

FREEDOM OF EXPRESSION FROM A MALAY-ISLAMIC PERSPECTIVE

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Article history

Received date : 3-8-2026
Revised date : 4-8-2026
Accepted date : 8-9-2026
Published date : 21-9-2026

To cite this document:

Mohd Nasir, S., & Mohd Sani, M. A. (2026). Freedom of expression from a Malay-Islamic perspective. *Journal of Islamic, Social, Economics and Development (JISED)*, 11 (86), 922 – 932.

Abstract: *This paper examines freedom of expression through Malay cultural practices that emphasise Islamic civilisational values and the Malay moral concept, which these practices provide to shape the framework of expression. Unlike Western liberal human rights, which promote absolute freedom of speech, Malay culture emphasises social responsibilities grounded in Islamic values such as akhlak, public interest, justice, and the protection of human dignity as the basis for normative guidelines for expression. Drawing on secondary data and document analysis, this paper argues that free expression should not be an absolute right but rather be guided by a moral compass aimed at maintaining collective order and harmony. It is particularly important to emphasise that protecting social responsibilities in Malay culture is not a means of hindering the right to speech or expression, but rather a way to liberate public space from language harassment and inflammatory remarks, in line with the demands of Islam. Therefore, this finding highlights that Malay civilisational values, which safeguard the right to free expression through ethical norms, offer a perspective on the Islamic approach to free expression, taking Islam into account and turning it into a practical, culturally resonant model that can be implemented in society.*

Keywords: *Freedom of Expression, Malay Civilisation, Human Dignity, Islamic Expression.*

Introduction

In contemporary times, freedom of expression is a key to societal development and to humanity, and this right is considered central to the human rights system. The right to free expression has evolved into different definitions and interpretations across countries. Under the international convention, free expression is recognised in the 1948 Declaration of Human Rights under Article 19, which states that *“Everyone has the right to freedom of opinion and expression: this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”* (United Nations, 1948). In Malaysia, freedom of expression does not rest solely on human rights principles that advocate unrestricted expression for all individuals. Instead, it is informed by Islamic values and dignity and supported by legal and cultural bonds (Ali, 2000; Majid et al., 2012). The Islamic moral system embedded in Malay society has also shaped Malay cultural expression (Rashid, 2005; Atoh & Idris, 2013). When examining Malay expression, the concept of human dignity plays a significant role in shaping the moral psyche of the Malays, a phenomenon that many scholars assert has not been observed in other societies (Mastor et al., 2000; Rashid, 2005; Richardson et al., 2016; Zakaria et al., 2017; Khaliah Khalid Ali, 2022). Furthermore, the values of dignity reflect Islamic principles, emphasising that Islamic moral values foster the development of benevolent personalities and behaviours that uphold one another’s dignity in Malay society. These values are ingrained in every aspect of Malay culture and character development, as illustrated by the Malay proverb ‘adat bersendi hukum, hukum bersendi kitab Allah,’ which means that custom is linked to law, and the law is linked to God's command.

Therefore, this paper aims to illuminate how the Malay values of Adat (custom) and Adab (virtues), and Islam, that shape local understandings of expression, may inadequately reflect the moral and cultural realities of the Malay-Muslim majority, particularly when contrasted with the liberal human rights framework that prioritises individual autonomy. The significance of this research lies in its theoretical and cultural contributions. The ground realities of public discourse in Malaysia today tend to oscillate between two extremes: unrestrained expression justified by liberal rights and overregulated speech constrained by political sensitivities, both of which overlook the cultural value of dignity in Malay norms. It challenges the dominance of Western-centric notions of freedom of speech by offering a perspective rooted in Malay traditions that is neither submissive nor confrontational, but guided by ethics, social responsibility, and moral balance. This approach also presents a third alternative, one that transcends Western-style libertarian speech norms and restrictive state censorship, moving towards a more ethically grounded, socially harmonious, and culturally resonant framework.

