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A REDEFINITION OF FREEDOM; AN INVESTIGATION INTO THE CONCEPT, TYPES AND CONSTRAINTS OF THE TERM FREEDOM FROM THE VIEW OF ISLAM

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ABSTRACT

The definition and explanation of the nature of widely-applied concepts can prevent many mistakes. One of these concepts is freedom. This concept has been widely used in different schools, and in the language of political leaders and party founders. There are many who advocate freedom and frequently use it in their propaganda. Various basics in theology, anthropology and knowledge of the world are believed to be the most important differences of the definition of freedom. This study aims to redefine this concept based on Islamic basics. As for methodology, the study involves written documents. This study also refers to different types of freedom. Authors in this study analyze credible Islamic sources by great Muslim scholars to conclude that freedom includes four constraints of 1) divine right, 2) freedom of others, 3) individual interest, and 4) society's right.

Keywords: Freedom, Definition of freedom, Types of freedom, Freedom constraints.

INTRODUCTION

What is freedom? Freedom is one of the most beautiful words in any language, and serves as one of the main natural and primary rights of human being, granted upon him since the very early creation. Freedom is a word that is praised and accepted by all. It is so manifest that no one can deny, or oppose it, although they may even have beliefs to do so.

Freedom can be defined as the use of opportunities in a determined sphere of facilities. There is no absolute freedom in each society because this type of freedom, by itself, culminates in the negation of freedom. Hence, it is required to find the constraints and limits of freedom.

Defining freedom is, by itself, restricts freedom; however, it is freedom that we need in the sphere of politics and rights. In other words, restriction is defined within the word "freedom", and disagreement over the definition of the word freedom is, in fact, disagreement over the definition of these restrictions. Humans are free, and no doubt, that the stability of every society depends on freedom.

Human freedom is restricted by laws. Therefore, one can easily find out that freedom is inextricably associated with laws, as peoples' freedom is usually confined to enacted laws. However, freedom has different definitions in different ideologies and cultures; meanwhile,

points of similarities and fixed principles can be found within these definitions, as they can be used to present a universal concept of freedom. The main difference of definition by divine schools and human-made schools being that freedom from a monotheistic perspective, or even from the non-monotheistic mystical religions of the Orient refers to an existential, internal and substantive concept of human's nature; here, freedom is thought of what is trusted to humans. However, the shackles of untruth and chains of indecency have made the face of freedom evil which sometimes leads to its elimination.

Freedom is a basic and innate human need. This concept is a basic, albeit complex concept which is key to religions, with scholars always expressing disagreements over it and its definition. Although freedom is a sacred word in all religions, schools and cultures, and the foundation of many of schools is based on the realization of its material and spiritual features, any concept evokes its opposite or contradiction. The concept of freedom brings to mind its opposite, i.e., tyranny, or its contradiction, i.e., corruption.

According to many of non-religious social ideologies and philosophies, freedom refers to an external and evolving phenomenon, rather than an inherently internal one that coexists with humans. Hence, the nature, and the reality of freedom is founded on the human-made, restrictive, artificial, loose, non-harmonious, and in many cases, false and unreal concepts.

The present study redefines the reality and concept of freedom based on Islam. Thus, this study seeks to accurately explain the concept, typologies and constraints of the term freedom. However, the concept of freedom and its constituting elements of different approaches were examined in previous research, as in the following:

In a study entitled, "Freedom; definition, limits, and types in a theocratic government from the perspective of Nahj Al-Balaghah", authors first define freedom, and then explain its types, including spiritual freedom, freedom of expression, freedom of opinion, freedom of parties and various factions, and freedom of appointing an Islamic ruler in a religious government from the perspective of Nahj Al-Balaghah. Authors conclude that the concept of freedom in Islam is highly important, because, as Islam dictates, since human is a free being, their sphere of freedom should always be preserved; thus, freedom is an innate right of every human being that cannot be dismissed. According to the Nahj Al-Balaghah and the Imam Ali's approach, strong emphasis is placed on the issue of freedom. The principles governing a religious government in the Nahj Al-Balaghah include avoidance from coercion and attention to freedom and rights (Abbasi, 2012). In a study entitled, "Limitations of public liberties in Islamic and secular governments", authors first investigate the concept of human rights and public liberties, then demonstrating the principality of the existence of limitation for public liberties in different governments. Furthermore, the study comparatively investigates freedom of others and public liberties as limitations of rights and public interest in both secular and Islamic governments. For the authors, there is no difference between the criteria of public liberty limitations between Islamic and liberal governments; rather, the difference comes from the definition of freedom and public interest that is out of the sphere of laws. Legal systems which are founded on the values governing governments make use of the definition of the said terminologies to create legal obligations. Through a set of legally bounded regulation, public liberties seek to ensure a set of privileges for human being that are natural and inherent for them. In the meantime, some international laws and domestic regulations have addressed these issues in details. Domestic laws



have also elaborated on the sanctions of the rights and social freedom, and relevant limitations. A summary of instruments related with public rights and liberties indicate two limitations of freedom of others and public interest. Accordingly, it is pivotal to study the differences of limitations of public liberties in Islamic and secular governments (Bahdolri-Jahromi & Fattahi-Zafarghandi, 2015).

