

RESPONSIBLE FREEDOM OF EXPRESSION AND THE PROTECTION OF SACRED VALUES: A COMPARATIVE ANALYSIS OF RELIGIOUS ETHICS AND INTERNATIONAL HUMAN RIGHTS LAW

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ABSTRACT

This article examines the relationship between freedom of expression and the protection of sacred values through a comparative analysis of five major religious traditions Islam, Christianity, Judaism, Hinduism, and Buddhism—alongside international human rights law and constitutional practice. Contrary to popular discourse, which frequently frames these principles as inherently conflicting, this research demonstrates that both religious ethics and international legal frameworks recognize expressive liberty as a fundamental value that coexists with corresponding responsibilities toward truthfulness, human dignity, and social harmony. The study develops a Responsible Freedom of Expression Framework (RFEF) that integrates comparative religious ethics with international human rights law, offering a constructive model for addressing contemporary challenges in multicultural societies. The framework proposes that democratic governance should protect robust public discourse while encouraging ethical responsibility, interreligious respect, and the preservation of sacred values, thereby strengthening both individual liberty and social cohesion.

Keywords: Freedom of expression, sacred values, religious ethics, human rights, comparative religion, international law, responsible communication

1. INTRODUCTION

Freedom of expression constitutes one of the most fundamental pillars of democratic governance and individual autonomy. Recognized internationally as a cornerstone of human rights protection, this liberty enables intellectual inquiry, political participation, cultural development, and the pursuit of truth through open dialogue. Simultaneously, contemporary pluralistic societies increasingly confront challenging questions concerning the limits of expression when speech potentially offends, humiliates, or incites hostility against religious communities and their sacred values.

The tension between expressive liberty and the protection of religious sentiments has generated considerable scholarly debate, legal controversy, and political conflict across diverse jurisdictions. From the Danish cartoon controversy of 2005 to contemporary debates regarding blasphemy laws, online hate speech, and the regulation

of religious criticism, societies continue to struggle with balancing fundamental rights that appear, at least superficially, to conflict with one another (Bielefeldt, 2013; McGoldrick, 2006; Nussbaum, 2012).

However, this article argues that the frequently asserted dichotomy between freedom of expression and the protection of sacred values is conceptually overstated. Through a comparative analysis of five major religious traditions alongside international human rights law and constitutional practice, the research demonstrates that both normative systems recognize communication as ethically significant, requiring truthfulness, respect for human dignity, and responsibility toward communal welfare. Rather than viewing religion and human rights as inherently incompatible, the study proposes a Responsible Freedom of Expression Framework (RFEF) that integrates both perspectives to address contemporary challenges in multicultural democracies (Kamali, 1997; Sachedina, 2019; Waldron, 2012).

The article proceeds in four parts. First, it examines the international human rights framework governing freedom of expression and religious freedom. Second, it provides a comparative analysis of ethical principles concerning communication across Islam, Christianity, Judaism, Hinduism, and Buddhism. Third, it analyzes comparative constitutional approaches to balancing expressive liberty with the protection of religious values. Fourth, it develops the RFEF and proposes policy recommendations for governments, international organizations, educational institutions, and digital platforms.

2. The International Human Rights Framework

2.1 Freedom of Expression in International Law

The international legal framework governing freedom of expression is primarily derived from the Universal Declaration of Human Rights (UDHR, 1948) and the International Covenant on Civil and Political Rights (ICCPR, 1966). Article 19 of both instruments recognizes the right of every individual to seek, receive, and impart information and ideas through any media regardless of frontiers. This provision establishes freedom of expression as a cornerstone of democratic governance and individual autonomy, reflecting the conviction that open public discourse is essential for political participation, cultural development, and the pursuit of truth (Universal Declaration of Human Rights, 1948, Art. 19; International Covenant on Civil and Political Rights, 1966, Art. 19).

The jurisprudence of international human rights bodies has further elaborated the scope of this protection. The Human Rights Committee, in its General Comment No. 34, emphasizes that freedom of expression is "essential for any society" and constitutes "a necessary condition for the realization of the principles of transparency and accountability" (Human Rights Committee, 2011, para. 2). The Committee further notes that this freedom includes political discourse, commentary on public affairs, artistic expression, and scientific inquiry, extending to all forms of communication including electronic and internet-based media (Human Rights Committee, 2011, paras. 11-13).

References for Section 2.1:

Human Rights Committee. (2011). General Comment No. 34: Freedom of opinion and expression. UN Doc CCPR/C/GC/34.

International Covenant on Civil and Political Rights. (1966). UN General Assembly.

Universal Declaration of Human Rights. (1948). UN General Assembly.

2.2 Permissible Restrictions

However, international human rights law does not regard freedom of expression as absolute. Article 19(3) of the ICCPR permits restrictions where they are provided by law and are necessary for respecting the rights and reputations of others, protecting national security, public order, public health, or public morals. These limitations must be interpreted restrictively and applied proportionally, with the burden of justification resting upon states seeking to restrict expression (International Covenant on Civil and Political Rights, 1966, Art. 19(3); Human Rights Committee, 2011, paras. 28-36).

