

The Verification of Freedom of Speech and Opinion Right in Islamic Republic of Iran's constitution with considering International Documents of Human Rights.

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ABSTRACT: Freedom of Speech and opinion is the constitutional Right of Human beings which have nearly been reflected in constitution of all countries, and for this reason it has been contained constitution, because of the governments couldn't over shadow the mentioned Liberties by ordinary Laws or political decisions. Also, Islamic Republic of Iran's constitution has protected personal Liberties and rights under the title of "The Nation Law" in principles of 23 and 24 in chapter 3. In this article, not only we want to verify Freedom of Speech and opinion from Islamic Republic of Iran's constitution point of view and International documents of Human Rights such as International declaration of Human Rights and International convention of civil and political law ...; but also, its fundamentals and limitations must be studied. Nevertheless we can say that Freedom of Speech and opinion from one side have been legislated and acted together by considering the criteria of International declaration of Human Rights and other documents, and from the other side; Islamic principle and the conditions of Iran's democratic Society.

Key words: Rights Freedom , Liberty Freedom , Opinion Freedom , Speech Constitution.

INTRODUCTION

No doubt in these recent centuries, the most desirable word that human's ear heard, is "Freedom", mean while; this word is accompanied by the most controversial and nicest discussions to its similar social words and concepts, such as, Justice and Equality and so on. Many remarks have been told about its definition, whereas; Isa Berlin told that "The authors of belief history have kept more than two-hundreds, different meanings for this word." One of these freedoms which is accounted Social Liberty, nowadays is called speech and opinion. The man must be freedom in all his dignities, this means that without let or hindrance, he must progress and advance all of his talents and aptitudes. One of the holiest talents that are three in man is speech and opinion which intensely needs freedom. One of the discussions which is related to freedom and has allocated the most subjects and the highest place to it is freedom of speech and opinion. Most of authors and erudite have made a remark about the absolute freedom of Human and having speech and opinion, especially they have insisted on freedom of opinion. John Stewart Mill in his famous article "about freedom" say that "... the suitable region for human freedom, in first stage includes the aware region of this mind and in this mind and in this region, Human's conscience must be freedom. Freedom of thoughts and wills, absolute freedom of opinions and emotions are necessary." Freely choice of human in accepting any kind of religious, political, philosophic and social thoughts without terror and anxiety is the preliminary rights of Human beings, which has been noted in Divine Verses. Resulting from the right of freedom of opinion which has taken root in Human's life, that nowadays with fundamental developments in the mental system of the world and following it, the extended political developments in the world has found its place as a fundamental right in the domestic and International written law.

The concept of freedom of opinion

Opinion literally means everything that one believes in and is certain. Whether it to be according to the fact or not. In this case one has right to believe in morality, religion, politics and sense of duty without bearing

damages in his life because of his beliefs. In terminology a definition has been presented for the word of right which is under freedom of opinion and it consists of, "freedom of opinion is a part of personal liberties, which people by virtue of them have the rights of expression their thoughts, beliefs and theories. Freedom of opinion consists of when everyone admires any thought whether it is a social, philosophic and political thought or a religious thought or one supposes that like a fact, he or she can choose it freely, without the anxiety of facing fear and transgression. The purpose of opinion is one chooses every opinion freely which he wants and further more he or she doesn't have to accept an opinion, or to confess his/her opinion regarding. Freedom of opinion definition, we can conclude that freedom of opinion is the fundamental essence of thought and it consists of the freely choice of every thought which a person supposes it like a fact, if this thought to be in each range of action then the mentioned freedom is called the same. If thought to be about morality and religion then it is called freedom of conscience and freedom of religion (Irani Talab, 2006).

The verification of freedom of speech

Speech literally means Eloquence and clearness. In this article, the purpose of freedom of speech is the freedom of people of a country to express their opinions, theories and lectures with no fear of the intervention of some governmental organizations. This kind of freedom is restricted because of nobody can misuse it and calumniate to others. In other words, freedom of speech must be like that don't cause a loss to others, but what is important is the enforcing restrictions must be based on Law and Democratic society to don't waste this right of nation's rights by enforcing extremely restrictions (Jasemi, 2005). Therefore, freedom doesn't only mean that people may do as they like such as the selection of their residence place or their familiarities; people live in societies and they are related to each other and connected with together. They must declare what they understand, know and believe it or can transmit them to others by books and press. Also they can inform others about their thoughts and information. Freedom of speech needs addressee and table of lecture also it needs people's meeting, in speech; there is listening of listeners but in press, a pen and a duplicating machine are necessary. Freedom of opinion or speech is freely expressing with no censorship. Freedom of speech is a part of Human Rights is guaranteed under surveillance of International Law. If it seems trying to define freedom of speech and post-speech to show off worthless to some extent, it may be because of these terms define themselves. It's simply that freedom of speech means freedom of speaking, writing, showing and any kind of its expressions, in this order freedom of post-speech also means living, existing and having the authority of continuing the publication of these thoughts (Madani, 2009).