Literature Review

Classical liberal thought emphasises that freedom of expression is an individual liberty and a fundamental pillar for societal progress. John Stuart Mill’s essay *On Liberty* (1859) introduced the ‘marketplace of ideas,’ which asserts that the pursuit of truth should not be hindered, even when false ideas are involved, as it is part of society’s intellectual development, unless a speech or expression causes direct harm. This aligns with the American First Amendment, which prioritises public debate and openness over restrictions on rights, even for speech that is hateful or offensive. Therefore, speech that causes direct harm and damages others should be restricted, whereas hate speech or insulting remarks that do not cause physical harm should be left unrestrained. Alexander Meiklejohn advances a further classification of which forms of speech and expression are considered free under the First Amendment. Unlike Mill, who argues that all types of speech should be protected, Meiklejohn asserts that not every expression is entitled to protection, as its only guarantee *“is assured only to speech which bears, directly or indirectly, upon issues with which voters have to deal, only, therefore, to the consideration of matters of*

public interest” (Wellington, 1979). Expressions outside of the “matters of public interest” scope are categorised as ‘private speech’ or private interest in speech, which falls outside the scope of the First Amendment and separates the voices of the public from those of private interest and good. While the First Amendment has crystallised as the principal constitutional rationale legitimising and protecting free expression, implementing the regulations remains unclear, or, as Alexander Bickel (1975) described, the First Amendment is a “*successful operation of the political process*” (Wellington, 1979). Therefore, the liberalist, in regulating the public sphere through these ideas, may sometimes have to sacrifice objectivity, setting aside its principle of neutrality in free expression.

In Malaysia, freedom of expression is enshrined in the federal constitution under Article 10, which guarantees freedom of speech, assembly, and association. Article 10 (1) allows (a) every citizen to have the right to freedom of speech and expression, (b) all citizens have the right to assemble peaceably and without arms, and (c) all citizens have the right to form associations (Federal Constitution, 2016, p.26). Nonetheless, in clauses 2, 3, and 4 of Article 10, the parliament has the right to impose restrictions on and limit free expression if necessary or expedient in the interest of the country's security (Federal Constitution, 2016, p. 27). In a multicultural and multi-ethnic country like Malaysia, the government would impose restrictions and limitations on expression to ensure social stability, especially on the issues of the Malay's status quo, such as the special right of the Malays or any controversial expression such as questioning Islam as the official religion in Malaysia or racial remarks like query the immigration rights that would open the doors to social chaos and disruption (Sani, 2008; Mia et al., 2021). Through this justification, the universal declaration by the United Nations that mentioned “Everyone has the right to freedom of opinion and expression; this right includes the freedom to hold opinions without interference...” has not been reflected in the Malaysian constitution, as it is deemed unsuitable for Malaysia's social and political-cultural context.

Furthermore, free expression in Malaysia does not rely solely on human rights principles that advocate unrestricted expression for all individuals. Instead, it is informed by Islamic values and dignity and is supported by legal and cultural bonds (Ali, 2000; Majid et al., 2012). The foundation of freedom of expression in Malaysia is often associated with the concept of Asian values. According to Wan A. Manan (1999), Asian values are an ambiguous concept whose ideological construction arises from a blend of cultural values that various groups interpret differently, particularly in Southeast Asia. In the Malaysian context, Mahathir Mohamad, the former Prime Minister who popularised the concept of Asian values, is often referenced. Mahathir's critiques of the Western approach to human rights and liberal democracy emphasise moral decay, which he argues is unsuitable for the Asian community to replicate. Approximately fourteen laws (Nor & Gale, 2021) aim to prevent the abuse of free expression in Malaysia, including the Sedition Act of 1948 and the Official Secrets Act of 1972 (OSA), which have sparked controversy due to their restrictions on free expression and have often been manipulated by the government.

Following Mahathir, liberal democracy is viewed as endorsing weapons and openly expressing homosexuality in the name of human rights; however, this comes at the cost of social disruption and community well-being (Karunan, 1997; Wan A. Manan, 1999; Sani, 2010). Instead, Mahathir emphasises the need for strong authority to govern the country and uphold Malay-Islamic cultural norms, which may entail certain limited rights. Furthermore, both Asian cultural values and Malay cultural expressions emphasise the importance of preserving human dignity. The central argument of Asian values prioritises societal interests over individual ones. Society's interests should be the focal point of the community, exemplified by family ties and

cooperation, aligning with Malay cultural expressions that prioritise community values and perspectives over individual viewpoints, thereby striving for social harmony and unity (Wan A. Manan, 1999; Sani, 2010). However, the concept of free expression in Malaysia is often met with scepticism. Many scholars have noted a paradox: while the country asserts its commitment to this fundamental right, it simultaneously enforces stringent laws and regulations. This tension stems from Mahathir's vision of Asian values, which seeks to impose limits on free speech, illustrating the complexities of balancing individuality with cultural ideals (Sani, 2008; Yussoffa & Nordina, 2021; Noor Aziah Abdullah & Rohana Mijanb, 2021). This is evident in the idea of 'Asian democracy,' which holds that, for economic prosperity, social development, and political stability, strict regulations and delayed democratic reforms are necessary (Wan A. Manan, 1999). Conversely, Muntarhorn (1994, as cited in Sani, 2020) argued that these strict regulations are intended to safeguard society's peace and harmony, thereby extending the government's tenure in power.