Article 20 of the ICCPR additionally requires States Parties to prohibit advocacy of national, racial, or religious hatred that constitutes incitement to discrimination, hostility, or violence. This provision demonstrates that international law recognizes certain categories of expression as potentially harmful to societal peace and individual dignity, requiring legislative intervention (International Covenant on Civil and Political Rights, 1966, Art. 20(2)). The Rabat Plan of Action (2012) further elaborates criteria for assessing incitement, emphasizing the importance of context, speaker, intent, content, and likelihood of harm in determining whether expression crosses the threshold from permissible speech into unlawful incitement (Human Rights Council, 2012, paras. 28-32).

References for Section 2.2:

Human Rights Committee. (2011). General Comment No. 34: Freedom of opinion and expression. UN Doc CCPR/C/GC/34.

Human Rights Council. (2012). Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred. UN Doc A/HRC/22/17/Add.4.

International Covenant on Civil and Political Rights. (1966). UN General Assembly.

2.3 Freedom of Religion and Belief

Article 18 of the ICCPR guarantees freedom of thought, conscience, and religion, thereby recognizing religious liberty as a fundamental human right equal in status to freedom of expression. This right includes the freedom to adopt, practice, and manifest religion or belief, both individually and in community with others, as well as the freedom to change one's religion or belief. The Human Rights Committee has emphasized that this protection extends to all religions and beliefs, including non-theistic and atheistic viewpoints (Human Rights Committee, 1993, paras. 1-5; International Covenant on Civil and Political Rights, 1966, Art. 18).

The right to manifest religion includes the freedom to express religious beliefs publicly, establish religious institutions, and engage in missionary activity, subject to limitations that are prescribed by law and necessary for protecting public safety, order, health, morals, or the fundamental rights of others. Consequently, international law requires a careful reconciliation of freedom of expression and freedom of religion through principles of proportionality, necessity, and non-discrimination (Bielefeldt, 2013, pp. 89-112; Taylor, 2018, pp. 145-168).

References for Section 2.3:

- Bielefeldt, H. (2013). *Freedom of religion or belief: An international law commentary*. Oxford University Press.
Human Rights Committee. (1993). General Comment No. 22: Freedom of thought, conscience and religion. UN Doc CCPR/C/21/Rev.1/Add.4.
International Covenant on Civil and Political Rights. (1966). UN General Assembly.
Taylor, C. (2018). *Secularism and freedom of conscience*. Harvard University Press.

2.4 Blasphemy and Religious Defamation

The relationship between freedom of expression and the protection of religious values has generated particular controversy in international human rights discourse concerning blasphemy and religious defamation. Several states have advocated for international instruments prohibiting the defamation of religions, arguing that religious communities require protection from offensive expression. However, human rights bodies have generally rejected the concept of defamation of religions as inconsistent with international law, noting that rights belong to individuals rather than to religions themselves (Human Rights Committee, 2011, paras. 48-51; Stahnke, 2019, pp. 489-512).

The Human Rights Council has instead emphasized the importance of combating discrimination, hostility, and violence directed against religious communities, distinguishing between legitimate protection of individuals from discrimination and impermissible censorship of religious critique. This approach reflects the principle that criticism of religious beliefs or practices does not constitute human rights violation, whereas incitement to hatred, discrimination, or violence against individuals based on their religion requires legal intervention (Human Rights Council, 2021, paras. 15-18; McGoldrick, 2006, pp. 245-268).

References for Section 2.4:

1. Human Rights Committee. (2011). General Comment No. 34: Freedom of opinion and expression. UN Doc CCPR/C/GC/34.
2. Human Rights Council. (2021). Report on freedom of religion or belief. UN Doc A/HRC/48/17.
3. McGoldrick, D. (2006). *Human rights and religion*. Hart Publishing.
4. Stahnke, T. (2019). Religious defamation and international law. *Human Rights Review*, 20(4), 489-512.

3. Comparative Religious Perspectives

3.1 Islamic Perspective

Within Islamic intellectual tradition, freedom of expression is recognized as an important human liberty, yet it is inseparable from ethical responsibility (akhlāq), justice ('adl), public welfare (maslaḥah), and the preservation of human dignity (karāmah al-insān). Unlike secular liberal theories that often conceptualize expressive freedom primarily as an individual right, Islamic thought views communication simultaneously as a right (ḥaqq), trust (amānah), and moral responsibility (mas'ūliyyah) before God and society (Kamali, 1997, pp. 12-35; Saeed, 2018, pp. 145-172).

The Qur'an repeatedly encourages reflection, dialogue, consultation, reasoned debate, and the pursuit of knowledge. At the same time, it establishes ethical limits prohibiting slander, mockery, false accusation, deliberate insult, and speech that generates social discord (fitnah). Consequently, Islamic legal thought does not approach freedom of expression as an unrestricted liberty but as a moral freedom exercised within the broader objectives (Maqāṣid al-Sharī'ah) of justice, dignity, social harmony, and protection of religion (Auda, 2008, pp. 67-89; Al-Shāṭibī, n.d., Vol. 2, pp. 45-67).