Legal sources of freedom of speech and opinion

whereas constitution takes in to account as fundamental laws in this section it isn't pointed to common law that is related to freedom of speech and opinion such as press law and articles about crimes against public morality and offenses against public decency which have been written in penal code and only cited the principles that have direct relation to freedom of speech and opinion which has been noted that in third chapter under the name of (Nation Law). We also engage in this principle which is in The Universal Documents of International Human Rights.

Islamic Republic of Iran's Constitution

Principle 23 : Inquisition is forbidden and nobody can merely be invaded or reprimanded by having and opinion. While beliefs have inner or private form, they are as a part of Human's nature or figure, and it cannot be caviled someone why he or she thinks like this. Governments can want people to obey law and not to disturb social order but, they cannot impose them, their beliefs by force. By virtue of Islamic Republic of Iran's Constitution, Inquisition is forbidden and one must not be invaded, molested and annoyed by having an opinion or bearing damages in social life. But where expressing an opinion disturbing order, Security or Good Behavior or disturbing other's freedoms and Rights. It's punishable.

Principle 24 : The press and journals have freedom in expressing topics unless they disturb Islam's fundamentals or public rights. The law determines its details. Freedom of information and it is one of the fundamental Rights and is the manifestation of a nation's civilization also it is the symbol of its development and vigilance. Freedom of the information isn't unlimited. Men of newspapers may commit crime by publishing articles or by the forgery of news in press, which is against government or persons, so it must be answerable.

Freedom of speech and opinion in The Universal Declaration of Human Rights and the International Convention of Political and Civil Rights

Some articles of The International Documents of Human Rights which put emphasis on freedom of speech and opinion and has noted it are as follows :

Article 18 of the Universal Declaration of Human Rights :Every one 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 of the Universal Declaration of Human Rights :Every one has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive, and import information and ideas through any media and regardless of frontiers.

Article 19 the International Covenant on Civil and Political Rights : Of course in Article 19 of the International convention of Political and Civil Law has also been noted the principle of freedom of speech and opinion clearly and directly which this Article is also like this :

1. No one may be harassed on the occasion of his believes. 2. No one has the right to freedom of expression. This right includes freedom to explore and study and dissemination of in formation and ideas of all kinds, regardless of frontiers, either orally or in writing or in print, in the form of art or through any other of your choice a person.

Legal acts referred to in paragraph 2 of this Article entails certain rights and responsibilities therefore it may be subject to certain restrictions which are necessary in the Law and for the following :

1. Respect for the rights or reputations of others. 2. The protection of national security or public order or public morals.

The right to freedom of expression in the European Convention on Human Rights and Article 22 of the Universal Declaration of Human Rights and the American convention of Human rights is also referred to.

The constitution of the Islamic Republic of Iran from the perspective of freedom of opinion and expression

Freedom of opinion and expression may be taken in addition to the basic rules of authentic democratic countries and International Documents, but with regard to Article 4 of the constitution of the house rules of Civil, financial, economic, administrative, cultural. Military required following the principles of Islamic Political constitution is, it can be concluded that freedom (Article 23), which is the basis of this section shall be paid to these principles.

The Islamic basics of freedom of belief

Now, we want to find Islam point of view in this case, at the frame of the authentic sources of Islam, in other word we want to find what recommend Islam has for its addresses in this case, and what is its point of view about freedom of opinion? And in its point of view, to its followers whom are Moslem, what recommend has in treatment the opposed opinion? How ever, to achieve a comprehensive response to this issue, and briefly, the following five principles derived from the Quran, mentioned considerations are :

First principle : freedom of opinion and negate the reluctance in religion.

Second principle : Regard to certainty and research no Imitation.

Third principle : to encourage free-thinking and reflection.