In another study, entitled "Investigating the definition of freedom and public liberties in an Islamic government", authors use a descriptive-analytical, and documentary-library methods to investigate public liberties, human rights, and relevant limitations in Islamic-secular governments.

Researchers concluded that the legal system of the Islamic Republic of Iran is one that originated from a popular revolution, and naturally, the Constitution is a reflection of popular revolutionary values. One of the values of the Islamic Revolution, widely reflected in the slogans of the revolutionaries, was freedom. For this, the Islamic Republic of Iran's Constitution was established on the basis of respect for freedom. Although a different interpretation of this human value is well manifested in the ratification of the Constitution, an overview of the negotiations was indicative of concern for freedom (Raushi & Zakeri-Kordrey, 2018).

In another study entitled, "Investigating the development of the concept of freedom and authority in the Western and Islamic Thinking", the question: "Are the two concepts of freedom and authority semantically the same from a philosophical and epistemological point of view, and in the course of history? is answered. In other words, it is suggested whether human being is a free and independent one while being obligated or not, or has his obligation not contradict his authority. The research methodology is descriptive-analytical which uses library sources. This research was innovative because it criticizes the common interpretation of the two concepts based on the philosophical similarity of freedom and authority, and the explanation of the two, which rendered many fallacies among thinkers, especially in new discourse. The main takeaway of the article is that freedom, when juxtaposed with obligation, indicates the existential sphere of human being, and authority indicates the human conduct sphere, naturally suggesting two different spheres of human freedom (Sharifani, 2018).

What distinguishes this present study from previous ones is its explanation of the elements of freedom, of negative and positive freedom, of constraints and limits of freedom from the Islamic perspective.

The word freedom in Persian, Arabic, English and French

The word freedom in Persian denotes several meanings, including: autonomy, power, authority, the power over conduct, no omission, and the power to choose (Dehkhoda, 1993).

The word "liberty" is also synonymous with freedom. Dehkhoda defines "liberty" to mean freedom, autonomy and saving, thus defining its opposite to be "enslavement" (Dehkhoda, 1993).

In Arabic, the words "Hurryt", "Ikhtiar" and "Atgh" are used as synonymous words with freedom. (Ibn Manzoor, 1985).

In English, the equivalent of "freedom" is "Liberty" (Arianpour Kashani, 2008), and in French, the word "Liberte" denotes this concept (Parsayar, 2005).



In English, in addition to the above-mentioned word, freedom has also other equivalents, with the difference being that the word freedom is used in the philosophical spheres, whereas Liberty in the political and legal spheres (Krenston, 1979).

Definition of Freedom in Humanities

Freedom is an abstract term. All nations and ethnic groups believe that freedom has a special holiness, because humans are innately free and want to acquire freedom. However, since there is no clear definition of freedom, there are cases where the advocates of freedom disagree over its terms, themselves. There are ones who have an interpretation of freedom that is different from that of others. A review of the literature, books and articles on freedom suggests that scholars and experts do not have some comprehensive and specified conceptualization of freedom; it is thus natural that no agreement can be achieved with all these differences, as there should be a common ground to arrive at a conclusion (Misbah Yazdi, 2001).

In humanities, freedom is used like philosophy ethics, politics, etc. This term, despite involving various interpretations, represents a single concept that is somehow shared by all interpretations. Accordingly, freedom has three basic terms of 1) doer, i.e., the whose freedom? 2) barrier, i.e., from what and from whom freedom? And 3) goal, i.e., freedom for what purpose?

It was Mac Callum (1925-1987) who developed the three components of freedom. He defines freedom as follows:

Freedom from X to Y for materializing Z¹ (MacCallum, 1967).