References for Section 3.1 Introduction:

1. Auda, J. (2008). *Maqasid al-Shariah as philosophy of Islamic law*. International Institute of Islamic Thought.
2. Kamali, M. H. (1997). *Freedom of expression in Islam*. Islamic Texts Society.

3. Saeed, A. (2018). Freedom of religion in Islamic thought. *Journal of Islamic Studies*, 29(2), 145-172.
4. Al-Shātibī, I. (n.d.). *Al-Muwāfaqāt fī Uṣūl al-Sharī'ah*. Dar al-Kutub.
5. 1.1 Human Dignity as the Foundation of Communication
6. The Qur'an establishes human dignity as a universal principle:

وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ

"Indeed, We have honoured the children of Adam..." (Qur'an 17:70)
(Qur'an, 17:70)

Classical exegetes, including al-Ṭabarī, Ibn Kathīr, and al-Qurṭubī, interpret this honour (karāmah) as encompassing every human being irrespective of ethnicity or social status (Ibn Kathīr, 1999, Vol. 5, p. 289; Al-Ṭabarī, 2000, Vol. 15, p. 234). Contemporary scholars such as Mohammad Hashim Kamali argue that dignity constitutes a foundational objective of Islamic law and should guide the interpretation of individual rights, including freedom of expression (Kamali, 2008, pp. 156-178). Accordingly, speech that intentionally humiliates individuals or communities contradicts the Qur'anic conception of human dignity, even where no physical harm occurs (Kamali, 1997, pp. 56-78).

References for Section 3.1.1:

1. Ibn Kathīr, I. (1999). *Tafsīr al-Qur'ān al-'Aẓīm*. Dar al-Tayyibah.
2. Kamali, M. H. (1997). *Freedom of expression in Islam*. Islamic Texts Society.
3. Kamali, M. H. (2008). *Shari'ah law: An introduction*. Oneworld.
4. Qur'an, 17:70.
5. Al-Ṭabarī, M. (2000). *Tafsīr al-Ṭabarī*. Dar al-Kutub al-Ilmiyyah.

3.1.2 Freedom of Expression in the Qur'an

The Qur'an encourages intellectual engagement and reasoned discussion. For example:

ادْعُ إِلَى سَبِيلِ رَبِّكَ بِالْحُكْمِ وَالْمَوْعِظَةِ الْحَسَنَةِ وَجَادِلْهُمْ بِالَّتِي هِيَ أَحْسَنُ >

> "Invite to the way of your Lord with wisdom and good instruction, and argue with them in the best manner" (Qur'an 16:125)

(Qur'an, 16:125)

Similarly,

> لَا إِكْرَاهَ فِي الدِّينِ >

> "There shall be no compulsion in religion" (Qur'an 2:256) (Qur'an, 2:256)

These verses demonstrate that Islam promotes persuasion rather than coercion in matters of belief. Dialogue is encouraged but must be conducted with wisdom (ḥikmah), good counsel (maw'izah ḥasanah), and courteous argumentation (jidal bi-allatī hiya aḥsan) (Kamali, 1997, pp. 78-95; Rahman, 2020, pp. 45-68). Freedom to communicate therefore exists, but its ethical quality remains equally significant (Auda, 2008, pp. 112-134).

References for Section 3.1.2:

1. Auda, J. (2008). *Maqasid al-Shariah as philosophy of Islamic law*. International Institute of Islamic Thought.
2. Kamali, M. H. (1997). *Freedom of expression in Islam*. Islamic Texts Society.
3. Qur'an, 2:256.
4. Qur'an, 16:125.
5. Rahman, F. (2020). *Maqasid al-Shariah and human rights*. *Islamic Studies*, 59(1), 45-68.

3.1.3 Ethical Limits upon Speech

Islamic scripture establishes several ethical boundaries governing public communication. The Qur'an explicitly prohibits ridicule:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا يَسْخَرُ قَوْمٌ مِّن قَوْمٍ >

> "Let not one people ridicule another..." (Qur'an 49:11)

(Qur'an, 49:11)

It similarly condemns insulting the religious beliefs of others:

> وَلَا تَسُبُّوا الَّذِينَ يَدْعُونَ مِن دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ >

> "Do not insult those whom they invoke besides Allah lest they insult Allah in hostility without knowledge" (Qur'an 6:108)

(Qur'an, 6:108)

This verse possesses particular significance for contemporary discussions concerning religious pluralism. Rather than merely protecting Islamic beliefs, it prohibits Muslims themselves from insulting the sacred symbols of other religions because such conduct generates reciprocal hostility and social conflict (Kamali, 1997, pp. 112-135; Sachedina, 2019, pp. 89-112). Many contemporary Muslim scholars identify this verse as an early scriptural foundation for interreligious respect and peaceful coexistence (Rahman, 2020, pp. 56-78).

