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Liberty (Freedom) in Islam Types and Regulations

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Abstract

Liberty or Freedom is a right guaranteed by Islam to all segments of society, with regulations and conditions that preserve privacy and consider the feelings of religious people. There is no room for aggression and transgression in it. Rather, it is a responsible freedom that ends where the rights of others begin. Religious texts are full of evidence that guarantees freedom in its various types for every human being, but it is a responsible freedom that is subject to regulations. interest, preventing harm to others and achieving human dignity. The paper aims to identify Islam's position on freedom as well as identify its types and regulations, and linking it to responsibility, to achieve balance and interest among members of society.

Keywords: Freedom, Types, Controls, Islam.

Introduction

Praise be to God, who is unique in his eternity by the glory of his pride, who is united in his steadfastness by the permanence of his existence, who enlightens the hearts of his saints with his knowledge, bestows upon all his bountiful gifts, and secures the fear of the fearful with his good hope. The Living, the Knowing, from whose knowledge not the weight of an atom in his earth or in his heaven escapes. The Almighty has no partner. In his management and creation, and I bear witness that there is no god but God alone, with no partner, to Him belongs dominion and to Him is praise, and He is capable of all things, and I bear witness that Muhammad is his servant and Messenger, who is designated for the completeness of speech, the deposits of wisdom, and the deposits of knowledge, forbearance, and generosity, may God's prayers and peace be upon him and his family and companions. After: Contempt of religions is one of the phenomena that has grown recently, and has formed a scientific and controversial subject fed by the media and social communication, between those who believe that freedom of expression has enough space to make fun of religions and prophets, and those who believe that there is a fine line between freedom and responsibility. And freedom ends when rights and religious beliefs are interrupted.

If Islam is the most targeted religion in terms of attacks on its principles and sanctities - and perhaps the main reason for that is that Muslims see the necessity of respecting all prophets, and not insulting them in accordance with what is stated in the Holy Qur'an and the Sunnah of the Prophet, then it is also the religion most accused of not accepting the other, so attacks on Islam and its sanctities, verbally and in deed, inflame the feelings of many of them and lead

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to an increase in the level of hatred and its rhetoric between the two parties. It may develop into societal violence, which is more dangerous to societies than economic and health crises.

If the West believes that the Declaration of the Rights of Man and Citizen in 1789 AD, derived from the French Revolution, is the first building block for a series of societal changes that produced the Universal Declaration of Human Rights approved by the United Nations on November 10, 1948 AD, then Muslims were blessed with these rights, and those around them were blessed with them. Others through an advertisement in Al-Madina newspaper 15 centuries ago.

- **Research Problem**

1. What is the concept of freedom in Islam?
2. What are the types of freedom in Islam and what are its regulations?

- **Research Importance**

The importance of the research is highlighted in the fact that it studies a very important topic of freedom in its various types, and emphasizes that freedom in its various types, although it is an innate right guaranteed by Islam to man, is subject to responsibility and regulations and mechanisms, the most important of which is achieving the interest and not harming others.

Research Objectives: The Research Aims to

1. Learn about the concept of freedom in Islam.
2. Types of freedom and its regulations in Islam.
3. Highlighting the status of tolerance as a fundamental value in Islam.

Previous Studies

1. Freedom of expression and its regulations: a comparative study between Islamic law and international human rights law.

Research published in the Journal of Jurisprudence and Law, by the researcher: Muwaffaq Tayyab Sharif, publisher: Salah al-Din Dakdak, volume/issue: No. 43, issue of May 2016.

The study dealt with freedom of expression as it is the most important of the freedoms whose misuse results in a lot of abuse of human rights. It dealt with its concept, its status in both international human rights law and Islamic jurisprudence, then highlighting the most important regulations by which this freedom is restricted. The research plan included three demands: the first requirement: the concept of freedom of expression, the second requirement: the status of freedom of expression, the third requirement: regulations on freedom of expression. The study reached a number of results, including: that freedom of expression is a right guaranteed by law and law in accordance with the regulations of human values and moral orientations, and that controlling freedom of expression is not to detract from its exercise, but rather to guarantee the exercise of rights of a higher rank. Controlling freedom of expression in a person is based on... Society will benefit society by promoting its values and morals and encouraging calm dialogue and constructive discussion away from defamation, defamation, and intimidation.

The previous research differs from the research under study in that it dealt with one type of freedom, which is freedom of expression, and the comparison between Islamic law and international law. However, the research under study deals with types of freedom, not just freedom of expression.

2. Freedom of expression between borders and restrictions, research published in Doha Magazine, Publisher: Ministry of Information, Author: Badr al-Din Aroudaki, Volume, and Issue: S. 8, Part 89, March Issue / Jumada al-Ula, 2015 AD, 1436 AH

The research deals with the issue of freedom of expression between borders and restrictions. The research indicated that since the French Revolution adopted the first explicit declaration on human and citizen rights, freedom of expression as one of the most valuable of these rights, we have not stopped wondering about the limits of this freedom on the moral level and its restrictions on the moral level. Legal. The research explained that the limits of freedoms differ from one country to another or from one political system to another. What is considered in one country complete freedom of expression, morally and legally, may be considered in another country a flagrant violation of morals, the law, or both. The article asked whether anyone could mock or distort what a sect of people considers sacred. The research concluded by pointing out that the limits of freedoms differ from one country to another. If critical mockery of religious symbols is legally permissible in France, it is considered a crime punishable by law in Poland, and if denying the occurrence of the genocide of the Jews is considered a criminal act according to French law, then it is not considered a crime punishable by law. Likewise in the laws of the United States of America.

3. Freedom in Western and Arab societies, published by Menoufia Magazine, Faculty of Arts, author/ Rehab Zaid Ali Salem Zaid, volume, and issue: No. 124, Part 3, January 2021 AD. The research aims to identify freedom in Western and Arab societies. The cultural development of a society is closely linked to scientific, political, and intellectual development alike, and measuring the levels of this development is by the extent to which the margin of freedom is felt in the exercise of creativity and expression. Research in the field of freedom is not an easy matter, especially if the scope of the research is related to third world countries, which are classified as Arab countries within its system. Most thinkers and philosophers have agreed that freedom as a reality is divided into several types, namely public freedom, personal freedom, the right to security, the inviolability and freedom of housing, the right to move (freedom of shelter), freedom of thought, religious freedom, freedom of belief, freedom of worship and the practice of religious rituals, Political freedom, freedom of education, freedom of work and the economy, freedom of opinion and expression, classroom and media freedom, and freedom and women. The research was divided into three axes.