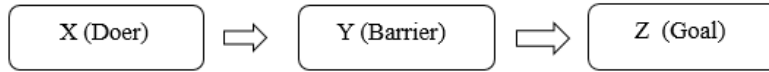


Figure 1. The definition of freedom based on the three elements of doer, barrier and goal

According to this theory, the individual first attempts to achieve negative freedom, meaning that the X (doer/agent) eliminates the Y (barrier) to achieve freedom as the goal. It is this individual's attempt to achieve negative freedom which, if successful, can result in negative freedom. However, according to the Mac Callum's theory, this situation is yet to be completed, because the question is: For what does this individual want freedom? Naturally, the theoretical section of the Mac Callum's theory answers the question that individuals want freedom to do something or to achieve a specific goal which is the Z (purpose/end) (Lakzaei, 2010).

The three elements of freedom underlie the famous categorization that divides freedom into two types: negative freedom and positive freedom. This division easily helps the analysis process (Robertson, 1996). Accordingly, here, emphasis on the component of barrier prevents the formation of negative freedom, while emphasis on the component of goal helps form positive freedom. According to this, freedom is materialized if all its three elements are perfectly fulfilled. The lack of any of them could culminate in incomplete freedom. In other words. Freedom is fulfilled when the doer goes through the barrier and meets the ultimate end.

¹ X is (is not) free from Y to do (not do, become, not become) Z.

Negative Freedom

Oxford University professor, Isaiah Berlin maintains that freedom has a “positive” and a “negative” concept, which accordingly reveal a conceptual distinction.

Defining negative freedom, he says:

“The first element of the political concept of freedom which I, following others, call “negative freedom” answers the question “Where and what is the realm where the individual, or a group of individuals, have practically freedom (should have freedom) so that they can do whatever they wish to do without the latter’s interference”? (Berlin, 1987).

Negative freedom, for Berlin, refers to an individual who can do whatever they want, without any interruption or interference by the latter. The term “liberation” best suits this type of freedom (Mirahmadi, 2002).

Positive Freedom

However, for Berlin, the concept of positive freedom answers the question: Where and what is the regulating and monitoring origin that can force one to a specific conduct? (Berlin, 1987).

The meaning of positive freedom comes from the individual’s tendency to being a master of his own and conducts. *“I wish to be independent in how I live and what decision I make, and be free from any external forces. I want to be the tool to my own conducts, not the tool for others’ conducts; I want to be an agent, not an object...”*

To better elucidate the context, one can refer to the broad interpretation of “being one’s own master”, which initially seems to be a simple thing. “I am the lord of my own, and do not serve anyone” (Berlin, 1987).

The Berlin’s categorization seems to emphasize the difference of “barriers to freedom” along with “boundaries of freedom”, instead of emphasizing “barriers to freedom” and “goals of freedom”. Negative freedom asks “Which barriers obstruct human from doing what he wants to do? And “What are the boundaries of positive freedom”?

Types of Freedom

Freedom has different types which, if not attended to, could cause serious problems for its nature. The most important types of freedom are as follow:

Philosophical Freedom

In philosophy and theology, by human freedom, it is meant authority. Here, some fundamental questions are asked: “Does human being possess the power to choose and think developmentally? Does he freely put faith in something? Or not, are his thinking and belief subjected to hereditary and environmental factors, which dictate how he should behave”? In other words, is human being forced to think he is free? Are there any factors which may determine his conducts for he has no control”?

This refers to the famous issue of “predestination and choice” (Misbah Yazdi, 2002).

We showed you the path, now come and being either thankful or blasphemous (Surah Insan, verse 3).



The path God has shown mankind is one that he has power and authority, and that gratitude and ingratitude take place on this path. There is no coercion (Tabatabaei, 1996).

“To deal with the issue of choice in the two categories of gratitude for blessing along with belief, and ingratitude for blessing along with disbelief, we find out that people fall under two groups: one are who positively respond to the innate call, which is an internally developmental secret, or who demonstrate their compliance with the intellectual guidance that is responsible for measuring the good and evil in the world of truth, or who hear the words of God and the prophet, those who found the human’s life on the knowledge of god and evil, and make him face both decency and indecency so that he would choose and follow the former over the latter, or, conversely, another [group] who do not positively respond to what is commanded, and are entrapped in the abyss of the internal motives and lust, as well as weakness and environmental pressures. Thus, man confronts his positive and negative aspects on the path of guidance, so that he faces whatever he wishes upon his power of choice. Verily, God has not sought to pressure man to lead him to what He desires him to do through developmental predetermination. If this pressure is applied, human being loses his path and gets lost. However, God has created eschatological outcomes within the decent and indecent results so that He creates a kind of spiritual determination for the human’s perception. it is here that human being can choose the outcomes by relying on his thinking and perceptions (Fazlullah, 1998).



