

JUDGMENT ABOUT FREEDOM

**Dr. Majid Givi¹, Dr. Mohammad Mehdi Mazaheri, Dr. Amir Abbas Alizamani,
Dr. Mehdi Dehbashi**

*Department of Religion philosophy and New theology, Isfahan Science and Research Branch, Islamic
Azad University, Isfahan, Iran*

Abstract

Freedom is the key issues in the individual and social life of people which has different meanings in the various communities and governments around the world and based on those definitions, people are placed within the criteria frame and should and should not. In this paper it was attempt to judge fairly and impartially among the different definitions of human's freedom in many societies, especially in the west and east, and the criteria for determining which measurement of freedom is the right and which one is wrong. The result of the present study led to this issue that when the three elements of reason, nature, and religious law (canon) determine simultaneous the limits of freedom, the best, most comprehensive, and most perfect index will occur in determining the true meaning of freedom. This issue appears in Islamic school well

Key words: *freedom, community, intellect, nature.*

1- Introduction

Anytime and anywhere in the world are people who want to have freedom, because humans instinctively are running away from the constraints of cumbersome. But of course life is impossible without setting red lines and social norms. In order to avoid conflict and confrontation, people must be familiar with their rights and observe the limits set out in the community. What is important in this discussion is that how these limits are determined and who or what should determine humans' freedom criterion? Here the definition of freedom finds importance.

Literally freedom in English language has two terms «Freedom» and «liberty». These two terms are often used interchangeably while in some cases, they have different connotations. When the term «Freedom» is used about individuals or their actions, it refers to the "ability" of a person to behave in a certain manner, a series of conditions are assumed, Refers to the "ability" of a person to behave with a specific manner in the set of given conditions. But, in a set of given conditions, «liberty» refers to "authentic fiat " to behave with a particular manner in a set of given conditions This distinction according to the grammatical distinction is between «can» and «may», and the difference between «de facto» means practical and «de jure» means legal. «Liberty» (Feinberg, 1998) is equivalent of Liberte (Liberté) in French and its Latin root is (Libertas) (Babai, 2004).

¹ Corresponding Author

But the definition of freedom in terms and concrete instances of human societies is not an easy task. Each society with regard to culture, civilization, traditions, customs, politics, religion and social demands have offered a definition of freedom in which some are similar and some are even contradictory so that even, it would not be possible "to access common and unique definition of freedom that is accepted by all the scholars" (Sobhani, 2006). This plurality in views of Karl Jaspers, German existentialist philosopher, made up his mind to proclaim that "persuasive definition - of freedom is not possible (Wall, 1979)." In fact, we can say that freedom has freed itself from the definition constraint during its course in the history and to become one of the important abstract concepts that it has had no foreign exchange and definable instance but what the human mind has it. Definitions of freedom, rather than to clarify the concept of freedom, speak about the time conditions and those who have created these definitions (Ranz, 2001). In total, more than two hundred different definitions of freedom were provided by the thinkers (Berlin et al, 1990).

Despite so much diversity in views, it is necessary to be done arbitration among these definitions to determine which definition can be defined the true definition of freedom. Of course, surely by revealing the domain of freedom around the world, it is not expected that the meaning of freedom are respected and realized. Because there is always someone who does not want the truth manifest itself and lead the way of the community movement toward their own interests. But anyway lack of objective achievement is not prevented us to measure logically the impartial definition of freedom and to identify the most reliable limitation of them.

2- Clarifying definitions of freedom

Based on this brief review what can be used as the best axis of critique and investigation in relation to the concept of freedom is comparing and analyzing of the main features of freedom definitions especially in view of Islamic philosophers and western scholars. In the west, in ancient and medieval eras, when freedom discussion came forward, often referred to the philosophical and moral (ethical) sense, but in the new era, mostly the dignity, social, and political aspects of freedom are concerned (Zarshenas, 2005).

Jean-Paul Sartre the extremist existentialist philosopher has said about it: the promise to human freedom, requires that human beings are not plaything of gods or any other branch, but they have absolute freedom, and they are free, independent and unrelated and are in themselves . . . the negation of mighty creator is rational and logical condition of human complete liberty. "(Morris et al, 1954).

Izyiya Berlin (1909-1997 AD) is the most prominent contemporary liberal theorists which by dividing freedom into two kinds of negative and positive, determines the indexes of each one. The root difference between negative and positive freedom returns to Kant, Rousseau, and French thinker Bnzhamyn Constant. Berlin argued that the ideological struggles of our time turn around on its axis. According to Berlin, negative liberty (or freedom from) means not to impose restrictions and obstacles from others, and positive liberty (or freedom for) on the one hand (not just possible) meant the ability to pursue and achieve the aim and on the other hand meant self-government or independence against dependence on others. (Berlin, 2009).