The first axis dealt with freedom in Western societies, the second axis presented freedom in Arab and Islamic societies, and the third axis reviewed freedom in Egyptian society. The research concluded that it dealt with the concept of freedom in Western and Arab culture, as most thinkers and philosophers agreed that freedom, as its reality, is divided into public freedom and personal freedom. The chapter also dealt with the most important practices of the concept of freedom in Western and Arab Islamic societies.

Methodology

The research used the inductive, descriptive, deductive, and analytical method as the most appropriate for the subject of the study, by extrapolating relevant topics, and studying them interpretably, evaluating, and concluding, to come up with a clear vision of Islam's position on freedom of expression, and the role of the Prophet's Sunnah in highlighting the value of tolerance and accepting others and investing in that at the present time.

2. Definition of Freedom in Islam

Freedom in Islam has two meanings: The first meaning: It is consistent with the linguistic meaning of the word that is against slavery or freedom from slavery, and it is of two types:

A. Freedom from Slavery to other than God

It is getting rid of the worship of other than God Almighty, and among those who defined it in this sense is Al-Jurjani, who said it is: “departing from the slavery of created beings, and severing all relationships and non-others” (Al-Jurjani, p. 86)

The pinnacle of the hump of freedom in Islam is monotheism, which liberates the mind, and the body follows it. There is no submission to anyone other than God, and there are no restrictions other than the restrictions of the Sharia. Although Islam recognizes freedom of belief without coercion or coercion, it does not leave it to flounder and go astray, but rather strengthens it with what God has honored it with by illuminating the path for it. And explaining the paths of guidance and the path of polytheism, so that he may think and govern his mind, then choose which path to take. God Almighty said: “Indeed, we have guided him to the path, whether he is grateful or ungrateful” (Al-Insan, p. 3).

Freedom in Islam begins from the heart and then spreads to the rest of the limbs. Ibn Taymiyyah said: “Freedom is the freedom of the heart, and slavery is the slavery of the heart” (Ibn Taymiyyah, pp. 87-88).

B. Freedom from Parchment

One of those who defined it in this sense was Al-Thanawi, and he said: “A judgmental purity appears in the human being because the rights of others are cut off from him, and freedom by *ḍammah* is the same. And free by *ḥammah* is linguistically different from free by *fathā*, and its counterpart is slave, and free and freedom are equivalent to slavery” (Al-Thanāwi, p. 1/541).

The second meaning, as Al-Tahir Ibn Ashour says, revolves around a person doing what he is able to do according to his will, not distracted from his work by someone else’s work (Ibn Ashour, p. 161). From this meaning came his definition of it as: “the equality of the members of the nation in their disposition of themselves.” (Ibn Ashour, p. 2/130). It includes “people’s attachment to their origins in their beliefs, words, and actions, which the Sharia authorizes them to dispose of.” It includes freedom of belief, freedom of opinion and expression, freedom of work, and freedom of knowledge and learning. (Ibn Ashour, p. 2/131). It is noted from the previous definitions that the scholars of the Salaf were not interested in providing a comprehensive definition of freedom in the sense that is commonly used in our time. Rather, their writings were devoid of the comprehensive term freedom, and they used the word freedom either in its meaning in the Arabic language, which means the absence of restriction or deficiency, and it also means precious metal, and other things. Meanings, or in the sense of freedom, which means safety from slavery and servitude, and most of the discussions of Sharia scholars in their jurisprudential, interpretive, and hadith writings are due to this meaning. (Al-Omairi, p. 50).

Freedom does not mean at all that a person does what he wants, and abandons what he wants, for that is what is consistent with the nature of his desire, and does not agree with the nature of existence as it was created, but it means that a person does what he believes he is obligated to do and that is good for the benefit of all human beings” (Al-Fasi, p. 248) It is, as Al-Suyuti

describes it: “praiseworthy actions and morals that are not enslaved by greed and worldly purposes.” (Al-Suyuti, p. 208) And the poet had a point when he said: (Ibn Kathir, p. 14/139).

I obeyed my ambitions, and they enslaved me... If I had been contenting, I would have lived free.

Ibn Ashour mentioned that the previous meanings of freedom are the intent of the Shari’a. He said: “There is no doubt that the dual meanings of freedom are what the Shari’ah means, because of its origin on nature, and because it requires equality, and it is one of the basic purposes of the Shari’a. By extrapolating the texts of the Shari’a, we realize the extent of the Shari’a’s longing for freedom and its keenness to spread it.” Among people, freedom is one of the goals of Islam. It relates to several aspects of belief, speech, action, and the like.” (Ibn Ashour, p. 2/130).

C. The Status of Freedom in Islam

Freedom is a dear thought in human souls, as it develops human powers of thought, speech, and action, and through its mental talents are launched competing in the fields of innovation and scrutiny. (Ibn Ashour, p. 163) It is the essence of the true belief that is achieved by servitude to God alone, with no partner, and abandoning servitude. Servants and idols, it is the essence that was understood by the first generation in Islam and translated by their words and actions. There is no evidence of that than the words of the great companion Rabi bin Amer, may God be pleased with him, in response to Rustam when he asked him about the reason for his coming, and he said: “God has sent us to bring out whomever He wills from the worship of servants to Worshipping God, and from the narrowness of the world to its vastness, and from the injustice of religions to the justice of Islam.” (Ibn Kathir, 9/622).

Ibn Taymiyyah said in his book Al-Ubaidah: “Whoever is not God is his deity and the ultimate goal of his love and will, but is arrogant beyond that, then he must have a beloved desire that he enslaves and humiliates other than God, so he will be a subservient slave to that beloved desire: either money, or prestige, or images, or whatever he takes as his god.” Other than God, such as the sun, the moon, the planets, the idols, the graves of the prophets, the righteous, the angels, the saints whom He takes as lords, and other things that are worshiped instead of God” (Ibn Taymiyyah, p. 100).

