

# Freedom of the Opinion in the Islamic Political Thought

Dr. Nahida Mohammed Zaboon (Ph. D)

College of Political Science, University of Baghdad, Iraq

**Abstract:** *Freedom of The Opinion in the Islamic Political Thought is based on The Holly Quran and The Sunnah (Traditions of Prophet Mohammed) so this freedom is considered a genuine. This Freedom have many restraints and had the positive effect in the political life of Sharia.*

**Keywords:** Freedom of the Opinion, Definition Linguistically and Terminologically, The Fundamental Origins, Limitations and Positive Effects

## 1. Introduction

Throughout historical development, the philosophers and the researchers have involved the theme of freedom in general and freedom of the opinion in particular, because of its importance to individuals and peoples, and because of the confiscation of freedom from corrupt regimes as well as the abuse of some tyrants.

Although intellectuals from different philosophical schools agreed on the need for freedom of the opinion for individuals and regimes, then a means of progress, advancement and development, they differed in the foundations and philosophical controls of freedom of the opinion.

This research is an attempt to highlight the subject of freedom of the opinion in Sharia (Islamic law) in general and highlighted in Islamic political thought in particular and is certainly based on Islamic law.

## 2. Structure of the Research

The First Chapter: What is Freedom of the Opinion in Islamic Political thought

It is divided into two parts:

Firstly: Definition of Freedom of the Opinion (Linguistically and Terminologically).

Secondly: The Fundamental Origins of Freedom of the Opinion in the Islamic Political Thought

The Second Chapter: Limitations and Positive Effects of Freedom of the Opinion in the Islamic Political Thought

It is divided into two parts:

Firstly, Limitations of Freedom of the Opinion in the Islamic Political Thought

Secondly, The Positive Effects of Freedom of the Opinion in the Islamic Political Thought.

The First Chapter: What is Freedom of The Opinion in The Islamic Political Thought

Firstly: Definition of Freedom of the Opinion:

### 1. Definition of The Freedom:

a) The Freedom Linguistically: Its origin is a free, and the free is the opposite of the slave, and the plural are free(s) [1], It is the right of human to live free without coercion or oppression, the full exercise of his freedoms such as: freedom of the thought, freedom of the opinion, freedom of the belief, freedom of the trade, freedom of the choice, the political freedom, etc [2].

b) The Freedom Terminologically: The definitions of freedom varied among thinkers and researchers, some of whom said: "independence from anything except moral law", some of them said: "it is the ability to act according to the will determined", some of them said: "is the independence owned by the individual towards the society that is a part of it", and some of them said: "Is a situation where human master himself" [3].

As (Dr. Imam Abdel Fattah Imam) said, the concept of positive freedom in the twentieth century believes in the right of people to believe, and the right to express what they think as long as their expression is sound, the right of every citizen to say: "Yes" or to say: "No", and he/she is safe in both cases, a right is only performed by freedom [4].

### 2. Definition of (The Opinion):

a) The Opinion Linguistically: The opinion is belief, reason, and measure, says: saw the opinion as the eye, any thought according to the need to watch the eye, and the opinion of self-belief is one of the two extremes of mistrust, and was also said: shift of opinion in the meanings of the beginnings that are required to produce the desired [5]. The opinion is the name of no source, and the plural is opinions, we can say someone sees his opinion tend to another one and seek to simulate him [6].

b) The Opinion Terminologically: It is a state of mind based on its belief in the truth of any case with the recognition that it may be mistaken in its belief [7]. Opinion is a possible belief, not a certain belief, which is the cornerstone between doubt and certainty [8].

As for freedom of the opinion: it is one of the basic concepts in the contemporary time widely, and its meaning is to get the individual the full right to believe and adopt what he thinks of opinions and ideas without coercion or oppression [9].

Second: The Fundamental origins of the freedom of the opinion in Islamic political thought

Freedom of the opinion in Sharia is authentic and preserved. It is not the product of human philosophical development, nor is it the fruit of the struggle of individuals and groups against the tyrants and the dictators. It is a prominent feature of Islamic political thought, an inherent legitimate right, supported by the verses in the Holy Quran and the Sunnah (Traditions of Prophet Mohammed) And promoted by the rules of Sharia and its definitive public assets [10].

