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Ensuring freedoms

Question No. 35

To what extent are the personal and basic freedoms ensured? How much are these freedoms respected by Islamic State and rulers?

1. Personal freedom

In Islamic view, this topic has been best dealt with. In Islam's view, human's freedom is an "intrinsic and innate" right conferred to him by God, not a "made-up or conventional" right. Therefore, nobody is allowed to deprive others of their freedom unduly. Imam Ali (as) says: "Oh people! Verily, human beings have been crated neither as slaves nor bondwomen; verily, they are all free." He has also said "Do not be any one's slave, for God has created you free." Nevertheless, in all schools of thought and in all governments, freedom has some limitations. The scope of freedom and its limitations differ according to the epistemological, cosmological and anthropological foundations. Thus, the personal freedom in Islam and Islamic State cannot be equalized to liberal thoughts and governments.3

2. Basic freedoms

The IRI Constitution has recognized basic freedoms such as personal freedom, freedom of thought and belief, political freedom, freedom in choosing a job, freedom in choosing a dwelling place, and other types of freedom. It stipulates in the seventh clause of article 3 that "To achieve the goals stated in article 2, the IRI government is bound to use all its facilities for providing political and social freedoms within the framework of the law".4

The extent of religious rulers' respect for personal freedoms can be evaluated by noting historical experiences. The most complete and prominent instances of Islamic State are those established by the Prophet and followed by Imam Ali.

The ruling method of these two great leaders is the best model of "observing the individuals' freedom". This historical case was experienced in an age when there was no freedom in the milieu of great political

powers of the world. In Islamic Republic, the individuals' freedom in the framework of the Islamic laws and religious norms has been stressed by the government and its leaders.

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Are the State's authority and jurisdictions not consistent with the personal freedoms?

Generally speaking, social life and the establishment of the civil society results in limitation of the personal and natural freedoms. This is found in any society and is unavoidable. Therefore, defining and limiting the domain of personal freedoms and the domain of the government's interference is a concern of all thinkers and scholars in the sphere of political and social issues. What can be stated here in summary is that there are three general views on the method of delimiting the scope of personal freedoms and government's interference:

- 1. Liberalism, whose essential spirit is "individualism", insisting on more freedom for individuals and more limitation of government's interference; in other words, it insists on a "minimal government". In this view, the most essential function of the government is protecting personal freedoms.
- 2. Socialism, which is based on the idea of "collectivism"; generally, it is found in totalitarian governments such as Fascism, Nazism, etc. which stress more authority, influence and interference on the part of the government and less personal freedoms.
- 3. Islamic view, which is based neither on individualism nor on collectivism; it neither accepts a minimal government, nor approves a totalitarian government. Rather, it offers a moderate alternative contrary to those extreme ideas.5
 - 1. Bihar al-anwar, 22, p. 133, ch. 1, trad. 107.
 - 2. Nahj al-Balagha, letter 31.
 - 3. For further information, see Mahmud Fath Ali, Tasahul va tasamuh.
 - 4. Huquq-e asasi va sakhtar-e hukumat-e jumhuri-e Islami-e Iran, p. 110-19; also Muhammad Ibrahimi Varkiyani, Islam va Azadi.
 - 5. For further information, see Tasahul va tasamuh.

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