

Freedom of Speech in Islam and its Connection with Street Demonstrations

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Abstract

Freedom of expression is a right that belongs to every individual in expressing their views. In Islam, every Muslim was given the freedom and rights to defend their rights. Most of the Muslim community considers demonstration is one of the methods of free speech. The question is whether the street demonstrations is a way of expression in line with the guidelines of freedom of expression in Islam? Therefore, this study attempts to examine the extent to which freedom of expression is the cause of street demonstrations. In order to achieve a satisfying results these two objectives were set. First, identifying the concept of freedom of expression from the perspective of Islam. Second, to analyze the relationship between street demonstrations with freedom of expression from the perspective of Islam. The literature review is analyzed using content analysis based on the data collected. Finally, these preliminary findings found Islam allows freedom of expression as long as it does not violate the Islamic laws. Initial results also showed that there are several ways to speak up or to express oneself. One way is to do a demonstration. However, the demonstration is the last step of the speech and demonstrations must be done safely.

Keywords: Freedom of expression, Huriyyah al-ra'y, street demonstrations.

INTRODUCTION

In the context of discussions on human rights, freedom of speech is an important element as a medium to express their views (Mohd Sani, 2002). Freedom of expression not only involves the use of vocals, but also involves the act of the body as an expression of stating what is in our heart, respectively. Jarishah (1990) states that an individual has the right to criticize leaders who oppress their people. This is one of the most glorious jihad. According to Redzuwan (2002), freedom of expression is also a way out to overcome the problem of communication between leaders and the led. However, freedom of expression in today's realities has been a worrying concern for all parties. Some of the people speak without taking into account a number of elements before issuing an argument or opinion. Furthermore, street demonstrations also are the one chosen by the public in order to voice their demands and grievances (Dono, 2010).

There are various factors that can cause the public to held street demonstrations. Among the factors is the system of government that is not fair, discrimination against citizens and others (Mohd Ali, 2013; A. Rahim, 2010). In Malaysia, for example, a claim to a clean election on the issue of corruption is among the main factors of the street demonstrations that

happened lately (Mustaffa, Hilmi & Ngah, 2013). Travel and implementation of these demonstrations sometimes indirectly has their own implications for the welfare and security of the country (Jamali, 2014). Being a country that suffered losses against economic instability due of street demonstrations that occurred (Smeltzer & Pare, 2015).

Street demonstrations have occurred in response to the Muslim community that they can be demonstrated as a way to speak out for justice. The question is did their response to street protests is right? Do people express their views in the right way? Furthermore, the phenomenon of street demonstrations that often occur at home and abroad also involves Muslim communities (Jaharudin, 2014). Therefore, this study was conducted to identify the concept of freedom of expression from the perspective of Islam. This is because freedom of speech in Islam must be clarified to prevent damage to the country and society. In addition, this study also aims to analyze the relationship between street demonstrations with freedom of expression from the perspective of Islam. This is because society considers this demonstration is a way from their right to the freedom of expression.

RESEARCH METHODOLOGY

This study is just using document analysis as a method of data collection. According to Riyanto (1996), document analysis was conducted by collecting data from books, letters, transcripts, magazines and others. Document analysis method is used to get a clear picture of the concept of freedom of expression in Islam. Description of freedom of speech in Islam is collected using data from classic and contemporary works. Therefore, this study data collection will be done by analyzing documents such as books, journals, previous studies, working papers related to the issue of freedom of speech and demonstrations in Islam.

Abu Bakr (2007) argues that the research should ensure that the analysis will be made to answer all the questions that were set at the beginning of the study. Therefore, results from this data collection will be analyzed using content analysis. According to Krippendorff (2013), content analysis is a research technique that is done by systematically concluded through data in the form of documents, text or symbols. Therefore, data acquisition and analysis in this study was developed based on information obtained from books, journals, research papers and so last.

FINDINGS

This study discusses freedom of expression and demonstrations. Firstly, the freedom of expression from the perspective of Islam. Secondly, the relationship between freedom of expression according to the Islamic perspective with street demonstrations.