The most important of these Fundamentals:

1. Base of "No Compulsion in the Religion": This base is based on the Quranic verse says: ((There is no compulsion in the religion. Verily, the Right Path has become distinct from the wrong path.)) [11], This verse shows that religion is not forced or coerced because it is in a heart, can not remove the belief by coercion, or find a doctrine, or change it by force, as long as the evidence of it remains [12]. And God Almighty did not want to impose faith on his creations by force, but granted them minds leading towards him and innate guide them, and sent them prophets calling them to believe in him, and then left people the freedom of choice of the faith or not in this life [13].

2. Base of (Al'amr bialmaeruf walnahii ean almunkar = Enjoining Al-Maruf (i.e. Islamic Monotheism and all that Islam orders one to do) and forbidding Al-Munkar (polytheism and disbelief and all that Islam has forbidden): This base is based on the verses of the Holy Quran says: ((Let there arise out of you a group of people inviting to all that is good (Islam), enjoining *Al-Maruf* (i.e. Islamic Monotheism and all that Islam orders one to do) and forbidding *Al-Munkar* (polytheism and disbelief and all that Islam has forbidden). And it is they how are the successful.)) [14]. Allah says: ((You [true believers in Islamic Monotheism, and real followers of Prophet Muhammed and his Sunnah] are the best of peoples ever raised up for mankind; you enjoin *Al-Maruf* (i.e. Islamic Monotheism and all that Islam has ordained) and forbid *Al-Munkar* (polytheism, disbelief and all that Islam has forbidden), and you believe in Allah) [15]. And Allah says: ((The believers, men and women, are *Auliya* (helpers, supporters, friends, protectors) of one another; the enjoin (on the people) *Al-Maruf* (i.e. Islamic Monotheism and all that Islam orders one to do) and forbid (people) from *Al-Munkar* (i.e. polytheism and disbelief of all kinds, and all that Islam has forbidden); the perform *As-Salat* (*Iqamat-as-Salat*), and give the *Zakat*, and obey Allah and His messenger. Allah will have his Mercy on them. Surely, Allah is All-Mighty, All-Wise)) [16].

And also on many Prophetic Hadith (Sayings), the Messenger of Allah Muhammad said: "Whoever saw *Al-Munkar* must change it by his hands (Practical), if he could not by his tongue (Words), if he could not by his heart (inner) and that a weakened faith." [17]

It is known that the change by hand or tongue enters the ways of expression and opinion, and the call of the Prophet to exercise this right of reform and evaluation call to express the apparent deviation that must be corrected, and thus every

Muslim has the right to express and in accordance with the rules set by Sharia, including Marja -e taqlid (sources of imitation of Sharia) their opinions is based on the supporting evidence in Sharia [18].

Therefore, the duty of enjoining Al-Maruf (i.e. Islamic Monotheism and all that Islam orders one to do) and forbidding Al-Munkar (polytheism and disbelief and all that Islam has forbidden) is only possible if there is a freedom of the opinion among members of the nation. Arguing with the people which is better, guide them to the good way to life, and teach them their religion [19].

3. Shura (The Consultation): In the Islamic pattern of government, Shura is originally a constructive structure, and one of the most important mechanisms of the nation's presence and contribution to governance and the support and strengthening of the state [20].

Shura means: is to show the right to an opinion, as is the acquisition of honey, it is then extraction and appear, means extract the good opinion by reviewing someone to others [21].

Emphasized by Islam and made it a characteristic of the Islamic community, there are two Qur'anic verses explicitly mention of Shura, The Almighty says: ((And those who answer the Call of their Lord [i.e. to believe that He is the only one Lord (Allah), and to worship none but Him Alone], and perform *As-salat* (*Iqamat-as-Salat*) and who (conduct) their affairs by mutual consultation, and who spend of what We have bestowed on them.)) [22].

The second verse that mentioned Shura and took the form of the command, Allah says: ((And by the Marcy of Allah, you dealt with them gently. And had you been severe and harsh-hearted, they would have broken away from about you; so pass over (their faults), and ask (Allah s) forgiveness for them; and consult them in the affairs. Then when you have taken a decision, put your trust in Allah, certainly, Allah loves those who put their trust (in Him))) [23].

Allah Almighty - for his Kindness and Mercy on all people - instructs his Prophet to consult them when making subsidiary and temporary laws and assesses things, and recognizes their opinions and ideas by listening to their words and knowing their needs and desires, and in this way obstructs all corrupt consequences [24].