Isaiah Berlin's positive liberty has three meanings. 1 - Autonomy 2 - act in accordance with reason 3 - the right to participate in public power

But Berlin's negative liberty which defines as the basis of liberalism, was found in concept of individual freedom from government interference and church in the era of liberalism emerged,

namely individual freedom from interference by others in the specified field (Bashiriyeh, 2000). Berlin defined negative liberty: "The free man is he who does not have any interference in his work (Bashiriyeh, 2000)." Forcing a man, meant depriving of him from liberty (Ibid, p. 236)." Freedom requires no barriers which came between human and his choice and his action. Freedom in this sense, namely removing any obstacle and impediment from human foot front in the way that they want to follow. . .

On the theory of Berlin, about negative and positive freedom, has been entered further criticisms in which the most notably of them are C. B. McPherson's criticisms the great philosopher of contemporary. He believes that Berlin's conflict of interest between concept of negative and positive liberty does not established even according to his own definition (Bashiriyeh, 2000).

The other expressed opinion in the west about the liberty, is Kant's view. Kant believes that recognizing the limits of freedom is the work of reason and does not involve it in religious law (canon) (Drebidi Saneei, 2006). He said in determining the limits of freedom: act so that the free application of your authority can confirm with the freedom of everyone else, based on a general law.² In modern times, Locke also knows that "all human beings are naturally equal," and having "equal rights".

This means that "they enjoy their natural liberty without obeying someone's will or order (Locke, 1937." He believed that this freedom "is based on his intellect. In this regard, by his wisdom's help recognizes "the law that he must follow" (Ibid. p63). And this wisdom tells him that "all are equal and independent".

Rousseau also emphasized this meaning. He believed that: "the social contract between people creates so equality that they accept (undertake) the same obligations and enjoy the same rights.

One of the other political philosophers of the modern era in the west is Machiavelli. Machiavelli clearly puts aside divine or supernatural causes and fundamentally rejects all these theological and philosophical traditions (Strauss, 1995) and he believes that neither human nature, nor mysterious forces can led him to excellence (virtue). So we cannot define the goodness of society, namely the common goodness, within the virtue, but the virtue should be defined in the framework of the common goodness. To him the common goodness are the goals that actually followed by all communities. The objectives are: freedom from alien domination, stability and the rule of law, prosperity, splendor and empire.

According to Hobbes the public goodness including everything that is good or useful for individual, government, or each person. But he emphasizes on the relativism, it says: "Goodness comparison to person, place and time is relative. Thus, what makes happy a person now, later someone else will be unhappy. And the same is true for any other person, because the nature of good and evil arises from the nature of conditions (Hobbes, 1979).

With this statement, some of the main features of western thinking were characterized about the freedom and over than this the opportunity of mentioning other opinions cannot fit in this brief. In general we can say that, in view of most western philosophers, the definition of freedom is affected by relativism. The supernal and divine limit has been ignored and even is considered as the obstacle of human's freedom.

But among Islamic philosophers also has diversity of approaches and theories relating to freedom. Some of these definitions have similarity with the western definitions. And some also have completely different approach. But, in general, we can say that opinions of thinkers are

² . Mohye, Bahram, Immanuel Kant and human rights, green rights, site: www.greenrights.ir

divided into three categories. Some believe that the limits of freedom can determine by mankind's common nature, other groups consider intellect as the agent of determining the limits of liberty, and some other believe that following the limits of divine and religious commandments are criterion of human freedom. We point out to some of these views.

Motahari believes that authority and liberty do not mean only with accepting what is called nature in Islam and before society is given to human beings in the context of creation (Motahari, 2002). Of course, about this view, it needs to be said it is true that "Islam is based on human nature's command (judgment), the nature that no human do not hesitate in its commandments, and human perfection in his life as they know that nature has decreed and to call toward itself." (Tabatabai, 1996). But answer to a call from inner and firm belief to inner spiritual attitudes achieve after research and rational analysis. Hence in Islam contemplation and intellection in acceptance of religion has always been essential principle in value and validity of faith. The emphasis of Islam on thinking and reasoning importance in determining the limits of Liberty have caused most of Islamic thinkers, such as the Mu'tazilah, and Shiie thinkers, introduce reason as the determinant axis of Liberty.