Freedom of Expression based on Islamic Perspective

Islam gives broad freedom to every human being. This freedom includes the freedom itself, freedom of religion, freedom of thought, freedom of speech and so on (Yaacob, 1986). In Islam, the right to freedom of expression had been justified and has been recognized to all human beings irrespective of the religion they profess. Freedom of expression from the perspective of

Islam is named as *al-ra'y huriyyah*. (Kamali, 1997; al-Mili, 1983). Every Muslim is given freedom of speech in all matters whether about the world or things related to religion.

The objective of the freedom of speech is to build love, tolerance, social harmony and create understanding within society (Ay, 2015). Freedom of expression is a human right that is essential for living a life. According to Ismail (1996), the importance of freedom of expression in Islam can be seen in the practice of shura. Shura allows differences of opinion exist to get the best solution. Each individual is allowed to submit their opinions for the benefit of all mankind (Kamaluddin, 2002; al-'Uthaimin, 2004). Islam does not forbid the speech and expression as long as it does not violate the Quran and al-Hadith ('Abd al-Jalil, 2009; Syauqar, 2002).

Moreover, freedom of expression is also allowed to implement the concept of enjoining good and forbidding evil (calling towards goodness and reject evil). Each individual Muslim is obliged to admonish and fellow Muslim opinion either enjoin good or forbid evil (al-Mawdudi, 1995). The concept of enjoining good and forbidding evil is widely mentioned in the Quran and al-Hadith. Allah says:

Meaning: You are the best of peoples, evolved for mankind, enjoining what is right, and forbid what is wrong, and believing in Allah.

(Surah Ali-Imran, 3:110)

This verse explains that God created all humans as special as inheritors of the earth. Each individual Muslims are commanded to do good and forbid evil and noble in the human benefit. In addition, every individual Muslim is commanded to believe in Allah swt by performing all the rights of faith to Allah (Al-Sa'di, 2006; Al-Damsyiqi, 2006).

Rasulullah s.a.w. said:

إلا لا يمنع رجلا هيبة الناس أن يقول بحق إذا علمه

Meaning: Remember, do not let fear of man prevented with the right person to say if he knew. "

(Narrated by Ibn Majah, Hadith No 2191).

Hadith previously explained the need for every individual Muslim to express their views in matters of rights. However, every individual Muslim community or whether the leaders involved with the right of freedom of expression should follow the limits of law in the state of the view. This is to avoid any negative impact on Muslims and Islam itself.

Islam has outlined some manners in the freedom of expression. According to Kamali (2014), the etiquette of freedom of speech is to use a polite manner and did not issue verbal abuse or ridicule that can cause strife among people (Al-Mawdudi, 1995). In addition, do not raise your voice when you speak, finally, freedom of expression is carried out in a safe state without causing any damage.

Relevancy Analysis Of Demonstration Runs With Freedom Of Speech Islamic Perspective.

In Arabic, the demonstration called *muzaharah* (مظاهرة). Street demonstrations were defined as treatment or gathering a group of people who do. Rallies or demonstrations is usually intended to express opinions and grievances of the people against the government of a country (Mustaffa, Mohd Hilmi & Ngah, 2013). According to Wijaya (2002), street demonstrations are generally conducted in a state of walking or marching. This demonstration is usually represented by a person heading into a predetermined rally.

Street demonstrations have occurred and recorded in the history of Islam that during the Rashidun Caliphs namely at the time of Caliph Sayyidina Uthman bin Affan. At the time of the reign of Caliph Sayyidina 'Uthman bin Affan, apply some demonstration by the people as related to land ownership. According to Haekal (2007), many critics and street demonstrations to topple the 'Caliph Uthman of the governance system. However, the wisdom of Sayyidina 'Uthman bin Affan in the kingdom, he had to resolve these issues and impressed Sahabat ra. Among them is Abdullah Ibn Mas'ud and Sa'ad bin Abi Waqqas (Iqbal, 2000).