Therefore, in order to ensure for all the integrity of the good way in the life and the attainment of near and far goals of it, Islam impose on all Muslims without exception duty of consultation and deliberate of views and discussions, even among peers and friends, and at the level of groups, institutions, and political powers, it is so necessary and must never give it up [25].

Therefore, the most important goal of the Chancellor to consult others, is to know their ideas, and evaluate it, in order to reach the best opinion, and avoid making mistakes [26].

4. Advice: It is a general Islamic principle of the good will, and urged people to prevent them from the corruption. It is also an Islamic political principle in advising and correcting the way of political ruler. It leads to the good nation and good society, and that freedom of the opinion in the Islamic society is equal for all citizens (without any discrimination gender, ethnic, and sectarian, etc.), every individual is required to give his advice and opinion and has the right to express his opinion within the limits of his knowledge and efforts in his field of scientific specialization [27].

5. Public Interest: Sharia came to achieve the interests of the people, and the realization of the public interest shared by the common Muslims, so should be use their minds to find ways to the good and lead to goodness, and cut off corruption, and this is not done only if the freedom of the opinion of all citizens, so that everyone can Expressing what his thinking and effort has brought to what he sees as goodness [28].

The Second Chapter: Limitations and Positive Effects of Freedom of the Opinion in the Islamic Political Thought

Although there are fundamental origins of freedom of the opinion in Islamic political thought, there are restraints to this freedom that a Muslim must take it seriously for the common good. Freedom of opinion in Islamic political thought also has positive effects on the individual, society and political authority. Therefore, we will dealt with restraints firstly, and the positive effects of freedom of the opinion secondly.

Firstly: Limitations of freedom of the opinion in Islamic political thought

Although freedom of the opinion is deep rooted in the Islamic political thought, there are limitations. Islamic thought did not release freedom of opinion without a restrict, otherwise it was in disturb and chaos, but put mechanisms of control the freedom to stand legitimate if it targeted by confusions, or fear of a division, or damage the others or their dignity [29].

Therefore, legitimate freedom is organized freedom, a freedom without restrict that leads to collapse. Regulation of freedom of the opinion does not mean injustice, oppression and prevent them from being practiced in normal and recognized climates, so religious legislation has coincided with positive legislation in this direction [30].

The most important of these restrictions are:

- 1) Pursuit of interest: Islamic political thought believes that Sharia came, to take care of the interests of people in this life and the Hereafter, and therefore the Muslim must always accompany this purpose in his actions, and that his intention to achieve interest when expressing his opinion in any way, whoever the opinion or the belief leads to corrupt, enters into the ban [31].
- 2) Not to exceed the freedom of another individual in the exercise of your freedom to express your views and freedom of knowledge, based on the rule of Sharia: "There is no harm (to Yourself and to the Other) in Islam", and The Prophet says: "Treat people what you like to treat you." [32].

3) This right (freedom of the opinion) should not be used as a toll for spreading destructive doctrines or those that have a devastating effect on the moral in Islamic society, opinions adhere to the virtue and principles of Sharia and do not opposing the public order in the State [33]

4) Follow the means of fixation and of the truthfulness of the news, and the correct of the events, before determining the formal position or criticizing it, and follow the scientific method in reaching to the truth, and not to follow the mistrust, and rely on rumors a way to check, because it falls in unethical behavior, defame, and Haram, and then deserves the punishment of Sharia and the sin [34].

This is based on the verses of the Qur'an, the Almighty said: ((And follow not (O man i.e., say not, or do not or witness not) that of which you have no knowledge. Verily, the hearing, and the sight, and the heart, of each of those one will be questioned (by Allah))) [35]. And the Almighty says: ((you who believe! If a Fasiq (liar evil person) comes to you with any news, verify it, lest you should harm people in ignorance, and afterwards you become regretful for what you have done)) [36], And the Almighty says: ((O you who believe! Avoid much suspicion; Indeed some suspicions are sins.)) [37].

5) But Sharia also prohibits the human to talk badly about the people, even if it does not reach to the defamation [38]. Allah says: ((Allah does not like that the evil should be uttered in public except by him who has been wronged.)) [39].

6) There are also other moral restraints, and the obligation of the individual by Sharia, which is to stay away from lying and disinformation, the Almighty said: ((And mix not truth with falsehood, nor conceal the truth [i.e., Muhammad is Allah's messenger and his qualities are written in your Scriptures, The Taurat (Torah) and the Injeel (Gospel)] while you know (the truth))) [40], And avoid spreading outrageous and all that harm the society and contrary to his interests, Allah says: ((Verily, those who like that (the crime of) illegal sexual intercourse should be propagated among those who believe, they will have a painful torment in this world and in the Hereafter)) [41].