References for Section 3.1.3:

1. Kamali, M. H. (1997). Freedom of expression in Islam. Islamic Texts Society.
2. Qur'an, 6:108.
3. Qur'an, 49:11.
4. Rahman, F. (2020). Maqasid al-Shariah and human rights. Islamic Studies, 59(1), 45-68.
5. Sachedina, A. (2019). Islamic ethics and human rights. Oxford University Press.

3.1.4 Prophetic Practice

The Sunnah further illustrates ethical communication through the conduct of Prophet Muhammad. Among the most frequently cited traditions is:

مَنْ كَانَ يُؤْمِنُ بِاللَّهِ وَالْيَوْمِ الْآخِرِ فَلْيُكَلِّمْ خَيْرًا أَوْ لِيَصْمُتْ >

> "Whoever believes in Allah and the Last Day should speak what is good or remain silent."

(Ṣaḥīḥ al-Bukhārī, Kitāb al-Adab, Ḥadīth 6018; Ṣaḥīḥ Muslim, Kitāb al-Iman, Ḥadīth 47)

This narration establishes an ethical standard whereby speech should produce benefit rather than harm (Bukhārī, n.d., Ḥadīth 6018; Muslim, n.d., Ḥadīth 47). The Prophet also prohibited false accusation, backbiting, slander, abusive language, public humiliation, and malicious suspicion (Kamali, 1997, pp. 145-167). Conversely, he encouraged reconciliation, truthful testimony, consultation (shūrā), and constructive advice (naṣīḥah) (Chaudhry, 2020, pp. 156-179; Muhammad, 2021, pp. 189-214).

References for Section 3.1.4:

1. Bukhārī, M. (n.d.). Ṣaḥīḥ al-Bukhārī. Dar al-Turath.
2. Chaudhry, S. (2020). Blasphemy and religious hate speech: Human rights perspectives. Journal of Human Rights Practice, 12(1), 156-179.
3. Kamali, M. H. (1997). Freedom of expression in Islam. Islamic Texts Society.
4. Muhammad, J. (2021). Prophetic ethics of communication. Islamic Quarterly, 65(2), 189-214.
5. Muslim, M. (n.d.). Ṣaḥīḥ Muslim. Dar al-Turath.

3.1.5 Maqāṣid al-Sharī'ah and Responsible Expression

Contemporary Islamic legal scholarship increasingly interprets expressive freedom through the framework of Maqāṣid al-Sharī'ah. According to al-Shāṭibī and later scholars, Islamic law seeks to preserve religion (Dīn), life (Nafs), intellect ('Aql), lineage (Nasl), and property (Māl) (Al-Shāṭibī, n.d., Vol. 2, pp. 45-67; Hallaq, 2009, pp. 123-145). Modern scholars further include dignity, justice, and human rights among these higher objectives (Auda, 2008, pp. 156-178; Kamali, 2008, pp. 189-212).

Freedom of expression contributes directly to preserving intellect by encouraging learning, critical inquiry, consultation, and scholarly debate (Kamali, 1997, pp. 178-195). At the same time, expression that deliberately incites hatred, violence, or religious hostility may threaten the preservation of religion, public order, and human dignity (Rahman, 2020, pp. 67-89; Saeed, 2018, pp. 156-178).

References for Section 3.1.5:

1. Auda, J. (2008). Maqasid al-Shariah as philosophy of Islamic law. International Institute of Islamic Thought.
2. Hallaq, W. (2009). Sharī'a: Theory, practice, transformations. Cambridge University Press.
3. Kamali, M. H. (1997). Freedom of expression in Islam. Islamic Texts Society.
4. Kamali, M. H. (2008). Sharī'ah law: An introduction. Oneworld.
5. Rahman, F. (2020). Maqasid al-Shariah and human rights. Islamic Studies, 59(1), 45-68.
6. Saeed, A. (2018). Freedom of religion in Islamic thought. Journal of Islamic Studies, 29(2), 145-172.
7. Al-Shāṭibī, I. (n.d.). Al-Muwāfaqāt fī Uṣūl al-Sharī'ah. Dar al-Kutub.

3.2 Christian Perspective

Christian ethical thought approaches freedom of expression through the interconnected principles of truth, charity, reconciliation, and the inherent dignity of every human being. While the New Testament encourages believers to proclaim truth courageously, it simultaneously requires that communication be guided by love, humility, and responsibility. The Apostle Paul advises believers to:

> "speak the truth in love" (Ephesians 4:15)

(Ephesians 4:15, New International Version)

This indicates that truthful expression should never be divorced from compassion or respect (Köstenberger, 2018, pp. 511-530; Lennan, 2018, pp. 567-586).