Forth principle : the defense on Tawheed (Monotheism) and the negation of Sherk (polytheism).

Fifth principle : having aim in creation and Human Responsibility(Mehrpavar,2007).

Islamic Principles of Freedom of Speech

In this chapter some of the Quran verses, Hadith and Tradition will be evaluated as the basis of freedom of speech. Many verses from the Holy Quran has been entered about reasoning, Fiqh and the best dialogue, choosing the best words, promoting good and pro habiting evil, consulting, quoting the opposing and concurring opinions which each of them are an obvious sample of Freedom of Speech.

First : proof or argument seeking : Quran dealing with their opponents calling them to "express" their reasons : "Say : Bring your proof if you are truthful."

Second : prohibiting of concealment of the truth : God in many cases denounced those who on a whim or greed, fear and self-censorship to conceal the truth and he wants them to tell the facts and called : "Why do you confound the truth with the falsehood and hide the truth while you know?" certainly, the necessity of telling the truth and prohibiting of concealment are favored by freedom of speech, otherwise there won't be a place for denouncing the concealment and the necessity of speech or expression.

Third : choosing the best words : God gives glad tidings of guiding and resulting from reason to those who listen to the word, then follow the best of it; Says : "There fore give good news to my servants, those who listen to the word, then follow the best of it; those are they whom Allah has guided, and those it is who are the men of understanding." In fact in the scope of freedom of thought and speech, it is possible to hear the different words and view points then to choose the best of it. If there not be freedom of speech, certainly the opponents cannot express their opinions for people hear and compare them and finally, to choose and follow the best of them.

Forth : the Best Debate : Islam has always given consideration its followers to this important issue which argue well in their scientific debates, because the facts to be obviously and transparently revealed for all. In this case, we read in Quran: says: "Invite to the way of thy lord with wisdom and fair admonition and argue and debate with them in a way that is better." No doubt that, while this persuasion and encouragement is worthy that the holy religion of Islam gives a fortune to its opponents to express their opposed advices and opinions, otherwise in the lack of a scope for expressing their opinions, to order for the best be bate would be meaningless.

Fifth : Quote the opponents' views and opinions : Another manner of Quran in dealing with the opponents' views and opinions is, it Quotes their most blasphemous words by the reasons of themselves, then criticizes and objected them, "Says those who blasphemers..." and its similar interpretations show this fact that not only its opponents are free in expressing their views and opinions but also Muslims have been encouraged to accurately record their ideas that are essential to deal properly with the thoughts of others.

Sixth : promoting good and prohibiting evil : Quran calls the followers of Islam, the best community that effort enjoying good and forbidding the evil and are required to do religious orders which are related to this, Emphasis on social reform, prevention of Muslims' corruption and deviation of society and Islamic system by promoting good and prohibiting evil which are based upon religion and it has accepted freedom of speech as a certain principle, to provide a suitable field for the implementation of this compulsory other wise, all its focus on promoting good and prohibiting evil would be meaning less.

Seventh : consultation : other evidence from Quran verses and other Islamic principles about freedom of expression or speech is consultation; says: "and take counsel with them in the affair; so when you have decided then place your trust in Allah; surely Allah loves those who trust." If there not be freedom of expression and there not be enough security for those who give counsel, order to consult would be meaningless, thus freedom of expression not only doesn't have any problem from the view point of Islam but also it is a natural and innate right of Human right.

legal restrictions on freedom of opinion and speech

free choice of people in accepting any kind of social, philosophical, political or religious thoughts without fear and anxiety of their basic human rights that are mentioned in divine verses. Resulting from freedom of expression has taken root in human's life which now a days with fundamental developments in the mental system of the world and following it and also by the extended political development in the world has found its place as a fundamental right in the domestic and international written law.

First : look at the restrictions of freedom of opinion : In Islamic educations, freedom of act in choosing an idea caused in Islamic Republic of Iran (IRI), not only inquisition is forbidden to mere belief that no one may be molested or punishment. In constitution of IRI, not only freedom of opinion has not been restricted for Shiite, but by virtue of principle 12 and 13 of constitution has also been recognized for recognized religious minorities because in Islam in School, freedom of opinion not only is considered as a duty, but it is a creative command which has been presented to human from God. But this restriction isn't in the realm of thoughts and ideas, but it includes freedom of religious educations and the religious rites, and some examples of that have been seen in the rules of International Documents such as Article 18 of the Universal Declaration of Human Rights and article 18 and 19 of the international covenant on civil and political rights, but in IRI by considering the authenticity of Islamic Religion and the necessity of compliance with all the rules and regulations of the Islamic Religion and Muslim (principle 4 of constitution), freedom of opinion is respectful where not to cause apostasy, because the religion of Islam is the religion of nature and changing it to another religion or to atheism is not permitted (Ghazi Zadeh,2006).