Legal Freedom

Legal issues are raised when social relations are discussed; thus, to regulate social relations, there must be regulations, and governments should enforce its sanctions. Now, the following questions can be raised to elucidate the meaning of “legal freedom”:

Do humans have freedom in legal issues? If yes, where are the cases of freedom?

Politically, freedom refers to the individual’s civil, social and political rights against the authority of government and society (Ali Babayi, 1989).

Subjects that can relate to the legal freedom domain are: ownership, familial issues, political choice interference with political affairs, opinion, expression, press, etc. These subjects are neither philosophical freedom nor ethical freedom. The main question is: “From a legal point of view, how free is a human being to have a conduct not legally prosecuted?”

A conduct may be morally bad, but legally free. Legal issues are different from moral issues, as the latter are also discussed about completely-individual issues. Moral laws apply to an individual at home, while legal laws are pertinent. A government is not entitled to prosecute one for his neglect of morality (Misbah Yazdi, 2002).

Moral Freedom

Moral freedom becomes meaningful within a moral system. In other words, we consider moral freedom to be the one that frees man from the bondages of lust and compliance with animal and evil forces, gluttony, lust, and flattery. When discussing moral virtues, many ethics scholars maintain that the root of all moral virtues is freedom from the bondage of servitude, not merely freedom. Accordingly, freedom from the bondage of servitude denotes self-esteem, chastity, honor, and other moral values (Misbah Yazdi, 2002).

By freedom in mysticism, it is meant moral freedom:

For the People of Truth, freedom denotes freeing oneself from the bondage of creatures and breaking away from all constraints; freedom, for them, has different types: general freedom which is liberty from the bondage of lust and caprice, and specific freedom which is freedom from the bondage of wants, because their wants are vanished into the divine want [as there is no want left for them]; meanwhile, specific freedom suggests freedom from [names], signs, and traces, because they are vanished in the manifestation of the Light of the lights [thus, having no more names or signs] (Jorjani, 1996).

Constraints of Freedom

Absolute freedom cannot be found; any definition of freedom involves constraints and limits. No freedom in a real sense can be found, because all previous types of freedom are bound to constraints which eliminate it. However, freedom is wrongly interpreted as doing whatever one wishes to do. This is a misuse of freedom. Freedom is one of the largest blessings which is human-specific and differentiates him from other animals, because other creatures are confined to their instincts, but humans enjoy free wills, can accept and quit, thus, can do or abandon (Bastani, 1883). What are the constraints of freedom? No sound mind prescribes absolute freedom, because absolute prescription of freedom leads to the negation of freedom. In other words, there is no agreement over freedom constraints, because it is clear that the lack of any constraints could culminate in the annihilation of freedom. Now, the main question is: "What is the constraint of freedom?"

Divine Right

Since freedom is a divine trust, it is limited by divine right. It should be stated that according to the Islamic basics, the only factor that delimits human freedom is necessarily the delimiting source of the principality of his existence. The existence-giving source that has granted upon human being a limited existence is the only reference for determining the limits of human freedom; this is because nobody is aware of the human's existence-giving sphere, other than the said source (Javadi-Amoli, 2004).

Therefore, once freedom is great when it does not contradict the right of God; if it does, it is stripped of credit, and is no longer credible as a right of an individual. As the creator of the universe, God enjoys such rights as governance, evolutionary and Sharia-based divinity; thus, human freedom is bound to the said rights (Mirahmadi, 2002).

Freedom which is the most beautiful aspect of legal features is not owned by human being; rather it is a divine trust entrusted to him. Thus, human being is obligated to spare no effort to preserve it, not to interpret it for his own favor, not to distort it, and not to use it out of his caprice. Since the very principle of freedom refers to a divine trust, not human possession, no one can sell themselves, or make them servants of others. This suggests that human life is also a divine trust, and no one is entitled to eliminate it by suicide, because suicide is malversation (Javadi-Amoli, 2004). The outcome is that divine rights are sublime rights, and for this, in the conflict between this right and other rights, including freedom, divine rights take priority over them, thus, restricting human freedom from that angle.

Freedom of Others



Scholars, especially liberalist thinkers suggest that freedom is allowed in so far as it does not hurt the freedom of others. According to the most important legal basics of freedom in the West's political philosophy, freedom is the natural right of every individual, and they enjoy equal rights; thus, freedom as a natural right is enjoyed by all people. In the meantime, if the behavior of an individual causes the freedom of others to be lost, this behavior is not allowed, and can be limited (Mirahmadi, 2002).

