

THE CATEGORY OF HUMAN FREEDOM AND ITS FOUNDATIONS AND GUARANTEES (a combination of legal, philosophical and religious views)

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Abstract: It is known that in fact man is naturally-physically, spiritually-morally, socially-culturally and socio-politically free. However, although man strives for unlimited freedom, his freedom is limited by various means in different periods, societies and environments, in other words, his rights and obligations are regulated by laws (sometimes contrary to the law). At this point, a number of logical questions arise: Can a regulated freedom, which is built on the basis of dependence on someone or something, be literally freedom? What should the limit of freedom be based on? Is freedom a right or an obligation or a value? In the context of these questions, the focus of our research is to study the views of philosophers and thinkers, to consider the issues of human freedom in the Islamic doctrine, which is believed by nearly 20% of the world's population. The question of freedom has been given many definitions by scholars. Among them, a relatively generalized definition is as follows: Freedom is the state of the subject, in which he is the determining cause of his actions, that is, they are not directly conditioned by other factors, including natural, social, interpersonal-communicative and individual-generic [1:355].

Keywords: human freedom, knowledge and experience, existential philosophy.

Thus, first of all, freedom means a situation arising from the fact that the subject independently determines its activities. The concept of human freedom, on the other hand, depends on objective conditions and circumstances. It is not abstract, it is always concrete. A person achieves a specific goal by relying on an opportunity that is set in a particular situation and condition. However, not everyone has the same circumstances and opportunities. In order to achieve a goal, someone lacks the conditions, someone the means to achieve the goal, someone the opportunity. Under certain conditions and circumstances, someone may have the freedom to achieve a goal or someone may be deprived of it. Factors that increase a person's freedom include the knowledge and experience he or she possesses [2:201].

In this sense, freedom is the highest value for a person, and he strives to achieve this freedom, and if he gains it, he always takes measures not to lose it. In this respect, too, man is different from other living beings.

In addition, the following articles of the Universal Declaration of Human Rights, adopted by the UN in 1948, include:

Article 18

Everyone has **the right** to freedom of thought, conscience and religion; this **right** includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

There can be no doubt that the above right to liberty is a foundation arising from the essence of man.

It is known that man is a conscious biological being. It is safe to say that the concept of "freedom" is a cardinal factor that reveals the essence of human life. Man is free when it comes directly from his natural essence, morals, culture and spirituality. Philosophers who have lived from antiquity to the present have come to conclusions about the importance and significance of human freedom from different perspectives.

It is expedient to look at the concept of "human freedom" in terms of general and individual regions, in addition to its direct geographical significance, along with historical-ethnographic, socio-political, economic and cultural features [3:12].

Indeed, people's attitudes to and acceptance of freedom are directly related to the environment in which they live, the socio-political situation. In some countries the limit of freedom is so wide that in other countries such a limit of freedom is regarded as a typical view of impurity.

In particular, for Western existential philosophy, freedom is directly related to the rational level of thinking, that is, man can be free and able to do anything only if he can coordinate his mind with his feelings. Throughout its history, this way of thinking has attracted the attention of people of different nationalities living in different regions. Most proponents of existentialism state their view of human freedom with a broad definition of the issues of responsibility and voluntariness, with a sense of necessity that simply cannot exist.

We know that man's various emotions (love and hate, courage and fear, peace and discomfort, contentment and regret, etc.) are able to subdue the human will and not allow him to move freely according to his own desires and true aspirations. However, in spite of all the difficulties and obstacles in life, a person always strives to be free.

Many thinkers have identified issues such as a stable socio-spiritual environment, religious tolerance and interethnic harmony as key factors when thinking about the characteristics of the concept of human freedom. Consequently, mythical notions, religious doctrines, and national values take precedence among the people. It is well known that in the peoples of the East there is a feature of community, but this does not prevent the manifestation of the human personality in society on the basis of individuality. That is, in the actions and activities of human behavior in the peoples of the East of freedom, a great deal of attention is paid to spiritual and moral education and social etiquette. As a result, the notion of true freedom flows from family relationships to social relationships.

The above ideas are reflected in the works of many famous oriental thinkers, such as Abu Nasr al-Farabi, Abu Ali Ibn Sina, Alisher Navoi, Umar Khayyam. They focused deeply on human nature and showed commonalities in aspects related to teamwork and individuality. Of course, their views were based on Islamic teachings. In particular, the following verse describes the main task of man in this world: *وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ عَلَى كَثِيرٍ مِمَّنْ خَلَقْنَا تَفْضِيلًا*: "Verily, We have honored the children of Adam, and carried them on land and sea, and provided them with good things, and preferred them over many of the creatures that We created." [4:297].