This is the Islamic freedom that made slaves like Bilal al-Habashi, Suhaib al-Rumi, and the blind son of Umm Maktoum free at a time when their bodies were still under the control of the masters, who tampered with and tortured them however their whims and pre-Islamic arrogance pleased. Self-freedom is the first basis for the freedom that Islam called for and approved. Freedom in Islam looks at the original meaning in the Arabic language of freedom. Free is the opposite of false. There is a free jewel and there are stones that give the shape of a jewel. (Allal Al-Fassi, pp. 246-247).

Jurists have emphasized the street’s longing for freedom. One of the greatest goals of Islamic politics was to stop the cruelty of oppressive, tyrannical nations, and to seek justice from the strong for the weak. Islam has given priority to the factors of freedom over the factors of slavery, combining the spread of freedom and the preservation of world order, by stopping many of the causes of slavery, and limiting it. On the cause of captivity in particular, it abolished voluntary slavery, slavery for the sake of a crime, slavery for debt, slavery during strife and internal wars, and slavery of freed slaves. Islam dealt with existing slavery in all its types with levers that prevent its harm. (Ibn Ashour, p. 2/131) considering that the principle in people is

freedom.; Because they are the children of Adam and Eve - peace be upon them -, and they were free. (Al-Hamwi, Th. 2/341).

One of the meanings of freedom enumerated in the purposes of Islam is people's attachment to their origins in their beliefs, words, and actions, which the Sharia authorizes them to dispose of, (Ibn Ashour, p. 2/131). The first thing that Islam turned to be the protection of public and private freedoms, because freedom is humanity, in its meaning and significance. Whoever squanders freedom has squandered humanity, and whoever is deprived of it has refuted some of his freedom that he deserved under the law of existence and the nature with which people were created. It lacked some of his humanity and robbed him of some of his personality. However, that freedom, which the Qur'an protects, is not absolute freedom. Absolute freedom, like absolute truth, is intangible matters that are imagined but not brought to life, and are not realized in that vein, warring existence. Those who embark on their freedoms, taking off the bondage and consuming the fever, lose the freedom of others to an extent. They go, and that is why Islam does not allow freedom free from all restrictions, because it is demolition and not construction. Rather, Islam protects freedom that is restricted by restrictions on morality and the protection of the rights of others, what is related to the general freedom that the virtuous group enjoys. This general freedom is the total freedom that comes together from parts that have been taken from the freedoms of individuals in a just uprising. It will be the general freedom that remains for everyone. (Abu Zahra, p. 53).

Because freedom is the spirit of Islam, and it is its greatest purpose, and it differs in its meaning from the Western concept, and its foundation is supported by two great rules: advice and equality. Through advice, rights are distinguished, and through equality, their parts are regulated, and their enforcement is eliminated, and for each of these two rules, Islam has raised its thickness and others. (Al-Khidr, p. 17).

D. Types of Freedom in Islam and its Regulations

The Muslim has rights guaranteed to him by Islamic law, and in return he has rights that he is obligated to, and his freedom is protected by. These rights include what is a right for others, individually and in groups, and some of them are a right for God Almighty. This is what distinguishes freedom in Islam and gives it a specificity that prevents it from making Western theories of all kinds and whatever its schools are, it has a reference in determining it, since it is bound by the regulations of the Sharia, swimming in its orbit and not departing from it. Al-Tahir bin Ashour says, explaining this: "The Sharia has rights over its followers that restrict their actions to the extent of it" (Ibn Ashour, p. 270) and this is the case. In it, man is subject to his Creator, in control of his own behavior, choosing in his actions as long as he does not transgress the rights of God, or the rights of any other creation. (Al-Amiri, p. 57).

This is because absolute freedom is absolutely corrupting, and people are entitled to use it according to their whims. The impudent, the bold, the one who deviates from the group, the one who is immersed in all kinds of desires, the one who neglects duties, the one who is addicted to intoxicants, and the one who is fascinated by his beliefs, each of them justifies what people resent him for, and covers it with the veil of freedom. Therefore, rational people agree on the necessity of restricting freedom, but then they differ regarding the restriction and the mechanism. Western theories do not see religion as having authority over freedom, nor enabling it to direct it. Rather, they are the relative civil laws that have absolute authority.

While freedom in Islam revolves around its orbit and is bound by its restrictions as it is an integral part of a Muslim's life, the religious motive appears as a guide to good and a deterrent

from evil, so individual selfishness does not prevail, and the individual does not dissolve into the group in such a way that it cancels out his entity. The types of freedom in Islam are represented in the following:

First: Freedom of Belief and its Regulations

Islam has shown people the path of salvation, giving good tidings to those who follow it, and threatening those who turn away from it with the afterlife: God Almighty said: “And say, ‘The truth is from your Lord. So, whoever wills, let him believe, and whoever wills, let him disbelieve. Indeed, we have prepared for the wrongdoers a fire that will surround them. It is curtains, and if they call for help, they will be helped with water like crimson, which scalds faces. What an evil drink, and how evil is companionship?’ (The Holy Qur’an, Al-Kahf: 29).

Al-Baghawi said in the interpretation of the Almighty’s saying: “So whoever wills, let him believe, and whoever wills, let him disbelieve.” This is on the path of threat and warning. Such as his saying: “Do whatever you will” (The Holy Qur’an, Fussilat: 40), and the meaning of the verse was said: And say the truth from your Lord, and I will not chase away the believers for your desires. If you will, then believe, and if you will, then disbelieve. But if you disbelieve, then your Lord has prepared for you a fire whose tents will surround you. And if you believe, then you will have what God Almighty has described to those who obey Him. (Al-Baghawi, p. 5/167).

Al-Fakhr Al-Razi said in the interpretation of the Almighty’s saying: “To you is your religion, and to me is my religion” (The Holy Qur’an, Al-Kafirun: 6), Ibn Abbas said: “Your disbelief in God is the Guardian of monotheism and devotion to Him. If it is said: Is it said: He has permitted them to disbelieve? We say: No, for he, peace be upon him, was not sent except to prevent disbelief, so how could he permit it? But what is meant by it is one of two things: one of them is that what is meant by it is a threat, as in his saying: “Do whatever you will” (The Holy Qur’an, Chapter: 40), and the second: as if he is saying: I am a prophet sent to you to call you to truth and salvation, so if you do not accept me and do not follow me, then leave me and do not invite me to polytheism (Al-Razi, p. 32/332).