The more concerning issue is that the loose, oversimplified arguments about the moral dimension of freedom of expression have contributed to an ethical deficit that strays from core values, religion, culture, and societal principles. Political expression can be understood as the communication of political beliefs, opinions, and ideas that often reflect the values and norms of a specific community or society, and many of these opinions should not be regulated (Waldron, 2014, as cited in Bousquet, 2022; Sani, 2008). Within Malay society, this has encountered substantial neglect of the moral spectrum, where many of these expressions have been justified as a right to speak without considering the element of *Budi* that embodies a network of Malay thought functioning within the Malay *weltanschauung*, with Islam as the most significant aspect of Malay identity (Ahmad Murad, 2006, as cited in Ali, 2022). This deviation prompts critical questions about the integrity of political discourse and its alignment with the foundational aspects of the Malay identity.

In contemplating this issue, this paper argues that there is a need for a normative and religious perspective to be included in the discussion of freedom of expression, the same as it treated in the formation of laws that Malaysia is often referred to as a model Islamic country that frequently influenced by cultural basis and the fundamental principles of Islam, particularly Shari'ah law, which is regarded by the Muslim majority as a foundational legal framework (Trakic & Haydar, 2021; Husin & Ibrahim, 2016). This study employed a qualitative research method, utilising document analysis of relevant literature. Document analysis is an appropriate approach for data analysis, as it generates rich explanations and interpretations of social phenomena and behaviours and utilises a variety of data, including reviewed literature such as books, journal articles, and other online databases (Stake, 1995; Yin, 1994, as cited in Bowen, 2009). It explores historical and contemporary accounts of Malay cultural expression and Islam in relation to freedom of expression, offering a culture-based guide to proper ethics and the protection of rights, especially political expression. Similarly, this is evident in Bousquet's (2022) arguments, which advocate a dignified approach to restricting or regulating expressions that could undermine an individual's or a group's dignity. He justified that certain expressions have the potential to destroy one's social status and hinder equal rights and participation in society, such as racial hate speech. The result of the study also illustrated that the argument for liberal human rights is not particularly compelling as the engine of a functioning democracy, given its vulnerabilities that can be exploited. Therefore, freedom of expression in Malaysia should transcend the liberal notion of human rights and take into account the Malay-Muslim cultural perspective that has underpinned the cultural foundation from the outset.

The Malay-Islamic Perspective of Freedom of Expression

Islam, through its divine revelation, grants liberties and rights in the pursuit of truth, as mentioned in the Quran (al-Maedah 4:48): *“So judge between them by what Allah (SWT) hath revealed, and follow not their vain desires, diverging from the Truth that hath come to thee.”* Free expression and other fundamental human rights are natural endowments granted to all human beings by Allah S.W.T in Islam that are not subject to historical struggle or efforts, and societies and governments have no right to deprive them, which contrasts with the modern Western pursuits to attain these rights (Isrār-ul-Haq, 2007; Shākir, 2008). These rights have been practised for decades, dating back to the early foundation of Islam. Practices of consultation, where anyone has the right to voice their opinion and share concerns, as observed in the age of the caliphate, serve as evidence of the Islamic standards of free expression and individual liberty, as noted by Sheikh Hamid Ansari (n.d):

‘Umar’s (RA) era was the excellent period for freedom of expression and freedom of speech. It is his routine approach that he called people in Masjid of the Prophet Muhammad (SAW), when an important issue occurred. Every person freely expressed his opinion in front of the Khalīfah (the head of state). Also, He incorporated the spirit of common consultation in the Islamic government’.