The teachings of Buddhism, which have left a deep mark on the ancient culture of the peoples of the East, also pay special attention to the wheel of destiny and the human factor in its direction. It is well known that before this religion came into being, the dominant belief in the land of India was Hinduism, and the idea of acknowledging its destiny has kept people in ignorance for centuries. Unfortunately, some aspects of the traditions of these religions, which are still preserved, violate human freedom. Buddhism is a new religious doctrine that changed this issue with its views, which emerged in the 6th-5th centuries BC. According to it, there are causes of unceasing suffering in human destiny, and there is also a way to get rid of it and attain nirvana. At the heart of the four truths that the Buddha brought to Indian society was the goal of transcending the laws of karma (destiny). For this reason, this religion still persists in the minds of its believers.

Now that we have focused on the realities and history of human freedom in Western societies, as well as the foundations of the situation in reality today, we must admit that the absolute power of the Church, which ruled until the Middle Ages, was a threat to freedom.

Before addressing this issue, we consider it necessary to answer the question of how the issue of freedom was expressed in the peoples of the West in the period before the beginning of the reign of the Church. It can be said that in that period freedom was defined by material wealth and private property. The richer man was, the freer and more powerful he was considered.

Freedom in general is defined by natural choice - wars. It is noteworthy that the ideas of human freedom in the period when the representatives of antique Greek philosophy were created are astonishing. For example, in Greece at that time slaves had no rights at all. Women, on the other hand, were seen as creatures between man and animal.

Rulers had unlimited rights over all citizens in their kingdoms. The Christian creed, which began to spread among the peoples of Europe in the 1st-4th centuries AD, in a sense served to recognize human freedoms. Gradually, however, the absolute domination of the church oppressed the common people.

The most tragic decision of the church rule was the Crusades to the East. Notwithstanding the practical failure of the Crusades, it initiated the development that took place in the peoples of Europe through the influence of Islamic culture. This laid the foundation for the rightful dance of the European renaissance in the Middle Ages. Because Islam, unlike Christianity, had ensured justice and freedom among the people. For example, the Crusaders witnessed not only Muslims but also Christians and Jews on Muslim soil fighting their attacks. The reason for this was the dominance of the principle of religious tolerance in Muslim countries. The conquerors of Islam proclaimed religious freedom wherever they reached. The rights and freedoms of a Muslim citizen and a citizen of another religion (except for the minor Jizya tax) were the same, and this right was reinforced by divine sources (Qur'an and hadith). The study of divine sources is open to all, and unlike Christianity, it was not only a source recited by priests. It is for this reason that the peoples of the West have realized the causes of their helplessness. It was these and many other reasons that ushered in the Renaissance in the West (1300-1600), and naturally his main idea was to restore human rights. The West was so oppressed by the church that it imprisoned religion within the church and regarded any religion as a cousin of progress. This allowed atheism to take root and allow criminals to commit excesses of liberty, immorality and unproven crimes. As a result, atheist societies such as chauvinism, Nazism, and Bolshevism have committed crimes unprecedented in human history. Freedom in the peoples of the West today is also morally lagging behind because it is the fruit of that era.

In the East, the basic spiritual freedom of man is closely linked with his cultural, moral and emotional values. Let's not go too far, let's take a look at our centuries-old teacher-disciple tradition. At first glance, the student seems to be deprived of many rights, but the result has been manifested as good morals and perfect knowledge.

In general, collective responsibility for everyone, respect for other people and their work, patriotism, humility and doing good deeds are in fact a priority for all mankind. It should not be forgotten that material values and spiritual-moral values cannot develop separately from each other. For this reason, the creation of reasonable conditions for the guarantee of human rights between material and economic production and socio-labor relations is one of the important factors required by the life of any free society.

According to most scholars, human freedom cannot be unlimited. Because unlimited freedom interferes with the freedom of others. A simple example is that a wall between neighbors does not encroach on the inside of a house door. The reason is that there is someone's freedom behind these barriers and in turn those inside cannot interfere outside that boundary. Of course, such limits of human freedom are determined by law. Laws may change as the situation demands, but the criteria

of justice must not change, otherwise human freedom will be endangered. It follows that restrictions are primarily for the benefit of the individual, and, of course, human rights and freedoms are regulated by law.