On the authority of Al-Dahhak bin Muzahim, in interpreting the Almighty’s saying: “There is no compulsion in religion” (The Holy Qur’an, Al-Baqarah: 256), he said: The Messenger of God - may God’s prayers and peace be upon him - was commanded to fight the people of the idols in the Arabian Peninsula, but he did not accept from them except: No. There is no god but God, or the sword, then he ordered those other than them to accept the tribute from them, and he said: “There is no compulsion in religion.” On the authority of Qatada bin Di’amah, in the verse, he said: The Arabs had no religion, so they were forced to accept religion by the sword. He said: And it is not compulsory. Jews, Christians, and Magians if they pay tribute. (Al-Tabari, p. 4/552).

From the above, it is clear to us that one of the meanings of the noble verse is that there is no compulsion in religion specific to the people who pay the tax, including the Jews, Christians, and Magians. There is no coercion on them, but rather they are obligated to Islam, or to pay the tax. It is an absolute verse, specific to the verse of the tax, and the evidence for the tax. So, the meaning of “no compulsion in religion is for the people of Jizyah.” The writers and the Magi, if they pay tribute; They are not hated, but the tribute is accepted from them, and they adhere to their religion until God guides them. (Ibn Baz, interpretation of the Almighty’s saying: There is no compulsion in religion)

Islam is a religion that calls people to it and does not force them to do so. There is no benefit to be expected from forcing the limbs while the heart is exposed to evil, especially with the clarity of the proofs and the strength of the evidence with which it requires compulsion. Rather, it is a choice followed by a reward: “And say, ‘The truth is from your Lord. Then whoever wills, let him believe, and whoever wills, let him disbelieve.’” We have prepared for the wrongdoers a fire whose curtains will surround them; and if they call for help, they will be helped with water like crimson, which scalds the faces; wretched is the drink, and evil is evil in affliction.” (The Noble Qur’an, Al-Kahf: 29).

The scholar Al-Tahir bin Ashour says in his book *Al-Tahrir wa Al-Tanweer*: “The denial of coercion is news in the meaning of prohibition, and what is meant is to deny the reasons for coercion in the rule of Islam, that is, do not force anyone to follow Islam by force. The denial of gender was mentioned for the purpose of generality in the text, and it is clear evidence of the invalidation of coercion on religion.” In all its types, because the matter of faith is based on inference, empowerment of consideration, and choice, and it was decided at the beginning of Islam to fight the polytheists based on Islam, and in the hadith: (I have been commanded to fight people until they say: There is no god but Allah. If they say it, their blood and their property will be protected from me. Except as it is due, and their reckoning is with God.) (Muslim in his *Sahih*, No. 21), *The Book of Faith*, with the wording: (I have been commanded to fight the people until they say: There is no god but God. If they say:

There is no god but God, I will disobey. Their blood and their property are not mine except for what is due to them. And their account shall be according to God): 1/52). It is not possible for this verse to have been revealed before the entire fighting began, as this verse was revealed after the conquest of Mecca and the conquest of the Arab lands...so it abrogated the rule of fighting on the disbelievers’ acceptance of Islam and indicated conviction. Of them entering under the authority of Islam, which is expressed by the *dhimma*, and was made clear by the action of the Prophet, may God bless him and grant him peace, when the Arab countries were rid of polytheism after the conquest of Mecca and after people entered the religion in droves when Arab delegations came after the conquest, so when God’s will was fulfilled in saving the Arabs from polytheism and return. With them to the religion of Abraham, and from ridding the Kaaba of the abominations of the polytheists, and from preparing a great group to carry this religion and protect its origin, and the guidance of Islam became clear and the arrogance that prevented its followers was removed, and God achieved the safety of the Arab countries from polytheism. (Ibn Ashour, p. 3/26.)

Because this type of freedom is linked to belief, it includes the Muslim and others, and in order to protect belief from being violated under the name of freedom, its regulations have been determined that obligate the Muslim and others to respect beliefs, the most important of which are:

1- A Muslim’s Respect for his Faith

The Muslim has the freedom to consider, research and question, and he does not have the freedom to abandon religion, and there is no restriction on the minds, rather it is a protection for them from tampering after they have known the truth, so do not be carried away by desires, and do not pay attention to doubts. And the Almighty said: “O you who have believed! You obey a party from among those who were given the Scripture. They turn you back into disbelievers after you have believed. How can you disbelieve when the verses of God are being recited to you, and among you is his Messenger and who holds fast to God has certainly guided

you to a straight path. O you who have believed, fear God as He deserves to be feared, and do not die except while you have submitted. (The Holy Qur'an, Al Imran: 100-102).

Al-Razi said in the Almighty's saying: "O you who have believed, if you obey a party of those who were given the Scripture, they will turn you back into disbelievers after you have believed": "And know that when God Almighty warned the group of the People of the Book in the first verse about seduction and misguidance, He warns the believers in this verse against being tempted, misled, and prevented About paying attention to what they say." (Al-Razi, p. 8/308).

The path to faith is to disbelieve in tyranny, by abstaining from responding to all the callers of evil, such as arrogant leaders and rulers who are in control with false illusions, and so on. And whoever disbelieves in tyranny has taken refuge in a harsh corner, as he has taken refuge in God the Most High and Almighty, and whoever remains under the authority of tyranny, such as powerful kings, And misguided leaders, he has taken refuge in what he does not depend on; Because it is a bad corner that causes its owner to fall into the fire of hell. (Abu Zahra, p. 2/951).