In contrast to the Western concept of human rights and free expression, which are granted through man-made laws or institutions defined by specific ideas about how society should live and think (Naim, n.d., p.161), some may describe it as absolute freedom, while others accept certain restrictions to prevent harm, as discussed earlier. However, in Islamic jurisprudence (fiqh), freedom of expression is recognised as a qualified right rather than an absolute one (Malik, 2008, p.53). The Quran clearly highlights intellectual freedom through the verse *“Let there be no compulsion in religion”* (2:256) and stresses the duty of Muslims to be responsible and truthful in speech: *“If an evildoer brings you news, verify it, lest you harm people in ignorance”* (49:6). Therefore, the Islamic scholarly perspective on freedom of expression emphasises a balance between individual rights and social responsibilities. It operates within the framework of maslahah (public interest) and *maqasid al-Shari’ah* to protect religion, life, intellect, lineage, and property, with the overarching aim of safeguarding *al-‘ird* (dignity) (Jundī, 1984, p. 177; Mawdūdī, 1999, p. 261). Free expression has always been encouraged as a means of seeking knowledge, fostering intellectual growth, offering sincere advice, and communicating the truth. However, speech that threatens the social fabric should be regarded as a form of danger. These principles underpin important values of advice and manners within the Islamic tradition. The Quran and Hadith serve as primary sources guiding acceptable speech, exemplified by teachings such as *“do not indulge in much suspicion... nor backbite one another”* (Qur’an 49:12) and a Hadith narrated that The Prophet Muhammad (SAW) said *“Whoever believes in Allah and the Last Day, should not hurt his neighbour and whoever believes in Allah and the Last Day, should serve his guest generously and whoever believes in Allah and the Last Day, should speak what is good or keep silent.”* (Al-Bukhari, 2009, Hadith 6136). This command establishes the tone of Islamic guidelines that advocate honest and just speech and proscribe speech that is insulting, false, or disruptive, which comes with a great warning from the Quran that speech that contains fitnah or defamation is more worse than killing and fitnah is worse than killing *“And kill them [in battle] wherever you overtake them and expel them from wherever they have expelled you, and fitnah is worse than killing”* (2:191).

In the political sphere, Islam emphatically foregrounds the exercise of freedom of expression, particularly the moral imperative of speech and debating public deliberation in the pursuit of truth when confronting tyranny rulers that is so essential that it is considered a form of jihad as

narrated in a Hadith where The Prophet Muhammad (SAW) said, *“The best form of Jihad is to tell a word of truth in front of a tyrannical Ruler”* (Abū Dāwūd, 2008, Hadith 4334). However, these fundamental rights, which are also religious duties, are subject to ethical and legal boundaries designed to protect human dignity, public morals, and societal values. Islam always permits space for questioning and critique to encourage the pursuit of truth and never fully restricts these rights. For instance, Kamali (1994) notes that historically, Islamic societies have allowed a wide range of religious and political discourse, including petitions and debates. Yet, the spread of falsehood has never been tolerated. For example, the second Caliph, Umar, openly accepted correction from a woman during a sermon, but it also prohibits inflammatory and insulting speech that can directly damage a person’s honour (‘ird), inviolable dignity, or promote malicious falsehoods. He further argues that freedom of expression and human dignity are linked: *“Freedom of expression also complements human dignity, for the essence of character and personality is reflected in a person’s opinion and judgment”* (Kamali, 1994). This reiterates that in Islam, speech is never a neutral act or a free right, but it has consequences for one’s spiritual state and the well-being of society. The action of Nasiha, or honest counsel, is a practical concept used in contexts where truthfulness of speech is required while maintaining virtuous relationships with others.

Human Dignity as a Basis of Speech

The Malay-Muslim society has developed its own cultural practices of expression that focus on protecting human dignity, are grounded in Islamic commandments, are integrated into social rules and sanctions, and are part of the enduring ethos of the Malay-Muslim community. Malay values influenced by Islam are considered sophisticated, noble, and richly embellished in adat (culture). Adat forms part of a broad spectrum of the Malay worldview, where it can represent “the collective mind of the Malay people,” serving as a basis of identity and functioning as a unifying code (Zainal, 1989, 1990; Mohammad Aris, 1977). This Malay Adat is comprehensive, integrating Islamic tradition, customary beliefs, and scientific inquiry, and prioritising the cultivation of harmonious social relations (Taib, 1974; Provencher, 1972). To that end, Malays have built a humanising and compassionate social system that promotes equality for all and unconditional respect, with the fundamental goal of protecting dignity. Therefore, dignity has been a cultural construct in Malay-Muslim minds as a sense of self-worth that distinguishes one from others, and losing these values would only lead to a loss of social status. Malays have not prioritised the right to free speech and freedom of expression, but have instead focused on how messages are conveyed. For example, Malay society is often described as “usually portrayed as polite and self-effacing, avoiding open conflict wherever possible, and preferring to sit around chatting rather than work hard” (Crouch, 1996, p.165). Verbally, Malay society emphasises protecting others’ feelings over expressing their own; it is very cautious when offering criticism or opposing points, ensuring that the tone of messages remains polite rather than harsh or rude (Goddard, 1997).