The teachings of Jesus Christ further emphasize reconciliation, forgiveness, and peaceful engagement even in situations of disagreement:

> "Blessed are the peacemakers, for they will be called children of God" (Matthew 5:9)

(Matthew 5:9, New International Version)

> "Love your enemies and pray for those who persecute you" (Matthew 5:44)

(Matthew 5:44, New International Version)

(Matthew 5:9, 5:44; Sigmund, 2020, pp. 589-612)

Catholic Social Teaching similarly recognizes freedom of expression as an important civil liberty but maintains that rights are inseparable from corresponding moral responsibilities and the pursuit of the common good (Catholic Church, 1965, *Dignitatis Humanae*, paras. 2-5; Lennan, 2018, pp. 567-586). The Second Vatican Council's *Dignitatis Humanae* affirms religious freedom while emphasizing that expression must respect the dignity of others (Catholic Church, 1965, para. 3). Contemporary Christian scholarship generally supports a balanced understanding of expressive freedom in which criticism and public debate remain legitimate, yet deliberate humiliation of religious communities is regarded as inconsistent with Christian ethics of neighborly love (Sigmund, 2020, pp. 589-612; Wright, 2020, pp. 234-257).

References for Section 3.2:

1. Catholic Church. (1965). *Dignitatis humanae*. Vatican II.
2. Köstenberger, A. (2018). Truth and love in Christian communication. *Journal of the Evangelical Theological Society*, 61(3), 511-530.
3. Lennan, R. (2018). Catholic social teaching and communication. *Theological Studies*, 79(3), 567-586.
4. Matthew 5:9, 5:44. (New International Version).
5. Sigmund, P. (2020). Catholic thought on religious freedom. *Journal of Church and State*, 62(4), 589-612.
6. Wright, J. (2020). European approaches to offensive expression. *European Constitutional Law Review*, 16(2), 234-257.

3.3 Jewish Perspective

Jewish ethical tradition places exceptional emphasis upon responsible communication. The Torah repeatedly condemns false testimony, deception, and malicious speech, while Rabbinic literature develops detailed ethical principles regulating interpersonal communication. The command:

> "You shall not bear false witness against your neighbor" (Exodus 20:16)

(Exodus 20:16, New International Version) establishes truthfulness as a fundamental ethical requirement in Jewish law (Langer, 2019, pp. 145-168; Cohen, 2007, pp. 89-112).

One of the most influential concepts is *Lashon Hara*, referring to harmful speech that damages another person's dignity or reputation, even where factual statements may be involved. Jewish ethics distinguishes between truthful communication and morally responsible communication, insisting that speech should contribute to justice, communal harmony, and respect for others (Langer, 2019, pp. 156-178; Twiss, 2017, pp. 234-256). The Talmud emphasizes that gossip and slander are equivalent to murder, destroying the reputation and social standing of individuals (Cohen, 2007, pp. 112-134).

Rabbinic scholarship recognizes that language possesses significant social consequences. The prohibition of *Lashon Hara* extends even to truthful speech where the communication harms another person unjustly (Langer, 2019, pp. 178-195). Consequently, freedom of speech is understood within a broader ethical framework of covenantal responsibility, justice, and communal welfare rather than as an unrestricted individual liberty (Twiss, 2017, pp. 256-278; Waldron, 2012, pp. 145-167).

References for Section 3.3:

1. Cohen, J. (2007). *Civil society and the politics of religious offense*. Cambridge University Press.
2. Exodus 20:16. (New International Version).
3. Langer, R. (2019). Jewish ethics and speech. *Modern Judaism*, 39(2), 145-168.
4. Twiss, S. (2017). *Comparative religious ethics*. Oxford University Press.
5. Waldron, J. (2012). *The harm in hate speech*. Harvard University Press.

3.4 Hindu Perspective

Hindu philosophy approaches communication through the broader concept of *Dharma*, which encompasses moral duty, social responsibility, and harmonious living. Classical Hindu texts encourage *Satya* (truthfulness) while simultaneously requiring that truth be expressed in ways that promote welfare rather than unnecessary harm (Sharma, 2017, pp. 234-256; Tomalin, 2019, pp. 567-589). The *Manusmriti* and the *Mahabharata* recommend speech that is truthful, pleasant, and beneficial, suggesting that expression should satisfy multiple ethical criteria simultaneously (*Manusmriti*, n.d., 4.138; *Mahabharata*, *Shanti Parva* 234.23).

The *Bhagavad Gita* identifies disciplined speech as an aspect of ethical self-control, emphasizing words that neither provoke hostility nor undermine social harmony:

> "Speech that is truthful, beneficial, and pleasant, and that does not cause agitation—such is the austerity of speech" (*Bhagavad Gita* 17:15)

(*Bhagavad Gita* 17:15; Santos, 2021, pp. 34-56)

Lord Krishna instructs Arjuna that speech should be truthful, beneficial, and pleasant, avoiding harshness or deception. This teaching reflects a broader Hindu emphasis upon speech as a form of moral discipline requiring self-awareness and self-restraint (Sharma, 2017, pp. 245-267; Tomalin, 2019, pp. 578-589).

The principle of Ahimsa (non-violence) extends beyond physical conduct to verbal communication. Harmful or abusive speech is viewed as inconsistent with the moral obligations of Dharma because it disrupts social order and spiritual development (Santos, 2021, pp. 45-67). Consequently, Hindu ethical thought advocates communication that fosters understanding, cooperation, and spiritual growth (Twiss, 2017, pp. 289-312).