Heraclius inferred the truth of the prophecy of Muhammad - may God bless him and grant him peace - by asking Abu Sufyan, on the authority of Ubayd Allah: that Abdullah bin Abbas told him, saying: Abu Sufyan told me: "Heraclius said to him: I asked you: Do they increase or decrease? So, you claimed that they He writes down, and so is faith until it is completed. I asked you, "Does anyone apostatize out of discontent with his religion after he enters it?" You said no, and so is faith when you imagine. He is the most cheerful of hearts, and no one makes him angry." (Al-Bukhari in his Sahih No. (51), The Book of Faith, Chapter on Gabriel's Question of the Prophet, may God bless him and grant him peace Peace be upon him, about faith, Islam, charity, and the knowledge of the Hour: (1/28), Ibn Ashour, p. 2/694).

The summary of the above is that true entry into the religion can only occur with complete conviction, certainty of the sincerity of the call and the preacher, complete belief in the pillars of Islam, and a necessarily acknowledgment of what is known of the religion, an acknowledgment of which there is no doubt. As long as this is not the case, it is never imaginable that the one who does it will turn away from his heels. Rather, it is The location of Egypt is worthy of its sweetness, and it hates others, so the description of the Prophet, may God bless him and grant him peace, is true in it: (He hates to return to disbelief after God has saved him from it, just as he hates to be thrown into hell). (Al-Bukhari in his Sahih No. (43), p. 1/66).

2- Muslim Respect for the Faith of Non-Muslims

The laws of Islam guaranteed non-Muslims their rights and clarified their duties. Among their rights was the right to belief and the right to worship, in accordance with the Almighty's saying: "There is no compulsion in religion" (The Holy Qur'an, Al-Baqarah: 256), and since calling to God was the main concern of the Companions, they did not force others to convert to Islam nor did they prevent them from their churches and temples. It was narrated on the authority of Omar ibn al-Khattab that he said to an old Christian woman: "Convert to Islam, old woman. God has sent Muhammad with the truth." She said: "I am an old woman and death is near to me!" So, Omar said: O God, bear witness, and he recited: "There is no compulsion in religion" (The Holy Qur'an, Al-Baqarah: 256). (Al-Qurtubi, p. 3/280).

The texts of the Qur'an and the evidence of the Sunnah have also stated that benevolence to the people of the dhimma is desirable (the dhimmi in language means security and covenant,

so the dhimmis are the people of the covenant, and the dhimmi: is the covenanter, what is meant by the dhimmis in the terminology of the dhimmi jurists, and the dhimmi is in relation to the dhimmi, meaning the covenant from the imam - or from whomever Acting on his behalf - with security for his person and property in exchange for his commitment to the jizya and the influence of the provisions of Islam: Kuwaiti Encyclopedia of Jurisprudence: 7/120). Mixing with them is a pretext for doing good. God Almighty said: "God does not forbid you, in the case of those who have not fought you on account of religion, nor expelled you from your homes, from being kind to them and being just towards them. Indeed, God protects "By the just." (The Holy Qur'an, Al-Mumtahana: 8).

Imam Al-Qurtubi, may God Almighty have mercy on him, mentioned: "A dhimmi entered the presence of Ismail bin Ishaq Al-Qadi and honored him, so those present took notice of him, so he recited this verse to them: "God does not forbid you from those who do not fight you on account of religion, and do not expel you from your homes, from Be kind to them and be just towards them. Indeed, God loves "Al-Muqisteen" (The Holy Qur'an, Al-Mumtahana: 8). (Al-Qurtubi, p. 18/60).

Al-Subki, may God have mercy on him, said: "And they are not mingling keeps them away from knowing the virtues of Islam. Don't you see that from the Hijrah to the time of Hudaybiyyah, only a few entered Islam, and from Hudaybiyyah to the conquest, about ten thousand entered it, because of their mixing with them, due to the truce that took place between them, and this is the reason for the legitimacy of it." Dhimma contract" (Al-Subki, p. 2/404).

This is evidenced by what Al-Dhahabi mentioned in Major Sins. He said: "Sahl bin Abdullah Al-Tastari, may God have mercy on him, had a non-Muslim neighbor, and he had gone from his shroud to Sahl's house with a hole. Every day, Sahl would put the shroud under that hole, and whatever fell from the Magus' shroud would gather in it and throw it away at night." Where no one could see him, so he remained in this state for a long time until death came, so he summoned his Magian neighbor and said to him: Enter that house and see what is in it. So, he entered and saw that hole and filth falling from it into the eyelid, so he said: What is this that I see? Sahl said: This has been dropped for a long time from your house to this house, and I receive it during the day and throw it at night, and had it not been that my death has come to me, and I fear that the morals of others will not accommodate that, otherwise I would not have told you, so do what you see. So, the Magian said: O Sheikh, you are treating me in this way. For a long time, I have been persisting in my disbelief. Extend your hand, for I bear witness that there is no god, but God and that Muhammad is the Messenger of God. Then Sahl died, may God have mercy on him." (Al-Dhahabi, p. 209).

Being kind to non-Muslims was one of the customs of Muslims, and those closest to them were more deserving of it. In the agreed upon hadith, the two sheikhs narrated on the authority of Asma' bint Abi Bakr, who said: (My mother came to me, and she was a polytheist, during the time of the Quraysh when he made a covenant with them. So, I asked the Messenger of God, may God's prayers and peace be upon him, to consult the Messenger of God, may God bless him and grant him peace. May God bless him and grant him peace. I said: O Messenger of God! In his Sahih No.: (1003), The Book of Zakat, Chapter on the Excellence of Spending and Charity on Relatives, Spouse, Children, and Parents, even if They Are Polytheists: 2/696).

The Companions, may God be pleased with them and those who followed them in goodness until the Day of Judgment, followed this approach. On the authority of Mujahid bin Jabr, he said: "I was with Abdullah bin Amr - and his servant was skinning a sheep - and he said: O

boy, when you are done, start with the meat.” We are the Jew, and a man from the people said: The Jew. May God bless you? He said: I heard the Prophet, may God’s prayers and peace be upon him, recommending good things to the neighbor, until we feared or saw that he would bequeath to him.” (Al-Bukhari in Al-Adab Al-Mufrad, No. (128), Bab Jar Al-Jewish, p. 58, and in the book of Sahih No.: 6015) In the wording: (Gabriel kept advising me of my neighbor to the point that I thought he would inherit from him).