Second : the octet Restrictions of Constitution on freedom of speech : Over all, we can conclude of all principles which have been noted in constitution of IRI on freedom of speech that all restrictions of constitution of IRI on freedom of speech whether writing, saying or doing have been determined by constitution and are as follows : (1. No conspiracy 2. Lack of violation of independence 3. Lack of violation of freedom 4. No violation of national unity 5. Lack of violation of the Islamic Republic's Basic 6. Respect the interests of the country 7. No disruption to the Basics 8. No disruption to public law). But, this point is worthy to mention, it is possible some of those who have disturbance of mind about freedom say that all these restrictions for freedom of speech aren't suitable and deserving for a democratic government on the country, those who have disturbance of mind about Religion and the Security of Country, don't know enough mentioned restrictions for press and people's expressions. But in response to two above mentioned groups, we can say that unlimited freedom causes chaos and unlimited restrictions cause dictatorship. Therefore the best remedy for preventing chaos and dictatorship is to preserve Rationalism in all fields. Because, if Rationalism has been taken of any field, that field will undergo ossification whether it be religious, or non religious, so that by Rationalism one can interprets and implements scientific rules in according to the conditions and under the spatial and temporal circumstances and

therefore the constraints can be interpreted and implemented in a way that was neither chaos nor a dictatorship (Es-haghi, 2009).

principles and limitations governing freedom of opinion and speech in the international documents of human rights

The Universal chapter of human which codified for governing the international peace and justice and it also to be useful in establishing peace and security is based on specific principles. The right of freedom of opinion and speech is among the recognized rights of human rights so far is referred to in many international documents. In this section we're to pay the principles of this right in the Universal Declaration of Human Rights and International Covenant on Civil and Political Rights.

the principles of freedom of opinion and speech in the Universal Declaration of Human Rights

The Universal Declaration of Human Rights is some Articles emphasizes on the importance of "freedom of opinion and speech" here is necessary to note some points about the whole of this Declaration which expresses different freedoms :

First : this Declaration is written for "MAN" therefore from the view point of west, what is the purpose of man? If the literal meaning of this word to be clear, then the value and validity of rights and benefits which is considered for it can be clear. It is quite clear that this Declaration written from materialism view point therefore the entire spiritual and moral values have been ignored. According to Hobbes "Man is wolf Man" and Machiavelli's "I'm target and others means" meanwhile, only to satisfy the selfish desires of human is considered and nothing, therefore the freedom which is expressed in this Declaration, only provides financial goals.

Second : this Declaration is written in an emotional and pity and Compassion mode. In other words, it is considered ideal for Human purposes, such as peaceful co-existence, peace, freedom and justice which-per se-it looks good.

Third : historically, it must be looked at the cast of the Universal Declaration of Human Rights. At an interval of history-Middle Ages-Many of Human rights was not observed and freedom of opinion and speech was disregarded in any way. Gradually, there were riots and revolutions, people were freed from the bonds of the church, but this time with an extreme release. In other words an absolute freedom around today reflect the sever constrains of the medieval siege that must be said that both of them are false and none of them can show the dignity of human beings, one of them indulges negligence and the other one, exaggeration. Therefore, from view point of the Universal Declaration of Human Rights, every one as a human has the right to choose or have any religious opinion, freedom of opinion is an individual or personal affair and nobody especially Government doesn't have right to reprimand or force him to make a certain belief bias.

Principles of Freedom of Opinion and Speech in the International Covenant on Civil and Political Rights

Second most important International Documents on Human Rights, the International Covenant on Civil and Political Rights, adopted by the UN General Assembly on 16 December in 1966 and has been enforceable since 1976. It is explained that the Iranian Government signed it in 1968 without any reservation and it has been ratified in 1975 by the Senate (the National Assembly).

Article 19 of the International Covenant on Civil and Political Rights as one of the most important International Documents has prescribes some paragraphs for the protection of human Rights and political freedoms in guarantying the right to life (Abdullahi, 2011).