According to this view, "some affairs (matters) which are independent intellectual and they can be called rational obligations, like: indecency of cruelty and oppression to others, the need to appreciate the beneficent blessings, the necessity of faith judgment, rejection of deposit, recommendation to charity, and etc. which have been in each community and religions and approved by all the wise persons of the world and no doubt that sound minds (Salimeh intellects) understand the goodness and ugliness and spontaneously, without regard to religions and sects knows that some actions should not be performed and who do deserve to be reprimanded and everyone who performs some deeds is deserving of praise and some of affairs in ugliness stages are happening to the extent that his actions cause severe reproaches. Some are weak and some of affairs because high praising and some low (Sajjadi, 1995). With those words, whether or not, this comes to mind that common intrinsic nature has helped kind of man to recognize the common wisdom

But Islamic rationalism is different from rationalism of other scholars, including Christian rationalists, because these extreme rationalists in the realm of moral education has narrowed the field for revelation and go forward to show it superfluous³ Of course, such people do not exist or are very rare in the field of Islamic culture. Revelation has great prestige in the context of Islamic culture and no Islamic scholars, even if the rationalist (believed to the priority of moral insights on wisdom through revelation) cannot ignore it. But unfortunately, the role of revelation in the context of Christian culture, especially in the area of laws and rules, is weak and extreme rationalism has more flourished there (Javadi, 1997). Revelation found such a preference among some other East philosophers that Ashari religion introduced religious guidance as the only criterion of determining the limits of freedom for human. This kind of freedom dependence to religion which is called a Strang Sever form of divine command theory, basically, a concept for

³Among the ethical schools that we can understand through the standards of practical reason as "should" and "should not," "good" and "bad" moral, independent of religion is duty-oriented school of Immanuel Kant. He believed that Ethics as it is based on the concept of man as free subject in which because of being autonomous by his intellect obligates himself to absolute laws. No need to think of the other person's head to understand his duty (know) not need an incentive other than the law, to do their task ... So, morality does not need religion for its own sake, but thanks to pure practical reason and self-sufficient. (Kant, 1960, p 3)

good and evil does not accept apart from belonging to God forbiddance and order and in Christian and Islamic cultures have followers (Sajjadi, 1995).

3- Discussion and Conclusion

In freedom discussion, we should announce unwelcome relativism in its extremist sense (Egoism) or (subjectivism). Of course, "freedom of our action, in tasks that is merely relevant to our own, is unlimited and so is the freedom in talent and taste... and that any such and actions that its result will merely return to our own and will has no social growth. These groups of affairs that are so personal and particular that value and sense of freedom about them is much less trivial and unimportant) but when it comes to actions that its result can be transmitted to others, the importance of freedom, is characterized because we are not free to place ourselves as the axis of determining and we do tasks that cause harm and damage to others and if so we get damaging to others, the community will have the right to intervene and to punish us".

So, in social or collective relativism (conventionalism), freedom also has limits. The important point here is the determinate criteria of these limits. In relativism, because there is no intrinsic value and everything is on the demand and public request. So, the standard and criterion of freedom also are determined by collective demands. But how reliable collective demands and ensure that the path is correct? On the assumption if a group decide and find this inner tendency in their own that to massacre people other than their race are they free on this collective demand and can they act? Absolutely no they can. As the definition of freedom in individual relativism cause conflict, involvement, and thronging in society, by a wider glance, collective relativism will also involve in decline the world community. So we cannot consider only criterion and the amount of as the demand of group. Rather, this claim should be regulated based on the rules and principles. This means that human is not free to identify his freedom unconditional individual or a group of themselves. So, defining and identifying the limits of freedom is not limitless and must be subject to (contingent on) the principle. But what are those principles?

According to what we have expressed, in solving this problem, some philosophers have introduced the inner desires and tendencies of human in the east and west, others have been focused on the origin of reason. Another group has also introduced religion in order to identify freedoms showing off domain of collective demand. But each of these criteria, in some case, is correct and it should be noted, because we can never codify the law and hope to reform affairs. If the legislation is not approved by human nature, or laws that are not consistent with common sense. And it cannot expect, people's internal and external commitment, to respect the law and to establish the principles and norms in the society in hiding and revealing which have no divine and religious priority, because social freedom is not possible and practical without considering spirituality (Motahari, 2000). So the drawback of this principle in determining the choice of freedom, where is it? Problem occurs when we consider any of these things alone. Because each of these affairs alone are necessary conditions but not sufficient and next to each other make up solid triangles that no one can criticize and compromise.

In freedom definition wherever he wants to do sensuality the reason and religion prevent him. A society that knows free sensuality and follows Satan, it is not the ideal society of Islam. Islam knows this as slavery, bondage of human, and the essence of his cruelty not freedom. Since, Islam calls for Salvation of man and his cruelty way is closed. People do not have entitled to endanger their own and others worldly and otherworldly interests. Thus, Islamic laws were enacted to limit and give direction to human behavior, in line with their interests of worldly and

otherworldly and in a broad way cover social and individual behaviors. And violations of these laws, as ignoring ethical rules and individual, in the Hereafter, will be held accountable (Forouhar, 2012).