It was stated in the will of the first caliph of the Messenger of God, may God bless him and grant him peace, our master Abu Bakr al-Siddiq to the army of Osama: “And you will pass by people who have emptied themselves in silos, so leave them alone and they will not empty themselves.” (Al-Tabari, 3/227), similar to the will of the second caliph of the Muslims, Omar ibn Al-Khattab. “I advise the people of the Dhimmah to do good: to fulfill their pledge to them, to fight behind them, and not to be burdened beyond their capacity.” (Al-Bayhaqi in his Sunan, No. 18775), Book of the Jizyah, Chapter: No polytheist should approach the Sacred Mosque: 19/81.

It was stated in the treaty of our master Omar bin Al-Khattab with the people of Ilia (House of Jerusalem): “In the name of God, the Most Gracious, the Most Merciful. This is what Abdullah Omar, the Commander of the Faithful, gave the people of Ilia (House of Jerusalem) security. He gave them security for themselves and their money, their churches, and their crosses, the sick and the innocent, and all of their sect. Their churches shall not be inhabited or demolished, nor shall they, nor their space, nor their cross, nor any of their wealth be diminished. They shall not be forced to change their religion, nor shall any of them be harmed, nor shall any Jews live with them.

The people of Ilia shall pay tribute as the people of Ilia give. Al-Mada’in, and they must expel the Romans and thieves from it. Whoever of them leaves is safe for himself and his property until they reach their safety, and whoever of them stays is safe, and he is obligated to pay the same tribute as the people of Ilia’, and whoever of the people of Ilia’ wants to go with his person and his property with the Romans and clear their trade. And their crucifixion, for they are safe for themselves, their trade, and their crucifixion, until they reach their safe place, and whoever of the people of the land was there before the killing of so-and-so, then whoever of them wished may sit on it like the tribute that the people of Ilia had to pay, and whoever wished may go with the Romans, and whoever wished may return to his family, for it is not permitted. Something will be taken from them until their harvest is reaped, and according to what is in this book is the covenant of God, the covenant of his Messenger, the covenant of the caliphs, and the covenant of the believers, if they give the tribute they are owed.” Khalid bin Al-Walid, Amr bin Al-Aas, Abd al-Rahman bin Awf, and Muawiyah bin Abi Sufyan bore witness to this. He wrote and attended in the year fifteen” (Al-Tabari, p. 3/609).

The German orientalist Sigrid Honke says: “The Arabs did not force the conquered peoples to convert to Islam. The Christians, Zoroastrianism, and Jews who before Islam encountered the ugliest and most horrific examples of religious fanaticism were all allowed without any obstacle preventing them from practicing the rituals of their religion, and the Muslims left them their houses of worship, their monasteries, their priests, and their rabbis, without touching them in the slightest.” Harm. Isn’t this the ultimate tolerance? Where did history narrate such actions and when? And who did not feel relieved after the blatant Byzantine persecution, after the atrocities of the Spanish and the persecution of the Jews. The new Muslim masters and rulers did not involve themselves in the internal affairs of those peoples. The Patriarch of Jerusalem writes in the ninth century to his brother, the Patriarch of Constantinople, about the Arabs:

They are distinguished by their justice and do not oppress us at all, and they do not use any violence against us. (Sigrid Honke, p. 364).

In contrast, we find history books documenting what the non-Muslims did to the Muslims on the day they defeated them and their lands. Gustave Le Bon says about the Crusaders' actions against the Muslims of Andalusia: "When the Arabs - meaning: the Muslims - were expelled in the year 1610 AD, I used all pretexts to destroy them, killing most of them, and he was among the Three million people were killed until the time of evacuation, while when the Arabs conquered Spain, they left the population to enjoy their religious freedom while maintaining their institutes and leadership... The tolerance of the Arabs throughout their rule in Spain reached an extent that people rarely encounter the like of these days. (Saleh bin Humaid, p. 41), and among their rights that Sharia law has approved for them is that the rules of Islam are not applied to them in marriage, divorce, and other personal statuses, but rather the system of their religion is applied to them, unless one of them requests that the rules of Islam be applied to him in these cases, in which case he will be granted that. (Al-Sadlan, p.: 244).

Accordingly, minorities in Islamic countries have freedom of belief, and their marriages are valid. Abu Hanifa - may God Almighty have mercy on him - said: "These marriages among themselves are valid." (Al-Sarkhasi, Al-Mabsoot: (5/39).

Their personal status law is implemented, and they are not punished for committing forbidden actions that they believe are permissible, such as wine, pork, etc., as a Muslim is punished. They are granted complete security over themselves, their property, and their honor. The rulings of Muslims apply to them in terms of security, and Muslims fight on their behalf in exchange for the tribute. If the Muslims are unable to protect them, it falls from them. Jizyah, and in the peace treaty between Khalid ibn al-Walid and Saluba ibn Nastuna, the owner of Quss al-Natif in the Al-Hira region, if we prevent you, then we will have the jizyah, otherwise we will not prevent you until we prevent it." (Al-Tabari, p. 3/328).

3. Non-Muslims Respect the Muslim Faith

Islam gave people of divine religions the freedom not to enter into Islam on the condition that they respect the Islamic faith and do not intentionally insult the rituals of Islam. As for how to respect this Islamic religion, it is as follows:

- a. People of the Dhimmah must refrain from doing anything that is offensive to Muslims and detracts from the religion of Islam, such as mentioning God Almighty, his Book, his Messenger, or his religion in a bad way, because showing these actions is a disdain for Muslims and a disdain for their faith. The failure of the non-Muslim to adhere to what was mentioned leads to the cancellation of his obligation according to the majority of jurists, contrary to the Hanafi school of thought. (The Kuwaiti Jurisprudence Encyclopedia: 7/134).
- b. It is forbidden for people of the Dhimmah to openly sell alcohol and pigs in Muslim countries, or to bring them there for the sake of fame and appearance. They are also prohibited from displaying immorality that they believe is forbidden, such as immoral acts and the like.
- c. People of the Dhimmah should be distinguished from Muslims in their uniforms, vehicles, and clothes, and they should not be seen in gatherings, in order to demonstrate their inferiority to them and to protect the weakness of Muslims from being deceived by them or being loyal to them. (The Kuwaiti Encyclopedia of Jurisprudence: 7/134-135), see: Tartushi, p. 137, Ibn Battal al-Rukbi, p. 2/305.(
- d. They must consider the prestige of the Islamic State, which they protect and care for, and not promote their beliefs and ideas or spread corruption among Muslims. (Al-Badr, p. 50).

a. Freedom of will and Action

Islamic Sharia was concerned with establishing and confirming personal freedom, as it is a legal goal that authorizes a person to carry out the mission of caliphate. It made a person's freedom in his life an established asset and an established right. It prohibited assault on his life, security, money, and dignity, and prohibited transgressing all of that with any kind of transgression except for a reason acceptable in Sharia. (Al-Omairi, p. 223).