1. No one may be harassed on the occasion of his beliefs. 2. Everyone has the right to freedom of expression. This right includes freedom to explore and study and dissemination of information and ideas of all kinds, regardless of frontiers, either orally or in writing or in print, in the form of art or through any other of your choice a person. 3. Legal acts referred to in paragraph 2 of this Article entails certain rights and responsibilities and therefore maybe subject to certain restrictions which are necessary in the law and for the following : (1. Respect for the rights or reputations of others. 2. The protection of national Security or public order or public morals).

So the mentioned Article furthermore recognizes the right of freedom of speech for "everyone" in paragraph 2, it also pointed to some forms of speech and has protected them as the evidences of the right to life. In this case the search and obtaining information, then t publish them, have been actually protected as two outstanding proofs of showing this right. The purpose of having an opinion is that each person makes freely a choice which is willing. Furthermore he doesn't have to accept an opinion or to confess it, and the purpose of Covenant must be known the fulfillment of this meaning. Freedoms of opinion and speech aren't separable from each other because, thought and reflection without expressing them has no worth. Thought is a part of Human's intrinsic secrets and is in his mind, thus we cannot access it, and when it expresses in outer world by speaking, writing and behavior, to the extent is free and respectable so, it must not be stopped logically and

Statutory, but where thought be criminally i.e. it disturbs public order and national security, it logically won't be respectable and tolerable.

Legal Restrictions imposed on freedom of opinion and speech in the Universal Declaration of human Rights

will be mentioned and externally these Articles and their enforceable restrictions will be examined (Articles 18, 19, 29 and 30) : With little attention in the principles of this Declaration, it becomes clear that from the view point of the drafters of the mentioned declaration, it isn't unusual which the mentioned freedoms would be exploited, some will make a profit from this freedom for divesting freedom. Hence, the principles 29 and 30 have stated some restrictions for it, which are generally referred to them :

"Freedom" mentioned in this Articles is Parallel to the duty, as well as the pans of the scale should be in return for each other. If one pan is leaning to one side - i.e. freedom is unlimited and duty is wonderful task - it doesn't confirm the goals of drafters of the mentioned declaration.

The mentioned freedom should be restricted by law, because if there aren't reasonable limits in return for this freedom, it will be a means to violate the rights of others. Actually, Declaration emphasizes that freedom must be restricted by law.

From the view point of drafters of declaration, the mentioned freedom sets forth herein declaration shouldn't be in return for social system and public expediency because, in this case, only one person or group absolutely and unlimitedly enjoys of freedom, and the majority of society only enjoy of tormenting slogan of freedom, but there is no the content of freedom of fact.

Freedom sets forth herein declaration, shouldn't be against the purposes and principles of UN, what a great number of the rulers of a country or countries wants or want freedom for itself or themselves, and the other countries are in abjectness, contempt and in the absolute absence of divine gifts. Hence, Article 29 emphasizes that the mentioned freedom is for all nations and use of it in a way that involves the infliction and destruction of freedom of other nations, isn't in consideration of the drafters of the declaration.

Thus, the universal declaration of Human Rights recognizes itself this meaning, which the announced freedom aren't absolute in it. So, it allows governments to ratify laws that restrict the enforcement of this right. Paragraph 2 of Article 29 prescribes: In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and meeting the just requirements of morality, public order, and the general welfare in a democratic society. There are other restrictions for enforcement of this right, that is no case, they cannot be contrary to the purposes and principles of the UN, for example, no one can propagates war and race discrimination at the excuse of resulting from the right of freedom of speech. Meanwhile, Article 30 of declaration forbidden misinterpretation of declaration and unreasonable restrictions of rights and freedoms by persons or government. Thus a government cannot at the excuse of Article 29 denies and breaks the mentioned freedoms in this declaration (Sharifiyan,2001).

Legal restrictions imposed on freedom of opinion and speech in the International Covenant on Civil and Political Rights

Freedom of opinion and speech is the subject of duties and responsibilities and it is forced by bearing restrictions, by virtue of paragraph 3, Article19 of the International Covenant on Civil and Political Rights, exercising the mentioned legal rights in Paragraph 2 of this Article requires the specific duties and liabilities and so, they may be subject to determined restraints which has been made clear by law and has necessity for the following affairs : (1. Respect for the rights or reputations of others. 2. The protection of national Security or public order or public morals)(Hashemi,2010).