Wherever that the mind wants to surround elegance and beauty of life with dry and logical reasoning or by relying on the power of reason to formulate rules. Also the route is not reliable. Because history has shown that opinions of the greatest philosophers were also not secure the critique and views of other thinkers of the contemporary or posterity (comers) over time. And despite this, we cannot know the absolute reason as the lone helmsman of freedom discussion. Certainly, desires, inherent tendencies, and religious guidance, which are superior to intellectual strength, can keep wisdom from the track of boastful human errors.

And wherever, religious law lead human toward the deviation, again these reason and nature prevent human. In the Encyclopedia of Religions which was published in England, over 2500 religion and the new ideology have been identified which each have their own devout and believers (Parsania, 2008). But all these religions do not agree with common sense as well as the clear nature of human. They are religions structured by human which are born with order and political intentions and are imposed on the world people.

The original and common teachings of these mysticisms are pivotal pole, worship of professor, Sheikh axial, and indisputable obedience of the cult preceptor and individuals have no right to ask question or questioning, and rational argumentation and debate, and they only must listen and obey the Master. The leaders of these cults show themselves as people who are conscious, well-informed, and confidant. They pretend that they know a lot of facts, but they excuse from revealing them. And who understand the material, or they have intuition about them, they have no right to disclosure and announce them, otherwise, the grace is taken away from them. And also, if they tell something, they express equivocal so that in any case they try to present their expression as justifiable and true. The pretense to knowledge in different affairs, but quite cause to ignite the desire for understanding higher and top facts by their devotees and more obedience to reach that position and cause to attract new fond devotees (Sharifi, 2008). It is even possible that, in this mysticism an act in which reason and nature know it immoral and heinous, in a mysticism considered as valuable and moral behavior. An example is the example of the teachings of Osho. In many cases, Osho's teachings, highly influenced by the culture and civilization of the West and liberalism in all its dimensions. Osho advance all the unrestrained and sexual depravity to incense spirituality and mysticism!" It may even be an act like the rape and sexual intercourse that reason and nature blaming it, in this style was taught and induced as a necessary and valuable worship and duty in leadership teachings and the center of deviational cults to its follower.

The religion that blocks the path of reason and does not invite its followers to choose by the intellect and also provides simple commands and teachings, which has no transcendental aspect and only provides a way for followers of self-delusion which satisfy both their spiritual thirst and keep them involved in sensuality. Until, spirituality and divine nature satisfy them somehow contrived, and makes them not guilty, it is a deceptive religion.

If, among the religions, we introduce the religious in which really and truly is emerged from the teachings of the Almighty Creator superhuman and there is no human's deceit and it has not been involved in distortion and Innovation. Without any doubt, we must admit that the only religion is Islam. Islam having eligible teachings did not give any priority of any person, group or race on

any individual, group, and race. Without any partiality, mistake and error, with the voice of justice and equality explain all his commandments.

In freedom discussion, Islam has also provided the best strategy to meet this demand on human rights. In addition to religious law guidance, Islam has involved the detection of wisdom and surrender to the heart. In order to provide and preserve morality (ethics), for all effective aspects has issued a command. Islam has multilateral and comprehensive commands from the issues related to the Islamic world such as belief in monotheism and revelation and prophecy and resurrection and its impact in respect of freedom limits in visible and hidden to issues related to Islamic ideology and religious teachings and instructions in the establishment of an Islamic government and civic responsibilities of population in guarding and preserving of freedom limits and the duties in this relation towards other people and towards themselves, family, and society. In the meantime, some of the malevolent, that their interests were threatened with the promotion of Islam, introduced Islamic obligations with their adverse propaganda having a kind of captivity (bondage) with great limitations for human. Unawares that they are captive themselves in the chains of material and sensual and worldly desires and to the extent of Muslim, no one has freedom that true freedom which is freedom from desires and luxuries and deceits and worldly fleeting pleasures. Not a western definition of freedom which is promiscuity and moral insouciance.

Islam is against with these ignorant self-deceptions and indiscretions in which called them religion and liberty. Islam accepts freedom within the law. It is legal that is based on the nature of human high dignity and the dignity that is great and supports its rational principles and gives the legal guidance. So freedom in Islam is subject to the approval of nature, religious law (canon), and reason, together. And then the way is closed for those who want to make sensuality with the name of freedom.

So in Islam (unlike other human schools), care about rules is not with authoritative and coercive force but with a firm faith and conviction comes after research and rational analysis. Hence, there is absolute freedom in the acceptance of Islamic rules and commands but a wise and judicious freedom, not unwise and foolish freedom. People are free to choose the best path based on reason and nature, and religious law. If someone behaves unlike reason, human nature, or religious law, certainly it has exceeded the limits of freedom and the community has the right to stop them and with various measures put them in this inviolable framework.

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