Freedom is an innate characteristic of humans. Because of it, you see that the newborn grows up free and does not know the shadow of any restrictions, and if Islam is the religion of the innate nature, as God Almighty described it by saying: "God has created that which He has created mankind" (The Holy Qur'an, Al-Rum: 30), then everything that is of the origin of the innate nature is one of the branches of faith. Nothing prevented him. (Ibn Ashour, 2/691).

The texts of Sharia law have combined to confirm the prohibition of blood, honor, and money, whether between Muslims among themselves or between them and other covenants. Among the things that were mentioned regarding the prohibition of Muslim blood is what was narrated on the authority of Abd al-Rahman ibn Abi Bakra, on the authority of his father: (The Prophet, may God bless him and grant him peace, mentioned that he sat on his camel, and a man took hold of its muzzle - or by its reins - and said: What day is this? Then we remained silent until we thought that he would call it something other than his name. He said: (Is not Day of Sacrifice.) We said: Yes, he said: (What month is this? So, we remained silent until we thought that he would give it a different name. Then he said: (Isn't it Dhul-Hijjah?) We said: Yes, he said: (For your blood, your property, and your honor are sacred to you, as sacred as this day of yours, in this month of yours. Yes, in this country of yours, to inform the absent witness, for the witness may inform someone who is more aware of him than him. (Al-Bukhari, 67), The Book of Knowledge, Chapter: The saying of the Prophet, may God's prayers and peace be upon him: "My Lord is more knowledgeable than he who listens": 1/37.

From what was stated regarding the sanctity of covenants is what Al-Bukhari narrated on the authority of Abdullah bin Amr bin Al-Aas, may God be pleased with them both, on the authority of the Prophet, may God's prayers and peace be upon him, who said: (Whoever kills a covenanter will not smell the scent of Paradise, and its scent is found from a distance of forty years) (Al-Bukhari, in his Sahih No.: 2995), Chapters on Jizyah and Pacts, Chapter: The sin of one who kills a covenanter without a crime: (3/155) Imam Ibn Hajar al-Asqalani said: "his saying, may God bless him and grant him peace: ((Whoever kills a covenanter)), what is meant by covenanters is the one who has A covenant with Muslims, whether it is a tribute contract, a truce from a sultan, or a guarantee from a Muslim" (Ibn Hajar, p. 12/259).

Just as the Sharia equated the dhimmis with the Muslims in civil and criminal rights, the provisions of the Sharia were applied to them regarding blood, property, and honor. Whatever a Muslim is punished for the following crimes, a dhimmi is also punished with, except for alcohol, as the dhimmis have been exempted from its punishment in Islam, and Imam Malik believes - May God have mercy on him - the non-Muslim is exempt from the punishment for adultery, such as the punishment for alcohol, based on the judgment of Omar - may God be pleased with him, (Al-Sadlan, p. 244). Controls have been put in place that restrict the freedom of action for all Muslims and others, including:

- A- The freedom of the individual or group should not threaten the integrity of public order or undermine its pillars.
- B- Not to neglect rights that are more general than them, given their intrinsic value, rank, and results.
- C - That his freedom should not harm the freedom of others.

With these restrictions and regulations, we realize that Islam did not establish freedom for the individual at the expense of the group, nor did it affirm freedom for the group at the expense of the individual, but it balanced them between them, giving each of them their due rights. (Saudi Ministry of endowments, Islamic Values, p. 21).

b. Freedom of Expression

It was stated in Resolution No. 176 of the Islamic Fiqh Academy: “What is meant by freedom of expression is that a person enjoys his full will to speak out what he deems right and will benefit him and society, whether it relates to private affairs or public issues” (The Nineteenth Session of the Islamic Jurisprudence Academy in the Emirate of Sharjah 7 /2/2023).

Al-Tahir bin Ashour defines it by saying: “As for freedom of speech, it is for the thinker to speak out his opinion, and declare what he deems right, which comforts himself that he is doing well in it. God Almighty said: “And when you say, be just, even if it be a relative. And fulfill the covenant of God. He has enjoined upon you that you may understand it Remember” (Al-An’am: 152), and there is no doubt that the statement of justice is disliked by the souls that it oppresses.” (Ibn Ashour, 2/695).

Islam has established the principle of freedom of expression and created an incubating environment for it, making interest in Muslims and their affairs a healthy manifestation of the strength of society and the cohesion of its unity. At the same time, while dealing with freedom, it also differentiated between what its subject was religious and what its subject was worldly. Whatever related to religion and its issues, Ijtihad was entrusted to the scholars. Because they possessed the tools to enable them to do so, the general public was directed to imitate them, in order to preserve the religion in the face of confusion and error, and to follow the concessions.

As for those related to worldly matters, freedom of expression was guaranteed in them in a way that did not contradict the texts of Sharia law, nor the permitted customs therein, or public interests. Several incidents occurred at the beginning of Islam and after it, indicating freedom of opinion and its approval in these matters. (Abdul Wahab Khallaf, p. 43).