Moreover, their mother tongue, Bahasa Melayu (Malay), has become a significant influence on Malay identity and culture (Mastor, 2000). It was adopted under British colonial rule through the British system and is written in the 26-letter Roman alphabet, whereas it was previously written in Jawi using the Arabic script. However, the cultural ethos of Malay identity in language remains intact and integrates seamlessly. Malays express their cultural identity through the saying, “bahasa jiwa bangsa,” or “language is the soul of the nation,” highlighting the vital role of language as a key instrument of national harmony. This is often reflected in the nuanced, sometimes indirect, manner of verbal expression (Goddard, 1997). For Malays, verbal responses may be direct, but they can also carry indirect meanings that require careful interpretation to grasp the intended message. As Goddard (1997, p.183) explains, different

cultures have different ways of being “indirect about, on how to be indirect and most importantly perhaps, on why to be indirect.”

Furthermore, Malay customary values and ethical principles are expressed through Adab, or courtesy. Adab is often translated as proper conduct, refinement, or civility, and it embodies a virtuous discipline rooted in good character and courtesy (Tham, 1971; Husin, 2011). In Malay society, adab is typically expressed through the word "Akhlaq," derived from the Arabic term, which signifies more than mere etiquette; it is a fundamental practice of *amal soleh* (virtuous deed) that reflects one's piety in the Islamic faith and must be incorporated into Muslim practices and culture (Khadijah & Habsah, 2013; Ali, 2022). Someone with adab behaves with *halus* (subtlety, gentleness) and *sopan santun* (politeness), showing respect to others, especially elders, and practising self-restraint. Importantly, adab is not only about personal virtue but also about safeguarding the dignity (*harga diri*) and good name (*nama baik*) of everyone involved. By being courteous and measured, Malays believe they protect their own honour and that of others. In fact, adab has been described as the “primary symbol of Malay social stance,” emphasising the avoidance of conflict and hurt feelings (Asrul Zamani, 2002, p. 151; Metzger, 2007, p. 27). This aligns exactly with Islamic ethics that prohibit insulting or shaming others, which is a shared value that makes adab a crucial link between Islam and Malay culture.

Another significant aspect of Malay custom is *budi*, which is described as an inner quality of goodness encompassing intellect, moral character, and empathy (Zakaria et al., 2017). Notably, *Budi* draws on Islamic concepts of *Ihsan* and *Hikmah*, which embody compassion, wisdom, and moral excellence. Other phrases using '*budi*' in Malay include '*budi pekerti*', '*budi bahasa*', and '*hati budi*', all of which form the soul of Malay ethics by implying a character that combines wisdom, benevolence, and decorum. *Budi* is a highly valued character trait among Malay scholars, described as *budi bahasa*, a cultural concept that demands grace, moral intelligence, and refined language, which has become the anchor for keeping and strengthening social harmony (Amat Juhari Moain, 1985; Rodi, 2022).

The Islamic integration can also be seen in the concept of Moderation, or *Wasatiyah*, which has been integrated into Malay-Muslim thought and practice. Muslim scholars such as Imam al-Shafi'i, al-Ghazali and Ibn Taymiyyah have extensive works on *Wasatiyah* in Islamic history and civilisation that accentuate the Tawhidic Worldview and focus on reinforcing 'ulum al-Din (Revival of Religious Science) and protecting Islamic tradition (Islam et al., 2019). In this context, *Wasatiyah* can be understood as the idea of establishing an *Ummah Wasat* (a justly balanced *Ummah*). In the Qur'an: *“Thus We have made you [Muslims] an Ummah Wasat (Justly balanced Ummah), that you be witnesses over mankind and the Messenger Muhammad be a witness over you”* (2:143). Contemporary Islamic scholars discuss *Wasatiyah* through the narrative of Islamic ethics that emphasises *Rahmah* (mercy) and *Amanah* (responsibility), and apply it to national policies and communal practices to build the Muslim society known as *Khaira Ummah* (a better nation) (Kamal Hassan, 2014; Malik, 2017; Hashim, 2010). On the other hand, Yusuf al-Qaradawi, a great and influential Islamic scholar who advanced the *Wasatiyah* discourse as the quintessential essence of Islamic thought, represents the true Islamic ideology that cultivates a balanced and comprehensive social sphere within Muslim society and resists radicalism (Wardeh, 2001).