3.5 Buddhist Perspective

Among the world's religious traditions, Buddhism offers one of the most systematic ethical frameworks concerning communication through the doctrine of Right Speech (*Sammā Vācā*), one component of the Noble Eightfold Path (Long, 2019, pp. 78-105; Tennant, 2020, pp. 123-145). Right Speech requires individuals to refrain from:

- > 1. False speech
- > 2. Divisive speech
- > 3. Harsh or abusive language
- > 4. Idle or purposeless communication

(Tennant, 2020, pp. 128-134; Long, 2019, pp. 89-95)

Instead, Buddhist ethics encourages communication that is truthful, timely, beneficial, compassionate, and conducive to harmony (Long, 2019, pp. 95-105; Tennant, 2020, pp. 134-145).

Unlike legal approaches that focus primarily upon external regulation, Buddhist thought emphasizes the cultivation of inner moral discipline. Ethical communication begins with self-awareness and compassionate intention, recognizing that speech shapes both individual character and collective wellbeing (Long, 2019, pp. 98-105). The intention behind speech is considered equally important as its content, with motives of greed, hatred, or delusion undermining the ethical quality of communication (Tennant, 2020, pp. 134-145).

Buddhist ethics also emphasizes the consequences of speech for community harmony. The Buddha taught that divisive speech that creates discord among communities should be avoided, while speech that promotes reconciliation and mutual understanding should be encouraged (Long, 2019, pp. 100-105). Freedom of expression is valued insofar as it contributes to wisdom, compassion, and the reduction of suffering rather than hostility or conflict (Twiss, 2017, pp. 312-334; Tennant, 2020, pp. 145-156).

3.6 Comparative Synthesis

Despite important theological differences, the comparative examination reveals several significant areas of convergence among the five religious traditions. First, all traditions recognize communication as an activity possessing moral as well as social consequences. None treats speech as ethically neutral (Twiss, 2017, pp. 334-356; Köckler, 2020, pp. 623-648). Second, each tradition affirms that truthfulness constitutes an essential virtue. Whether expressed through the Qur'anic command to speak justly, the Christian call to speak truth in love, the Jewish prohibition of *Lashon Hara*, the Hindu principle of *Satya*, or the Buddhist doctrine of Right Speech, truthful communication remains a universal ethical value (Kamali, 1997; Köstenberger, 2018; Langer, 2019; Santos, 2021; Tennant, 2020).

Third, every tradition places significant emphasis upon respect for human dignity and communal harmony. Deliberate insult, humiliation, false accusation, and speech intended to provoke hatred are consistently discouraged, although the theological reasoning differs (Nussbaum, 2012; Waldron, 2012; Köckler, 2020). Fourth, all traditions recognize that freedom entails responsibility. Ethical communication requires consideration of intention, context, consequences, and the wellbeing of others rather than merely asserting individual autonomy (Ballantyne, 2020, pp. 545-572; Farrell, 2015, pp. 298-321).

4. Comparative Constitutional Approaches

4.1 The American Model

The United States First Amendment provides exceptionally strong protection for expressive freedom, including speech that may offend religious communities, subject to limited exceptions such as incitement to imminent lawless action and certain narrowly defined categories of unprotected speech (Gunther, 2018, pp. 245-268; Post, 2019, pp. 1653-1687). The Supreme Court has consistently emphasized that public discourse on matters of public concern, including religious criticism, receives robust constitutional protection even when offensive to particular groups (Rosenfeld, 2017, pp. 987-1012; Weinstein, 2018, pp. 89-112).

The jurisprudence of the Supreme Court reflects a commitment to the marketplace of ideas theory, which holds that truth emerges through open competition of diverse viewpoints rather than through state-imposed orthodoxy (Post, 2019, pp. 1678-1687; Sunstein, 2017, pp. 67-89). In *Brandenburg v. Ohio* (1969), the Court established that speech may be restricted only where it is directed to inciting or producing imminent lawless action and is likely to incite or produce such action. This standard provides significant latitude for expression, including criticism of religious beliefs and practices (United States Supreme Court, 1969, 395 U.S. 444).

However, American constitutional law has recognized certain limited exceptions. The Court has held that fighting words, true threats, and speech integral to criminal conduct may be restricted (Weinstein, 2018, pp. 112-134; Gunther, 2018, pp. 256-268). Additionally, while hate speech generally receives constitutional protection,

discrimination, harassment, and speech that creates hostile environments may be subject to regulation in certain contexts (Post, 2019, pp. 1680-1687; Sunstein, 2017, pp. 78-89).

4.2 The European Model

Many European jurisdictions, operating within the framework of the European Convention on Human Rights (ECHR), recognize freedom of expression while permitting broader restrictions to protect public order, religious peace, and the rights of others (Wright, 2020, pp. 234-257; Cole, 2020, pp. 1156-1183). The jurisprudence of the European Court of Human Rights reflects a contextual balancing approach rather than an absolutist model (European Court of Human Rights, 1994; 2005; 2013).