The phenomenon of street demonstrations has always happened and will continue to occur at certain times. In the era of globalization, the phenomenon of street demonstrations often occurs in many countries, especially in the countries of the Middle East. Among them are the Arab countries, Syria, Libya and so on (Anello & Qatam, 2013). Last but not least, street demonstrations also took place in Malaysia. For example, on 26 September 2007, a total of 2000 lawyers organized a "Walk for Justice" or demonstrations Putrajaya to urge the government to act on the case of video, a lawyer who uncovered by Anwar Ibrahim (Lee, 2008). Moreover, in recent years, the phenomenon of a string of demonstrations including Bersih, Bersih 2.0, Bersih 3.0 and Bersih 5.0 and so on (Sanawi, 2014). This shows that people nowadays prefer to take steps in demonstrating in order to express their right of freedom of expression.

Street protests that occurred as a medium of expressing freedom of speech and their grievances. For them, the street demonstrations that happen is to the benefit of the people and to resist greater harm (Baderin, 2001). According to al-Badawi, (2000), it includes the benefit of comprehensive benefit that benefits the whole of society in general. In addition, to prevent damage (*mafsadah*) and subsequently maintain the benefit of religion, life, lineage, intellect, and property (objectives of the Syariah).

DISCUSSION

Islam recognizes the right of freedom of expression, but it must be according to the limits set by the legislation (Abu Urwah, 2005). In the aspect of freedom in expressing their views and freedom of expression in Islam, various ways can be done. Among them is through negotiations, the mediator and advise and preach the good. Freedom of expression in Islam is done wisely and prudent (Imam Munawwir, 1985). According to Rahmat (1992), speaking or expressing their views in a way that means wisdom and expressed the view by using words that will still honor and respect that party. Other than that, using words that can be beneficial to other parties without degrading someone.

Street demonstrations that have happened have caused various perceptions from all parties. Thus, some of the new fatwa appears regarding the issue on street demonstrations. There is a fatwa that receives demonstrations and rejects it. Among the contemporary Muslim scholars who accept these street demonstrations is al-Qaradawi and al-Rifa'i. They say street demonstrations must conducted in good faith and must not conflict with Islamic law (Ahmad Saeed, 2013).

According to al-Nabhani (1996), street demonstrations conducted on a country's system of government is obligatory if there are wrongdoing of the leaders in its government. In this

case, the people under his leadership must fight and conduct a demonstration for the benefit of all parties (al-Nabhani, 1996; Kamali, 1996). Moreover, Abdul Aziz al-Badri said that Islam gives the right to criticize and advise the government when the tyranny happens. Islam also requires that all people retain their rights and uphold the truth when there is injustice in anything (Sayid Sabiq, 1980).

However, there is also a ruling that said street demonstrations are illegal. Among Muslim scholars that reject these street demonstrations are Ahmad al-Yih, Sheikh Ali Abul Hasan, Mustafa al-Syuk'ah, Sheikh Sa'id 'Amir and Abdul Aziz bin Abdullah bin Baz. They looked at each street demonstrations as can be led to the occurrence of many disadvantages and evils. Among them, there is a dispute between the public and the authorities, property damage, bloodshed and so on (Su'aiyyid, 2007). In addition, the street demonstrations are also wrong as there are a disturbance and mixing between men and women.

Islam requires that every human being on this earth to prevent them from doing any evil deed regardless of positions. Muslims should be counseled or expressing their views through a wise and thoughtful way in advance. Although street demonstrations do not mean resistance or taking up arms during the speech, it can still attract more harm than good.

CONCLUSION

In conclusion, Islam is very concerned about the views or voices of individuals in matters of religion and the world. View or voice of each attract can contribute to the good of the state and society. However, freedom of expression must be in accordance with the framework guidelines that have been established in the Quran and al-Sunnah (Al-'Uthaimin, 2004). Among them, which are the aim of the concept of enjoining good and forbidding evil, uphold justice and truth and respect for individual rights and the interests of the general public (Al-Munjid, 1988; Muhammad Bhat, 2014).

In addition, rejecting injustice and evil and has no elements of coercion in any of the views received. Islam focuses on the delivery of the opinion or voice by stealth in order to preserve the honor of the party advised (Struning, 2013; Madani, 2011). Street demonstrations are not a good way to express their views. However, street protests are one of the last alternatives to advise the government of preventing them from continuing to do evil and injustice against the people. However, the demonstration was necessary need to avoid any damage and negative things.