Today's politicians and philosophers alike acknowledge that only "democracy" in the history of state power can provide complete freedom for the people of the whole society. It is true that in all of this the same democracy has the ability to subjugate the will of the individual in the interests of society, the ability to restrict human freedom to some extent within certain normative frameworks. However, it cannot be said that all the legal norms of the state can always give the desired result in the private life of each person in the society in the effective provision of freedom [3:14].

The above views of the scientist are recognized by most philosophers, politicians, sociologists and economists. However, the formation of a democratic system in the West, which ideologically emerged in the Middle Ages and then embodied the developed principles of freedom, was influenced by the East, especially the Muslim world. In this sense, it is necessary to think about the views of Islamic teachings on freedom.

According to Islamic teachings, man is free according to his activities. Even in the case of religious beliefs, the Qur'an gives people a choice: لَا إِكْرَاهَ فِي الدِّينِ قَدْ تَبَيَّنَ الرُّشْدُ مِنَ الْغَيِّ فَمَنْ يَكْفُرْ بِالطَّاغُوتِ وَيُؤْمِنْ بِاللَّهِ فَقَدِ اسْتَمْسَكَ بِالْعُرْوَةِ الْوُثْقَىٰ لَا انْفِصَامَ لَهَا وَاللَّهُ سَمِيعٌ عَلِيمٌ

-There shall be no compulsion in [acceptance of] the religion. The right course has become clear from the wrong. So whoever disbelieves in Taghut and believes in Allah has grasped the most trustworthy handhold with no break in it. And Allah is Hearing and Knowing (Surah Baqarah - Ayat 256).

The reason for the revelation of the verse is that a Muslim named Abul Husayn from Medina forced his two Christian sons to convert to Islam. But they did not accept it. Then the father and sons turned to the Prophet (pbuh) to solve the problem. He forbade the father from forcibly converting his sons to Islam.

Although some sources say that this verse was abrogated, Sheikh Muhammad Sadiq Muhammad Yusuf said: Some people think that the verse "There is no compulsion in religion" and jihad contradict each other, and that this verse is invalid and its practice has been annulled. But, in fact, it is not. Jihad is an effort to call people to the religion of Allah. The people in front of the Mujahideen will be happy if they come to faith and will know them as their brothers. The Virtuous Scholar continues his thoughts and writes the following words: So this verse should be understood as "there is no compulsion to convert to religion." This is the respect of man, the protection of his rights [5:174].

A number of other verses have been revealed on the subject of faith and voluntary action. They also give man the right to choose on the basis of freedom: إِنْ أَحْسَنْتُمْ أَحْسَنْتُمْ أَنْفُسَكُمْ وَإِنْ أَسَأْتُمْ فَلَهَا - "If you do good, you will be good to yourselves" (Isra: 7).

The importance of giving people religious freedom is also made clearer with the following verse: وَلَوْ شَاءَ اللَّهُ لَجَعَلَكُمْ أُمَّةً وَاحِدَةً - "Had Allah willed, He could have made you a community" (Nahl: 93).

It follows that Allah leaves it up to man to accept religion. However, it should be noted that once one accepts a religion, one is bound to follow its rules. It is as if a person who wants to live in a country is required to abide by the laws of that country. It is well known that every country has a system of punishing those who break the law according to their crimes.

In conclusion, when we study the phenomenon of human freedom in philosophy, we must not overlook the fact that the concept of human freedom has natural, spiritual, moral, cultural and historical roots. As long as everyone is born as a biologically conscious being, he has the right to live freely and to think freely, to express himself freely. In this regard, various privileges or, conversely, discrimination are inadmissible. For this reason, the Republic of Uzbekistan is carrying out extensive

reforms to ensure the stability of the socio-spiritual environment, to legally guarantee and protect the full equality and freedom of every person on a legal basis.

Therefore, despite the diversity of approaches and principles in guaranteeing human freedom, Islamic teachings, norms of national and international law, and philosophical views have a unique harmony.

REFERENCES:

1. Philosophy // New Philosophical Encyclopedia.
2. Human freedom. Encyclopedia of Uzbekistan.
3. K. Saidova. "Comparative studies of human freedom in Eastern and Western existentialism." Theses for the degree of Doctor of Philosophy (PhD) in Philosophy.
4. Abdulaziz Mansur. Translation of the meanings of Qur'anic verses. T. 2014.
5. Sheikh Muhammad Sadiq Muhammad Yusuf. Tafsiri Hilol. Volume 1 264-265 p. T., 2008.
6. Encyclopedia of Uzbekistan. T. 2000.