In Malay-Muslim society, *Wasatiyah* is clearly reflected in the moral fabric, as Malays are known for their religious and moderate nature. This unique Malay-Islamic characteristic has fostered social cohesion and is known as *Manhaj Malizi*, meaning the Malaysian method of Islamic preaching. This approach is arguably equivalent to the Quranic concept of *Wasatiyah*

and distinguishes Malays from other Muslim communities, such as those in the Indian subcontinent and the Arab world (Malik, 2017; Hashim, 2010). The structure of moderation is built on three foundational principles of justice (al-‘adl), goodness (khairiyah) and balance (tawazun), which the Muslim must uphold and expound as the “Shuhada ‘ala al-Nas” (witness over mankind) as Kamal Hassan asserts, *“To excel in the twin qualities of justice and moral excellence is indeed a real challenge to the contemporary Muslim masses, the majority of whom are languishing in the culture of economic poverty, entrenched corruption and intellectual mediocrity. But Muslim leaders and those aspiring to be leaders of the people or the nation can no longer pay lip-service to the principle of justice and the need to practice moral excellence.”* (Kamal Hassan, 2011, p.306).

The discussion presents a Malay-Islamic model of freedom of expression, in which these rights and freedoms should be protected not by legal constraints but by moral purpose and social responsibilities. It ties free expression to the ethical boundaries of maqasid al-Shariah, which prioritise the community's sense of justice and the prevention of harm by fostering the pursuit of truth within the Islamic ecosystem of a sense of scared *amanah* (trust) through the concept of Wasatiyah to maintaining moderate and balance discussion, sincere counsel, the maintenance of the public interest, and the prevention of social discord that may arise from defamation and hate speech through the strict religious obligation to safeguard *al-‘ird* (human dignity).

Conclusion

The discourse surrounding freedom of expression has largely centred on human rights arguments and protection through regulation, leading to inadequate justification for certain forms of expression and for their regulation. In liberalism, discussions of free speech and public reason centre on John Stuart Mill’s assertion that we should not silence opinions, as they may contain truths; doing so can obstruct the pursuit of truth (Bonotti, 2015). Additionally, in 2017, Justice Alito, in *Matal v. Tam*, argued that freedom of speech should be maintained, even when it includes “ideas we detest.” This is primarily because regulating speech can silence minority viewpoints, which undermines the principles of freedom and political discourse (*Matal v Tam*, 2017, as cited in Bousquet, 2022). These liberal arguments surrounding free speech have now become the arguments that many Malay-Muslim individuals support, potentially rendering a form of hate speech tolerable, especially in the realm of political expression, which contradicts their cultural values.

Therefore, this paper has highlighted the crucial cultural argument for freedom of expression in Malay-Muslim society in Malaysia, which has established a value system that places great emphasis on protecting human dignity in daily interactions. Islamic ethical expressions have become a natural cultural complement in the traditional Malay worldview, operationalised in daily interaction through concepts such as *adab* (courtesy and proper conduct), *budi* (inner moral character and refined language), and *sopan santun* (politeness). The method of delivery is equally important as the core message itself, where explicit messages may need to be conveyed through indirectness, self-restraint, and subtle criticism, reflecting a cultural mechanism designed to prevent open conflict, shaming others, and preserving self-worth and dignity. Dignity is crucial in determining a person's social status, discouraging derogatory remarks and emphasising refined expression to mitigate harmful social relationships. This aligns with Malay-Muslim cultural demands, which hold that society's interests should be the community's focal point and that community values should be prioritised over individual viewpoints, with the aim of fostering social harmony and unity. This paper also stresses that, rather than focusing solely on stalled regulatory reforms due to the power struggle in Malaysia, it posits the cultural dynamics of free expression in Malay society, which primarily emphasise

Islamic values such as Adat (custom) and adab (virtues) that uphold the dignity of society, as an alternative argument for finding the balance between rights and responsibilities in free expression.

Acknowledgments

We would like to thank the Ministry of Higher Education (MoHE) of Malaysia through the Fundamental Research Grant Scheme (FRGS/1/2023/SS08/UUM/01/1) and Universiti Utara Malaysia for their helpful support.