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REFERENCES

- Abu Bakar, B. (2007). *Kaedah Analisis Data Penyelidikan Ilmiah*. Kuala Lumpur: Utusan Publications & Distributors Sdn. Bhd.
- Abu Urwah. (2005). *Gerakan Islam dan Hak Asasi Manusia: Satu Pemikiran Awal*. Risalah Agung Amanah Generasi Penyambung. Kuala Lumpur: Pertubuhan Jamaah Islah Malaysia (JIM). Hal 99-107.
- Ahmad Saeed, R. (2013). Quranic Concept of Freedom of Expression A descriptive Study in Modern Socio-Political Perspective. *Al-Qalam*. June 2013. 70-88.
- Al-'Uthaimin, S. U. (2004). *Syarah Kitab Siasah Syar'iyah li Syeikhul Islam Ibn Taimiyyah*. Beirut: Dar Ibn Hazm.
- al-Badawi, Y. A. M. (2000). *Maqasid al-Syari'ah 'inda Ibn Taymiyyah*. Jordan: Dar al-Nafa'is.
- Al-Damsyiqi, I. K. (2006). *Tafsir al-Quran al-Azim*. Beirut: Dar al-Kutub al-Ilmiyah. Juzuk 2.
- Al-Eili, A. H. H. (1983). *Al-Hurrayat Al-Ammah*. Beirut: Dar al-Fikr Al-Arabi.
- Al-Maududi, A. A. M. (1995). *Human Rights In Islam*. Lahore: Islamic Publications Ltd.
- Al-Munjid. S. (1988). *Masyarakat Islam Di Bawah Naungan Keadilan*. (Terj. Che Yusuf Che Mamat). Kuala Lumpur: Dewan Pustaka Fajar.
- Al-Nabhani, T. (1996). *The Islamic State*. Walnut, CA: Islamic Cultural Workshop.
- Al-Sa'di, S. A. R. N. (2006). *Tafsir al-Karim al-Rahman fi Tafsir Kalam al-Mannan*. Riyadh: Dar al-Ashimah.
- Al-Tirmidhi, M. I. (1998). *Sunan Tirmidzi*. Mesir: Beirut: Dar al-Arab Al-Islami.
- Al-Umar, S. H. (2007). *Demonstrasi, Solusi Atau Polusi?. Disalin dari majalah Adz-Dzkhiirah Al-Islamiyyah, 5(5)*. Surabaya: Ma'had Ali Al-Irsyad As-Salafy. Jl.Sidotopo Kidul No. 51 Surabaya].
- Anello, G. & Qatam, K. (2013). *Re-Emerging Equality-Traditions of Justice in the Cultural Roots of the Egyptian Revolution*. Palermo: Diritto & Questioni Pubbliche 13. Hal. 367.
- Ay, J. (2015). Freedom of Expression from the Islamic Perspective. Martin de Tours School of Management and Economics, Assumption University, Bangkok, Thailand. *Jallow, J Mass Communicat Journalism, 5(10)*.
- Baderin, M. A.(2001). A Macroscopic Analysis of The Practice of Muslim State Parties to International Human Rights Treaties: Conflict of Congruence. *Journal Human Rights Law Review, 1(2)*.
- Bhat, A. M. (2014). Freedom of Expression From Islamic Perspective. *Journal of Media and Communication Studies, 6(5): 69-77*.
- Dono, D. (2010). *Aksi Demonstrasi Perspektif Hukum Pidana Islam*. Tesis Sarjana yang diserahkan kepada Fakultas Syari'ah, Universitas Islam Negeri Sunan Kalijaga, Yogyakarta.
- Haekal, M. H. (2007). *Usman bin Affan: Antara Kekhalifahan dengan Kerajaan*. Bagor: Pustaka Litera AntarNusa.
- Imam Munawwir. (1985). *Mengapa Umat Islam Dilanda Perpecahan*. Singapura: Pustaka National Pte Ltd.