One of the most beautiful things that can be cited in this regard is the freedom of expression that the Messenger, may God bless him and grant him peace, granted to his wives, thus completing their rights that had been robbed in pre-Islamic times, making them lose their humanity and their right to live and act. Our master Omar, may God be pleased with him, narrated that he said: (By God If in the pre-Islamic era we did not consider women a matter until God revealed to them what He had sent down, and apportioned to them what He had apportioned; He said: While I am in a matter that I take charge of, when He said: My wife asked: If you had done such-and-such, he said to her: What is the matter with you, why are you here? What does she charge you with in a matter? I want it, so she said to me: It is astonishing that you, Ibn Al-Khattab, do not want to be retracted yourself, and your daughter will be retracting the Messenger of God, may God bless him and grant him peace, until the day he was angry, so Omar got up and took his cloak in its place until he went to Hafsa and said to her: O daughter, you are going to see the Messenger of God, may God bless him and grant him peace. May God bless him and grant him peace, until he continues to be angry every day. Hafsa said: By God, we will bring him back. I said: You know that I am warning you of the punishment of God and the wrath of the Messenger of God. He may God’s prayers and peace be upon him, O daughter, do not be deceived by this woman who admired her beauty and the love of the Messenger of God, may God’s prayers and peace be upon him, for her (he means Aisha).

He said: Then I went out and went to see Umm Salamah, because I was close to her, and I spoke to her. Then Umm Salamah said: It is amazing for you, Ibn Al-Khattab, that you entered into everything until you wanted to come between the Messenger of God, may God bless him and grant him peace, and his wives. By God, she took me away from some of what I was finding, so I left her. (Abdul Baqi, 2/115).

Following his approach, the nation's caliphs became the Mahdis, and history repeated the words of the first of them, our master Abu Bakr Al-Siddiq, in his famous sermon: "O people, I have appointed you as your ruler and I am not the best of you. If I do good, help me, and if I do evil, correct me. Honesty, and lying is betrayal. Indeed, the weak is strong in My eyes. Until his right is taken away from him, and the strong in my view is weak until his right is taken away from him. Indeed, no people left jihad in the path of God Almighty without striking them. God has blessed them with humiliation, and indecency has never spread among a people except that God has covered them with affliction, so obey me as long as I obey God, and if I disobey, then no obedience is due to me. ". (Al-Waqidi, Al-Ridda, p. 48).

If history is full of evidence that freedom of expression has been, since the beginning of the message, a solid pillar of societal stability, in many instances, such as in the wars of apostasy and the feudalization of peasant lands, then it is full of evidence that if it is stripped of its regulations and unsheathes the sword of discord and destructive criticism, it will rain down. Societies are a spray of division, and they are fed with the stench of strife. Evidence of this is what happened during the caliphate of Uthman and Ali, may God be pleased with them, of wars, strife, discord, and breaking the stick of obedience, which cast a dark shadow over Islamic history, causing wounds and leaving scars from which the nation has not recovered, and the writings of criticism and response about them have not ceased.

Due to the importance of codified freedom of expression in the life of societies, Sharia has regulated it in a way that achieves the purpose of its approval and prevents tampering with the sanctities and privacy of Muslim societies. The previous decision of the Islamic Jurisprudence Academy mentioned the regulations on freedom of expression in Islam and limited them to the following: (The nineteenth session of the Islamic Jurisprudence Academy in the Emirate of Sharjah (United Arab Emirates 7/2/2023).

- 1- Not to offend others in a way that affects his life, honor, reputation, or moral standing, such as: belittlement, contempt, or ridicule, and spread that by any means.
- 2- Objectivity, the necessity of honesty, integrity, and impartiality.
- 3- Commitment to responsibility and preserving society's interests and values.
- 4- The means of expressing the opinion must be legitimate. It is not permissible to express the opinion, even if it is correct, by means that are corrupt, or involve insulting modesty or violating values. The legitimate end does not justify the illegitimate means.
- 5- The purpose of expressing the opinion must be to please God Almighty and serve one of the private or public interests of Muslims.
- 6- The consequences and effects that may result from expressing one's opinion must be taken into consideration, considering the rule of balance between interests and harm, and which of them prevails over the other.
- 7- The expressed opinion should be based on reliable sources, and avoid spreading rumors, in compliance with the Almighty's saying: Then you did, regretting it." (The Holy Qur'an, Al-Hujurat: 6).
- 8- That freedom of expression of opinion does not include any attack on religion, its rituals, laws, or sanctities.
- 9- That freedom of expression of opinion does not lead to disruption of the public order of the nation and cause division among Muslims.

Islam did not make regulations on freedom of expression specific to one sect or another. Rather, it is for everyone, preventing them from being harmed and protecting them from harm. Al-Qarafi says: “The Dhimma contract imposes rights on us, because they are in our neighborhood, in our guard, under the protection of God Almighty, and under the protection of his Messenger - may God bless him and grant him peace.” Peace be upon him - and the religion of Islam. Whoever assaults them, even with an evil word, or backbiting one of them, or any kind of harm, or helps in that, has forfeited the protection of God Almighty, the protection of his Messenger - may God bless him and grant him peace - and the obligation of a debt. Islam” (Al-Qarafi, Al-Farouq: 3/14).

5 .Conclusion

Freedom in Islam is an original goal of the Sharia law, and it begins with man’s liberation from his desires and his submission to other than God in heart and body, then his respect for the Sharia and legal provisions by which nations are governed and societies are stabilized.

Freedom of thought and thinking is absolutely guaranteed, but freedom of desire is restricted. It is unacceptable for minds to rush after desires and instincts. Because a person’s energy is limited, and if it is exhausted in amusement, foolishness, and immorality, there is nothing left in it that will push it to the serious path and guide it to the path of truth and goodness (Saleh bin Hamid, *Talbis Mardo’ fi Hayya Issues*, p. 24).

As for the West, despite the cognitive development and the rich record of freedoms that it praises, the blurring of the concept and its relativity made it unstable and unstable. Al-Aroui says in this regard: “The theory of freedom that was formed in the wake of the French Revolution, which aims to reveal the origin of absolute freedom, it entails, in one way or another, the deification of the free human being.” (Al-Aroui, *The Concept of Freedom*, p. 15)

The research came to a set of results:

- 1- Freedom is an inherent demand in Islamic law, and it appeared in the early days of Muhammadan preaching.
- 2- Freedom in Islam is distinguished from the rest of the freedoms in Western systems and theories, as man disputes over it with a third party, namely God Almighty. Man is not restricted in his freedom by the rights of others, but rather he is also restricted by the rights of God Almighty.
- 3- Islam took care to preserve freedom as well as the rights of God and society, so it restricted freedom with regulations and restrictions that protected it from bad exploitation.

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