References

- Abdullah, N. A., & Mijan, R. (2021). Freedom of speech from the perspective of legal advisor. *E-Proceeding*, 14, 77.
- Ali, K. K. (2022). A discourse on the Malay cultural identity within the Malaysian society. *Kajian Malaysia*, 40(1), 83–107. <https://doi.org/10.21315/km2022.40.1.5>
- Atoh, N., & Idris, Z. (2013). Simile sebagai kesantunan berbahasa dalam syair Siti Zubaidah. *Jurnal Pendeta*, 4(1), 78–95. <https://ejournal.upsi.edu.my/index.php/PENDETA/article/view/1135>
- Bonotti, M. (2015). Political liberalism, free speech and public reason. *European Journal of Political Theory*, 14(2), 180–208. <https://doi.org/10.1177/1474885114538257>
- Bonotti, M., & Seglow, J. (2022). Freedom of speech: A relational defence. *Philosophy & Social Criticism*, 48(4), 515–529. <https://doi.org/10.1177/01914537211073782>
- Bousquet, C. (2022). Words that harm: Defending the dignity approach to hate speech regulation. *Canadian Journal of Law & Jurisprudence*, 35(1), 31–57.
- Bowen, G. A. (2009). Document analysis as a qualitative research method. *Qualitative Research Journal*, 9(2), 27–40. <http://dx.doi.org/10.3316/QRJ0902027>
- Crouch, H. (1988). The politics of Islam in the ASEAN countries. In A. Broinowski (Ed.), *ASEAN into the 1990s* (pp. 184–199). Macmillan.
- Federal Constitution. (2016). Laws Research Board (Comp.). International Law Book Services.
- Goddard, C. (1997). Cultural values and ‘cultural scripts’ of Malay (Bahasa Melayu). *Journal of Pragmatics*, 27(2), 183–201.
- Hashim, R. (Ed.). (2010). *Reclaiming the conversation: Islamic intellectual tradition in the Malay Archipelago*. The Other Press.
- Husin, W. N. W. (2011). Budi-Islam: Its role in the construction of Malay identity in Malaysia. *International Journal of Humanities and Social Science*, 1, 132–142.
- Husin, W. N. W., & Ibrahim, H. (2016). Religious freedom, the Malaysian constitution and Islam: A critical analysis. *Procedia-Social and Behavioral Sciences*, 217, 1216–1224.
- Islam, M. H., Adam, F., Omar, S. H. S., Najihah, A. W., & Sultana, M. R. (2019). Moderation (Wasatiyah) paradigm in the Malay world: Thoughts of M. Kamal Hassan. *Archives of Business Research*, 7(11), 130–141. <https://doi.org/10.14738/abr.711.7456>
- Isrār-ul-Haq. (2007). *Islām aur maghrib kā taṣādūm* [The clash of Islam and the West]. Bait-ul-Hikmat.
- Jundī, A. (1984). *Qadāyā al-‘aṣr wa al-mushkilāt al-fikriyyah fī ṣaw’ al-Islām*. Dār al-Fikr.
- Kamal Hassan, M. (2011). *Voice of Islamic moderation from the Malay world*. EMIR.
- Kamal Hassan, M. (2014). Postgraduate interactive forum on Islamisation (PGIFI) series 1. *Postgraduate News Bulletin*. International Islamic University Malaysia: Centre for Postgraduate Studies.
- Karunan, V. P. (1997). *The security syndrome: Politics of national security in Asia*. Asian Forum for Human Rights and Development.
- KK Mart Boss Apologises To Malaysia’s King Over Socks Issue. (2024, April 3). The Straits Times. Retrieved April 6, 2024 <https://www.straitstimes.com/Asia/Se-Asia/KkMart>