Real freedom – in a sense it really deserves this name- denotes that we should be free and follow our interest in every way we wish, provided that we do not hurt the interest of others in this pursuit, or to prevent the acquisition of interest that do not contradict ours (Mill, 2006).

According to the political philosophy of liberalism, the exercise of rights is valid as long as the use of these rights by others is not eliminated.

Individual Interest

According to Islamic basics, one of the most important limitations of freedom are freedom being limited to individual interest. According to the principle of nature, man can develop his innate and internal talents to take step in the path of perfection, and to gain happiness. All the attributes and qualities of human being should be aimed at happiness and perfection. For this, freedom can be accepted. Freedom should help result in perfection and happiness for human being (Mirahmadi, 2002).

In addition to others' rights and liberties, the individual's higher interest can also limit his freedom (Motahhari, 1992). Freedom being limited to others' interest is agreed by scholars; however, attention to freedom limitations along with individual interest is an Islamic-based privilege to freedom.

Human laws do not determine any obligations as long as his conducts are, by no means, related with society; these laws advise not dictate. Islam and divine religions not only observe the rights and freedom of others, and preserve that humans must not threaten the freedom of others on the pretext of being free but also suggests that they are not entitled to jeopardize their personal interest on the pretext of being free (Supreme Leader, Tehran's Friday Payer sermons, 1989).

Western philosophers consider the roots of freedom to be within sensual desires and human wants; that said they hold that the freedom criterion has roots in the human instinct. In contrast, the Qur'an does not see freedom to be a single-dimensional issues. The human the Qur'an introduces is an owner of as number of earthly and heavenly talents that should be actualized in the path of freedom. The Islamic perspective on the issue is, however, the priority is always with the heavenly sphere if talents contradict each other. This criterion suggests that freedom is desirable to the point that it does not manipulate with the human's spiritual sphere. According to this perspective, the freedom criterion is the actualization of human talents without sacrificing his spiritual talents (Khosrow-Panah, www.inn.ir).

Human's will is desirable in so far as it complies with the sublime and holy talents that within the human soul, and which leads him to the path of development and sublimity; however, when it leads the human being to destruction, and nothingness, and eliminates hidden talents, it cannot be desirable (Motahari, 1992).

Society's Right



Of certain limitations that confine freedom is society's rights (Mirahamdi, 2002). The precedence of collective interest over individual interest is a general rule. Accordingly, society may enjoy authenticity. For this, the word authenticity should be determined. Authenticity has different meanings, though it is used in legal senses. From a legal sense, society's authenticity is nothing but the precedence of the rights and interest of the majority of people over the rights and interest of the minority (Misbah Yazdi, 2012a).

This principle is exactly the opposite of the culture of "individualism", which is currently dominating the West. They only observe interest out of coercion, and thus attribute authenticity to the individual. People can live in any way he wishes, either it may contradict others' interest or not, unless the non-observance of collective interest could lead to chaos.

In this state, since "individual" cannot have life and security, social interest is inevitably considered. For Islam, God is not the God of one single individual; He is the God of all humans, as one can attain perfection, other people can also meet this goal. This is the same interest that requires the exercise of laws for one, determines the lawful and the unlawful; the same interest that renders in rulings for thousands of people in the community. Thus, both individual and collective interest should be secured. If an individual's interest contradicts those of others, his interest will not be regarded, and God does not precede the priority of an individual's interest over others. For this, it is suggested that the *good of manifold* takes precedence over the *evil of the minority*.

Therefore, the "evil of the minority" can be accepted, if it enjoys the "good of the manifold". The legislation of the law is also the same. If individual interest contradicts those of the community, the law should be amended to the favor of the community and to the non-favor of the individual. The interest of thousands of people in society should not be sacrificed for those of one single individual or a small group. In Islam, the interest of the group has precedence; because all people are the servants of God and they are created to use these blessings for their perfection. If the good of one person contradicts the good of thousands of people, then the good of thousands of people takes priority, and this is the meaning of "good" (Misbah Yazdi, 2012b).



CONCLUSION

1. The nature of freedom is complex and difficult; however, two types of negative and positive freedom can be considered for explaining the nature of freedom
2. All scholars agree to limitations to freedom, though no disagreement is seen as to the boundaries due to the difference of basics.
3. Philosophical freedom meaning legal freedom denotes individual's opportunities from a social right perspective, and moral freedom meaning freedom of the soul from vices is the most important of all freedom.
4. Absolute freedom cannot be found. Constraints of freedom are as follow: 1) divine right, 2) freedom of others, 3) individual interest, and 4) society's right.

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