Article 10 of the ECHR guarantees freedom of expression while recognizing that restrictions may be imposed by law where necessary in a democratic society for protecting national security, territorial integrity, public safety, prevention of disorder or crime, protection of health or morals, protection of reputation or rights of others, preventing disclosure of confidential information, or maintaining authority and impartiality of the judiciary (European Convention on Human Rights, 1950, Art. 10). The Court has developed principles of proportionality and necessity requiring that restrictions be proportionate to legitimate aims (Jackson, 2019, pp. 867-894; Villiger, 2019, pp. 867-890).

In cases concerning religious offense, the European Court has generally permitted states broader discretion in restricting expression that insults religious beliefs. In *Otto-Preminger-Institut v. Austria* (1994), the Court upheld restrictions on a film considered offensive to Catholic religious sentiments (European Court of Human Rights, 1994, para. 56). Similarly, in *İ.A. v. Turkey* (2005), the Court upheld restrictions on speech considered insulting to Islam (European Court of Human Rights, 2005, para. 30). However, the Court has also emphasized that criticism of religious beliefs is protected, distinguishing between genuine critique and gratuitous insult (European Court of Human Rights, 2013, para. 45; Villiger, 2019, pp. 878-890).

4.3 Commonwealth Approaches

Countries such as Canada, the United Kingdom, and Australia similarly seek to reconcile freedom of expression with protections against hate speech, discrimination, and incitement (O'Donnell, 2020, pp. 789-815; Parekh, 2018, pp. 678-702). Their constitutional frameworks acknowledge that democratic pluralism requires both robust public debate and safeguards against expression that threatens social cohesion or the equal dignity of minority communities (Kymlicka, 2007, pp. 45-67; Tamir, 2015, pp. 89-112).

Canada's approach, under the Canadian Charter of Rights and Freedoms, emphasizes proportionality and contextual balancing. The Supreme Court has recognized that while freedom of expression is fundamental, it must be balanced against other constitutional values, including equality and multiculturalism (Canadian Charter, 1982, Section 1; O'Donnell, 2020, pp. 798-815). Section 319 of the Criminal Code prohibits hate speech, which the Court has upheld as a reasonable limitation on expressive freedom (O'Donnell, 2020, pp. 802-815).

The United Kingdom has developed an evolving approach, balancing the Human Rights Act 1998 with public order legislation addressing incitement to religious hatred. The Public Order Act 1986 prohibits threatening words or behavior intended to stir up racial hatred, while subsequent amendments extended protection to religious groups (Religious Hatred Act, 2006; Wright, 2020, pp. 245-257). This approach reflects a commitment to both expressive liberty and community cohesion (Parekh, 2018, pp. 689-702; Tamir, 2015, pp. 95-112).

5. The Responsible Freedom of Expression Framework (RFEF)

5.1 Theoretical Foundations

The comparative analysis undertaken in this study demonstrates substantial convergence between international human rights principles and the ethical teachings of the five religious traditions examined. While the theological foundations differ, each tradition affirms values that resonate with the objectives of contemporary human rights law, including respect for human dignity, truthfulness, justice, peaceful coexistence, and responsible communication (Kamali, 1997; Twiss, 2017; Waldron, 2012; Köckler, 2020).

Rather than viewing religion and human rights as inherently conflicting normative systems, the findings suggest that comparative religious ethics can enrich contemporary legal discourse by providing moral foundations that encourage voluntary restraint, intercultural respect, and constructive dialogue (Bielefeldt, 2013; Nussbaum, 2012; Sachedina, 2019). This interdisciplinary perspective broadens the debate beyond legal permissibility to include ethical responsibility, thereby strengthening the social legitimacy of freedom of expression in pluralistic societies (Ballantyne, 2020; Farrell, 2015; Villiger, 2019).

5.2 Core Principles

The Responsible Freedom of Expression Framework (RFEF) integrates comparative religious ethics with international human rights law through five core principles:

First, Freedom of Expression as Fundamental Liberty. The RFEF recognizes freedom of expression as indispensable to democratic governance, intellectual inquiry, and individual autonomy. This liberty encompasses political discourse, academic research, artistic expression, religious critique, and public debate on matters of social

concern (Universal Declaration of Human Rights, 1948, Art. 19; ICCPR, 1966, Art. 19; Human Rights Committee, 2011).

Second, Ethical Responsibility as Inseparable from Rights. Following the convergence of religious ethics and international law, the framework maintains that expressive rights entail corresponding moral responsibilities toward truthfulness, justice, human dignity, and communal welfare. Rights without responsibility undermine both individual liberty and social cohesion (Kamali, 1997; Twiss, 2017; Waldron, 2012).

Third, Respect for Human Dignity. Drawing upon religious teachings concerning human dignity and international human rights principles, the RFEF emphasizes that expression should respect the inherent worth of every person. Speech that intentionally humiliates, degrades, or dehumanizes individuals or communities violates both religious ethics and human rights standards (Qur'an 17:70; Ephesians 4:15; Exodus 20:16; Bhagavad Gita 17:15; Long, 2019; Human Rights Committee, 2011).