- Iqbal, A. (2000). *Diplomasi Islam*. (Trans. Samson Rahman). Jakarta: Pustaka al-Kautsar.
- Ismail, B. A. (1996). *Syura fi al-Quran wa al-Sunnah Dirasat Maudu'iyah wa Tahliliyyah*. Amman: Dar al-Bashir.
- Jaharudin, M. H. (2014). Pilihan Raya Umum Ke-13: Perubahan Budaya Politik Malaysia Dan Krisis Legitimasi Moral Barisan Nasional. *Kajian Malaysia*, 32(2): 149–169.
- Jarishah, A. (1990). *Hurumat La Huquq*. (Trans. Mohd. Marzuqi Shafie). Kehormatan Hak-hak Manusia Menurut Islam (Suatu Kajian Perbandingan). Selangor: Dewan Bahasa dan Pustaka.
- Kamali, M. H. (1997). *Freedom of Expression in Islam*. London: Islamic Text Society.
- Kamali, M. H. (2004). *Journal of the cile Cile journal spring 2004*. International Institute of Advanced Islamic Studies (IAIS), Malaysia.
- Kamaludin, M. (2002). *Siasah Syar'iyah Usulih Majalatiha lil'allamah Muhammad al-Banna*. Selangor: Dar al-Hidayah.
- Krippendorff, K. (2013). *Content Analysis: An Introduction to Its Methodology*. California: SAGE Publications Ltd.
- Lee, H. G. (2008). *Malaysia in 2007: Abdullah Administration Under Siege. Southeast Asian Affairs*. Singapura: Institute of Southeast Asian Studies.
- Madani, A. H. (2011). Freedom and its Concept in Islam. *Journal International Conference on Humanities Historical and Social Sciences*. Vol. 17.
- Mohd Ali, M. A. (2013). Penentu Corak Perilaku di Kalangan Pengundi Melayu : Kajian di Kawasan Parlimen Campuran di Semenanjung Malaysia. PhD thesis, University of Malaya.
- Mohd Sani, M. A. (2002). Hak Kebebasan Mengeluarkan Pendapat Dari Perspektif' Undang-Undang Malaysia. *Jurnal Pembangunan Sosial*, 4(5): 185-221.
- Mohd Yunus, A. R. (2002). *Beberapa Perbezaan Antara Demokrasi dan Kepimpinan Islam*. 'Ulum Islamiyyah, 1(1).
- Mustaffa, J., Hamzah, M. H. & Ngah, K. (2013). *Demonstrasi jalanan: Kajian kes Perhimpunan Gabungan Pilihan Raya dan Adil (BERSIH) di Malaysia*. 2nd International Conference on Elections & Democracy 2013, presented 6-7 November 2013, Fakulti Sains Sosial, Universiti Malaysia Sarawak.
- Rahim, A. S. (2010). Media, Demokrasi Dan Generasi Muda: Analisis Keputusan Pilihan Raya Umum Ke-12. *Jurnal Komunikasi, Malaysian Journal Of Communication*, Jilid 26(2): 1-15.
- Rahmat, J. (1992). *Islam Aktual Refleksi Sosial Seorang Cendekiawan Muslim*. Bandung: Mizan. Hal 63.
- Riyanto, Y. (1996). *Metodologi Penelitian Pendidikan Tinjauan Dasar*. Surabaya: SIC.
- Sabiq, S. (1980). *Sumber Kekuatan Islam*. Surabaya: Pt Bina Ilmu.
- Sanawi, J. B. (2014). Ideologies Underlying The Use Of Photographs In Newspaper Coverage Of Bersih 3.0 Rally: A Social Semiotic Analysis. *Journal of Communication*, 30(2) : 41-60.
- Smeltzer & Pare. (2015). Challenging Electoral Authoritarianism In Malaysia: the embodied politics of the Bersih Movement. *Journal For And About Social Movements*, 7(2): 120 – 144.
- Struning, F. (2013). Discussion Paper. *Freedom Of Speech Is A Human Right How Islamic Organizations Are Threatening Our Basic Rights*.

Yaacob, A. M. (1986). *Hak Asasi Manusia Menurut Islam*. Bangi: Universiti Kebangsaan Malaysia.