But, it is self-evident that if the enforcement of freedom of speech to be accomplished without any restraints, it may be exposed to danger and disappearance the rights and freedoms of other people of society or it may be disturb the peace of society and leads to disturb the national security and sometimes it also intensely perils the Health and Morality of Society.

For this reason, paragraph 3, Article 19 of the International Covenant on Civil and Political Rights has codified some restraints in this case. But it is necessary to consider two important points for governments in enforcement of these restraints :

First : Such enforcing of restrictions are necessary for a democratic society.

Second : The enforcement of these restraints is only possible on the basis of criteria which have been foreseen by this Article and using of other criteria which aren't mentioned in this Article are impossible for enforcement of restraints on the freedom of speech.

Although, every where it has been told about (restrictions), in this case, it remembers a kind of negative attitude in mind, but the covenant by considering the mentioned (restrictions) caused these freedoms seem more actual and enforceable, on the other side, it prevents the unlimited freedom of opinion and speech if it

destroys the rights or reputations of others or disturbs the national security or public order or public morals. Of course, this right must be subject to restrictions which have been made clear by law, and it has presumed like this, the rule is raised of people and is for people. If one rule be adverse and contrary to the legitimate purposes and destinations of the Declaration and Covenant and the people of that country, it is accounted self-ruling, the restrictions which are in accordance with such rule is self-ruling too. Originally, inserting the restrictions in the Covenant was asking for the future consent of countries which intend to join in this Covenant and assures them, they won't leave off their right by ratifying this Covenant on the contrary to the Declaration, or these countries to what extent, will use or misuse of these restrictions which create a kind of right for them, is another discussion. The Article 29 of the Covenant has been obviously maintained restrictions and prohibitions for freedom of speech on the contrary to the Article 29 of the Declaration.

CONCLUSION

Freedom of speech and opinion which means freedom of people of a society in suggestions and expressing their view are the most important rights and Islamic values that have many excellent effects in development and mental maturity of individual aptitudes and also they follow physical and spiritual maturities. For this reason Islamic training, numerous Quran verses, the fourteen innocent ones' narrations and their peculiar way of life have mentioned it not only as right; but also as a responsibility and a duty for everyone.

Islamic Republic of Iran's system recognizes this divine gift as one as the proved rights of people. This principle not only is in Islamic Republic of Iran's constitution, but also we can say that it nearly is in all countries and international Documents, and in fact all Declarations and Alliance take the part of it, let us say Article 18 the universal Declaration of Human Rights. Article 18 & 19 the International Alliance of Political and civil Rights.

By verification of the fundamentals and limitations of this article in two points of view, Islamic Republic of Iran's constitution view points and International Documents of Human Rights view points, we can say that freedom of speech and opinion isn't absolute, but all countries can enact limitations on the basis of their norms and democratic society, basically this right is respectable in order that it doesn't legally prevent others' rights. For the reason that Islamic Republic of Iran's constitution also allows freedom of speech or in other words freedom of suggestion in Principle 18 that it doesn't disturb Public Rights and Islamic Fundamentals. It can be referred to Clause 3 of Article 19 in The International Alliance of Political and Civil Rights which cited in it, this Article may be subject to limitations which have been made clear in Law :

1. spect for the rights or reputations of others
2. The protection of national security or public order or public morals.
3. It must be enforced for security, guarantee, identification and respect to others' freedom and rights.
4. It must be for protection of national security, public order or health or good behavior).

There for Islamic Republic of Iran's system whether from a view point of Islam School's Fundamental based on human generosity, justice, removal discrimination, promotion and development of human status or taking in view its national and historical background and ancient civilization is restricted by advocacy of justice criteria and removal discrimination of human rights criteria. Also constitution, more over the observance of standards and Islam's fundamental criteria ha presented principles about human rights which included human 's fundamental freedoms and laws, and in some Articles, it has particularly noted to cultural, social, economical, political and civil rights. In this way not only it was inspired of the constitutional laws of western developed countries and International Documents of Human Rights, but also it has the ability of collection with Articles of the Universal Declaration of Human Rights and the International Covenant Political and civil Rights.

We reach to conclusion that Islamic Republic of Iran's constitution has been enacted and enforced together freedom of speech and opinion by considering the international documents of human rights from one side, including the Universal Declaration of Human Rights and The International covenant of Human Rights and International Society and from the other side, Islamic principle and conditions of Iran's Democratic Society.

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