7) Argument and give the opinion which is better, according to the Almighty said: ((Invite (mankind O Muhammad to the Way of your Lord (i.e. Islam) with wisdom (i.e. with the Divine Revelation and the Quran) and fair preaching, and argue with them in a way that is better.)) [42].

Islam warned from the unpleasant controversy for the sake of prevail, not for a good purpose, even if what is argued about it really, because the prevalence here has no purpose but to respond to self-amplification, which is not targeted by a true believer. The Prophet Muhammad said: ((The Muslim does not reach the truth of faith until he let the unpleasant controversy, and even let lies in joking, if he wants to overcome)) [43]

In addition, there are controls on the means of expression, which is known that freedom of the press is one of the important means that emerged in the Renaissance, but increased attention and developed means of expression of freedom of opinion in the contemporary time, especially: the press, the writing, the authorship, the discourse, the theater,

cinema, radio, TV, Computer, Satellite, Internet, gathering and demonstration.

Islamic thought has welcomed these means, if they are effective in the integration of the human to obey Allah and built a good society, they will be required and positive values, and if they lead to disobey the human of Allah and failure to continue in the path of integration will be considered against the values, and the government must in some resources to face Prevent the distribution of polluted meat, food or dangerous toxic medicines to maintain the safety and health of individuals [44].

Secondly: The positive effects of freedom of the opinion in Islamic political thought Islamic thought believes that the way of education in Islam, is to teach man how to be fully independent in his convictions and intellectual views, the owner of a free opinion, commanding *Al-Maruf* and the end of *Al-Munkar*, does not fear from anyone, as long as within the perspective of Sharia and its values .. Islam in this direction to the greatest extent, the importance of freedom of opinion in the education of human and build his personality, noting that if coercion in religion creates hypocrite, coercion in thought and opinion creates (The Flunky), both of which contrary the origins of Islam, which educates the Muslim on intellectual independence, The Prophet Muhammad said: «Do not be flunkie say: If the good people do well we do it, and if they do wrong we do it also, but learned yourselves, if the good people to do good you must do it, and if they do wrong you must do right». And (flunkies) neither support with anyone nor on opinion, for the weakness of his opinion [45].

This autonomy in thinking and opinion - on which Islam learned its followers - also has positive results in the political sphere, because opinion in this case is directed to the public authority then the tool of society in achieving its hopes and goals, and good governance imposes the establishment of the authority to achieve the wishes of citizens in security, happiness, and progress The Authority cannot carry out this task without knowing the wishes of the citizens in these goals and the means to achieve them. It has no means but freedom of the opinion and expression [46].

Expressing the opinion is a way to stop the tyranny of the ruling class and not to continue injustice, If the freedom of the opinion is permissible for all citizens in normal times, but becomes obligatory if injustice become wide spread, and public speak out becomes the best levels of *Jihad* [47].

In addition, freedom of the opinion is not a factor of division among Muslims, as some of them believe that they have disrupted it. The dictators have invested that in the thought and the politics, but on the contrary it is a factor of unity. Among them is the intellectual unity of Muslims, which leads to the unity of decision among individuals to resolve any case by the post-poll [48].

When freedom of the opinion is available at the level of the advertising and the argumentation, the mind opens to the opposite opinion, and through dialogue drops the weak opinion, and the strong is true is still, and this is clear by watching, but suppressing and preventing the expression of

the opinion only results in the closure of the one opinion, and insist to it, and become intolerance [49], and this is a real problem.

As has been mentioned earlier, freedom of the opinion has a prominent and important role in the progress and prosperity of societies in general and the Muslim societies in particular, because the freedom of the opinion in Islam is essential based on Sharia of the Quran and the Prophet's Sunnah, with restraints to avoid harm and injustice of others.

Moreover, it is a right claimed by a Muslim if his freedom is violated and oppression whether from the ruling authority, society or the individual. This is what we have seen in the contemporary time of the mobilization of the Arab peoples, called (Arab Spring), with its various political intellectual forces, including Islamic forces, of course, on the repressive ruling authorities demanded and expressed these peoples justice and freedom by restoration of their political rights, which were violated by the tyrannical authorities.

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