, Hāmid, *Yeh Gard Nahīn Baithey Gī* (Lahore: Maṭbū‘āt-e-Īqāz, 2009), 49.
48. Lawson, Edward (ed.), *The Encyclopedia of Human Rights* (Washington: Taylor & Frances, 1996), CDHR, Article no.22, 177.
49. **EU**: It stands for European Union. It is the most powerful union of European countries for mutual cooperation, development and protection of human rights and liberties. It's headquarter is situated in France Strasburg. It has the most powerful currency of Euro which can be compared to international standard.
50. **AL**: It stands for Arab League. It is a big union of the Modern Arab Muslims countries on the ground of same language and religion for mutual cooperation, development and solution of different regional issues. It's headquarter is at Makah and foreign ministers run and contribute in it with a selected secretary general.
51. <http://www.theguardian.com/2015/feb/17/europe-blasphemy-middle-ages/>  
Accessed:24/2/2019.
52. Khurshīd, “*Secular Democratic Rights and Blasphemous Caricatures*”, 20.
53. Agnes Callamard, *Freedom of Speech and Offence: Equal Voices* (Vienna: EUMC, 2006), Section no.18, 1-7; <https://www.article19.org/pdfs/.../blasphemy-hate-speech-article/> Accessed:25/2/2019.
54. Lawson, *The Encyclopedia of Human Rights*, CDHR, Preamble, 176.
55. Mazārī, “*Multiculturalism and Islam in Europe*”, 97.
56. Charles, Amjad ‘Alī, “Hate Speech is Hate Speech”, *Quarterly Al-Mushīr* 48:1 (2006), 23.
57. Uffe Ellemann-Jensen, “*Coexistence or No Existence*” <https://www.project-syndicate.org/commentary/coexistence-or-no-existence?barrier=accesspaylog/>  
Accessed:15/7/19
58. Khurshīd Aḥmad, “Shaitānī Cartoons: *Tehdhībī Crusades*” *Tarjumān al-Quran* 133:3 (2006), 24.
59. Alfreosson, Guomundur, *The Universal Declaration of Human Rights: A Common Standard of Achievement* (London: Martinus Nighoff Publishers, 1999), Article no.1, 41.
60. Cliteur, Paul & Tom H, *The fall and rise of Blasphemy laws* (USA: Leiden University Press, 2016)11.
61. Khalid, Mateen, *Āzādī-e-Izhār kay Nām Par*, 17.
62. Mazārī, “*Multiculturalism and Islam in Europe*”, 100.
63. Fathī, Uthmān Muhammad, *Huqūq al-Insān Bayna al-Sharī‘ah al-Islāmīyyah wa al-Fikr al-Qānūnī al-Gharbī* (Beirut: Dār al-Shurūq, 1982), 116.
64. Uffe, “*Coexistence or No Existence*”, 3.