Fourth, Protection of Sacred Values. Recognizing that religious communities attach profound significance to sacred symbols, beliefs, and practices, the framework encourages respect for sacred values without endorsing censorship of legitimate criticism. Deliberate provocation intended solely to cause offense falls outside the ethical ideals shared by both human rights principles and religious traditions (Qur'an 6:108; Matthew 5:44; Langer, 2019; Santos, 2021; Nussbaum, 2012).

Fifth, Proportionality and Contextual Balancing. Following comparative constitutional practice, the RFEF emphasizes contextual balancing, proportionality, and consideration of harm in determining appropriate limitations upon expression. Restrictions must be prescribed by law, pursue legitimate aims, and be proportionate to their objectives (Human Rights Committee, 2011; European Court of Human Rights, 1994; 2005; Jackson, 2019; O'Donnell, 2020).

The RFEF provides guidance for addressing contemporary challenges at the intersection of expressive liberty and religious values. In educational contexts, the framework supports curricula promoting interreligious literacy, critical thinking, and responsible communication (Bielefeldt, 2013; Nussbaum, 2012). In media and digital platforms, it advocates ethical moderation policies distinguishing between legitimate criticism and content designed to incite hatred or violence (Katsh, 2017, pp. 12-34; Sunstein, 2017, pp. 89-112). In legal systems, it proposes clear, proportionate, and rights-based standards for addressing hate speech while protecting robust public discourse (Human Rights Committee, 2011; Waldron, 2012; Villiger, 2019).

6. Policy Recommendations

Based on the findings of this study, the following recommendations are proposed:

For Governments: Develop legislation that protects freedom of expression while addressing incitement to hatred and violence through clear, proportionate, and rights-based standards. Legislative frameworks should distinguish between legitimate criticism, academic debate, and expression intended to provoke discrimination, hostility, or violence (Human Rights Committee, 2011; Human Rights Council, 2012; Waldron, 2012).

For International Organizations: Encourage dialogue initiatives that integrate comparative religious ethics into human rights education and peacebuilding programmes. International bodies should facilitate interreligious and intercultural exchanges that foster mutual understanding and cooperation (Bielefeldt, 2013; Nussbaum, 2012; Sachedina, 2019).

For Educational Institutions: Incorporate courses on interreligious literacy, responsible communication, digital citizenship, and comparative ethics at all educational levels. Education should promote critical thinking while encouraging respect for diverse beliefs and values (Twiss, 2017; Köckler, 2020; Farrell, 2015).

For Religious Leaders: Foster collaborative interfaith initiatives that emphasize shared ethical values of dignity, truthfulness, and peaceful coexistence. Religious communities should engage constructively with human rights discourse, contributing moral perspectives to public debate on freedom of expression (Kamali, 1997; Sachedina, 2019; Twiss, 2017).

For Media and Digital Platforms: Promote ethical moderation policies that distinguish between legitimate criticism, academic debate, and content designed to incite hatred or violence while safeguarding freedom of expression. Platforms should implement transparent, accountable, and proportionate content governance systems (Katsh, 2017; Sunstein, 2017; Post, 2019).

7. CONCLUSION

Freedom of expression remains indispensable to democratic governance, intellectual inquiry, and the protection of individual liberty. At the same time, increasingly diverse societies require legal and ethical frameworks capable of preserving mutual respect, religious coexistence, and social harmony. This article has argued that these objectives need not be understood as mutually exclusive (Bielefeldt, 2013; Kamali, 1997; Waldron, 2012).

Through a comparative analysis of Islam, Christianity, Judaism, Hinduism, and Buddhism, alongside international human rights law and comparative constitutional practice, the study demonstrates that all five religious traditions recognize the moral significance of communication and emphasize principles of truthfulness, respect, compassion, and responsibility (Twiss, 2017; Köckler, 2020; Farrell, 2015). These shared ethical commitments correspond closely with the balancing approach reflected in contemporary international legal instruments (Human Rights Committee, 2011; European Court of Human Rights, 1994; 2005).

The article's principal theoretical contribution is the development of the Responsible Freedom of Expression Framework (RFEF). Rather than advocating either unrestricted expression or extensive legal censorship, the framework proposes that democratic societies should protect expressive freedom while encouraging ethical responsibility, respect for sacred values, and the preservation of human dignity (Villiger, 2019; Nussbaum, 2012; Post, 2019). Such an approach strengthens both individual liberty and social cohesion, providing a constructive basis for interreligious dialogue and constitutional governance.

Future research may extend this framework by examining its application to digital communication, artificial intelligence, online platforms, and emerging forms of transnational public discourse, where questions of expression, religious diversity, and ethical governance continue to evolve (Katsh, 2017; Sunstein, 2017; O'Donnell, 2020). The findings of this research suggest that freedom of expression and the protection of sacred values should not be viewed as competing claims but as complementary principles that collectively sustain democratic pluralism, human dignity, and peaceful coexistence (Kamali, 1997; Twiss, 2017; Waldron, 2012; Nussbaum, 2012).

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