- Boss-Apologises-To-Malaysia-S-King-OverSocksIssue#:~:Text=In%20March%2C%20KK%20Super%20Mart
- Majid, L. A., Hussin, H., Ismail, A. M., Stapa, Z., Nazri, M. A., Mohamad, S., Othman, F. M., & Shah, F. A. (2012). The contribution of Islamic education to strengthening Malay identity. *Journal of Applied Sciences Research*, 8(8), 4322–4327.
- Malaysia's Politicians Keep Suing Each Other For Defamation. Time. Retrieved May 11, 2023, From <https://Time.Com/6278923/Malaysia-Politics-Defamation-Lawsuits/>
- Malik, G. H. (2008). Islām aur āzādī-e-izhār [Islam and freedom of expression]. *Monthly Da'wah*, 14(11), 53.
- Malik, M. (2017). From political Islam to democrat Muslim: A case study of Rashid Ghannouchi's influence on ABIM, IKRAM, AMANAH and DAP. *Intellectual Discourse*, 25(1).
- Mastor, K. A., Jin, P., & Cooper, M. (2000). Malay culture and personality: a big five perspective. *American Behavioral Scientist*, 44(1), 95-111.
- Mia, M. T., Islam, M. Z., & Norullah, M. (2021). Freedom of speech and expression in Malaysia: Protection under the federal constitution. *Sarjana*, 36(1), 48–62.
- Mohamad Aris, O. (1977). *Ethnic identity in a Malay community in Malaysia* [Unpublished doctoral dissertation]. University of Michigan.
- Naīm, 'A. (n.d.). *Contribution in the general theory of freedoms*. Dār al-Ghawmīyah.
- Nor, M. W. M., & Gale, P. (2021). Growing fear of Islamisation: Representation of online media in Malaysia. *Journal of Muslim Minority Affairs*, 41(1), 17–33. doi:10.1080/13602004.2021.1903161
- Provencher, R. (1972). *Comparison of social interaction styles: Urban and rural Malay culture* (Society for Applied Anthropology Monograph Series, No. 11). Society for Applied Anthropology.
- Rashid, N. A. (2005). Nilai kesantunan dalam konteks sosiobudaya masyarakat Melayu. *Jurnal Pengajian Melayu*, 15(1), 232–253.
- Richardson, C., Yaapar, M.S., And Amir, S. (2016). Budi and Malay workplace ethics. *Journal Of Asia Business Studies*, 10(1): 78-92.
- Rodi, R. C. (2022). Research on the Malay psyche as a symbol of civilization of a society: A study based on the focus word “education” using the semantic field theory. *E-Jurnal Bahasa dan Linguistik (E-JBL)*, 4(2), 16–32.
- Sani, M. A. M. (2008). Freedom of speech and democracy in Malaysia. *Asian Journal of Political Science*, 16(1), 85–104. doi:10.1080/02185370801962440
- Sani, M. A. M. (2010). A comparative analysis of Asian values and Islam in Malaysia. *Jurnal Kemanusiaan*, 8(1), 1–16.
- Sani, M. A. M. (2020). *Islam and religious expression in Malaysia*. Singapore: ISEAS Publishing.
- Shākir, A. J. (2008). Tauhīn-e-risālat aur maghrib [Blasphemy and the West]. *Mahnāmah Da'wah*, 14(1), 13.
- Smet, S. (2019). The pragmatic case for legal tolerance. *Oxford Journal of Legal Studies*, 39(2), 344–373. <https://doi.org/10.1093/ojls/gqz007>
- Taib, A. (1974). Modernization in a Malay society peasant society. *Akademika*, 3(1), 15–24.
- Tham, S. C. (1971). Tradition, values and society among the Malays. *Review of Southeast Asian Studies*, 4, 10–20.
- Third KK Super Mart Outlet Attacked With Molotov Cocktail. (N.D.). The Star. Retrieved April 6, 2024, From <https://Www.Thestar.Com.My/News/Nation/2024/04/01/ThirdKkSuper-Mart-Outlet-Attacked-With-Molotov-Cocktai>
- Trakic, A., & Haydar, H. (2016). *Islamic banking & finance: Principles, instruments & operations*. CLJ Publication.

- United Nations. (1948). Universal Declaration Of Human Rights. United Nations. <https://www.un.org/en/about-us/universal-declaration-of-human-rights>
- Waldron, J. (2009). Dignity and defamation: The visibility of hate. *Harvard Law Review*, 123, 1596.
- Wan A. Manan. (1999). A nation in distress: Human rights, authoritarianism, and Asian values in Malaysia. *SOJOURN: Journal of Social Issues in Southeast Asia*, 14(2), 359–381.
- Wardeh, N. (2001). *Yusuf al-Qaradawi and the Islamic awakening of the late 20th century* [Master's thesis, McGill University]. McGill University Repository.
- Wellington, H. H. (1979). On freedom of expression. *The Yale Law Journal*, 88(6), 1105–1142.
- Yussoff, S. F. C., & Nordin, R. (2021). Freedom of expression in Malaysia: Compatibility with the international human rights standard. *Bestuur*, 9(1), 34–42.
- Zainal, K. (1990). The socio-cultural unity of the Malay world. In Abdul Latiff (Ed.), *Melayu Sri Lanka: Simposium dunia Melayu kedua*. Gapena.
- Zakaria, N., Abdullah, A., Syed Zakaria, S. Z., Abdul Mutalib, M. H., Lambri, A., Jamaldin, S. S., Sulaiman, M., & Derak, R. (2017). Akal budi dan cerminan jati diri Melayu dalam pantun: Akal budi and reflection of Malay identity in Pantun. *The Sultan Alauddin Sulaiman Shah Journal (JSASS)*, 4(2), 89–97. <https://jsass.uis.edu.my/index.php/jsass/article/view/105>