

**Human Rights and Citizen Rights  
on the Opinion of the Middle Eastern Islamic States**

**Amir Sajedi\***

Faculty Member and Assistant Professor, Faculty of Political Science, Islamic Azad  
University

**Abstract**

Human rights and citizen Rights are both derived from natural and inherent rights of all people and historically have been uniquely addressed among the various world thinkers. However until the end of the Second World War the idea of human rights did not find a place in a wider arena of thought. Although with the declaration of human rights in 1948 and owing to other related conventions, human rights became world-wide phenomena and many governments in the Middle East still have not accepted all its clauses. These governments having stated that some aspects of the world human right laws are at odds with the Koranic teachings balk at carrying out their duties with respect to human and citizen rights. Citizen's rights are those class of people's rights which are given as national rights according to the constitution of relevant countries and as such cover only the citizens of the relevant nations. The passage of the constitution of the I.R. Iran encompassing sections 19, 23, 24, 26, 32, 47...which had contained the equal rights and citizen's rights had generated great hope that the people of Iran will again after much time regain their human rights and citizen's rights. The manner that these rights are accepted and are made to coexist with the Sharia and the way the populace of the nations in the Middle East are taught and informed on their quest for human rights and citizen's rights are among the most noteworthy guides of their governments in carrying out its relevant duties.

**Keywords:** Human Rights, Citizen Rights, Human Rights Declaration, Middle Eastern States.

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\* Received on 13/06/2017                      Accepted on 25/10/2017  
Email: amir\_sajedi2001@yahoo.com

## **1. Introduction**

Human rights which is in part natural and cultural and imbued in personal manners and civility of a civilization has from ancient times and in certain eras and regions of world been of concern. However these have been short lived as the rulers did not want their rule to be accordingly limited and their powers to be reduced. These rights then did not have much acceptance until the end of the Second World War. The human rights declaration of 10,12,1948 coalesce all the rights and freedoms so far recognized into one body and made it imperative. This can be seen as an end of the supreme rulers which arose from the peace of Westphalia. This declaration raised much hope among the nations in attaining the natural and innate rights (Toloui, 1993: 426). The universal nature of human rights and its effect on all aspects of human life has changed the meaning of traditional international relations. The supervision by international bodies in the adherence to human rights in various nations has limited the absolute rule of many powers and as such many and in particular those governments in the Middle east have been unwilling to accept this completely. These governments consider the abeyance of the rules pertaining to human and citizen's rights as a thorn in their ability to rule. These state actors, still sure of the absolute nature of their rule, are worried that rules pertaining to human and citizen's rights may lead to outside interference. They point out the "liberal" roots of the U.N. human rights declarations as the reason not to accept all such inscribed rules of human and civil rights. They also claim that the liberalism based human rights are not based in higher religions and that some of these are at odds with the teachings of Islam (Donneley, 1989: 2). Some of these governments claim that Islamic teachings can guard the magnificence and sanctity of the human being and that the Islamic nations are not bound by the Western human rights. However with the advancements in technology and the improvements in communication that led to disappearance of the borders, the governments cannot easily hide behind claims of sovereignty, and their interpretation of the divine rules in contrast to the right of their people, as a new world order in defense of human rights with an international domain has arisen. The purpose of this work is to ask the question of why not the Middle East nations have achieved the rights, civil and human, that they seek. Our hypothesis is that the lack of adequate training and incorrect assumptions regarding the universality of human rights and the inability of the Middle East governments in accepting limited rule are the real obstacles in imposing and carrying out the human and citizen's rights in this area.

## **2. Theoretical Framework**

The world from inception has advanced towards globalization. People have become more socialized and have gained significant progress in turn. The globalization phenomena in its vast influence and depth have affected all aspects of the human societies. John Tomilson has stated that globalization is a multidimensional phenomenon which simultaneously moves in the economic,

political, environmental, technological and cultural levels (Mac Gerow, 2008: 215). Therefore globalization has led to inclusiveness in a global sense which has influenced world beliefs and in particular has led to ideas of human and citizen's rights. In the age of globalization citizens in addition to their traditional framework of parties and syndicates will partake in new political activities and new social movements in a direct manner (Ghawam, 2007: 55).

There are two schools or thought on human rights. The Universalists emphasizes the inherent rights and the greatness of the human spirit and the equality of all people. The relativisms look at Universalists as absolutists and do not find their standards applicable to all the different societies and cultures. They point out to all the differences among the cultures, religions, and ethnic groups and seek to account for those. Other writers paint a different picture, that of a universal conclusion which can be achieved from the many different aspects which arise from all cultures and nations. They believe that aside from the idea of inherent rights of all people which stands on its own all major divinities and all major cultures confirm this view of equality and equal rights and hence its universality. Louis Henkin, calls human rights universal and in his "age of law" writes: the human rights are universal, they belong to all people and all societies. Neither geography or history nor ideology, politico-economic systems or the level of development affect a change. The meaning of human rights is that all people, on basis of their humanness, are equal or nearly equal and this is irrespective of race, sex, age, family, caste, nationality, tribal or ethnic connections, wealth or lack thereof, skill, intelligence and learning ability, religion, ideology, and all other capabilities and beliefs (zakerian, 2008: 502-3). Behaviorists such as Anthony Mack Giro and Ronald Robertson believe that owing to progress in the fields of economy, politics, culture and technology the dependence of the world cultures has increased and this is the meaning of universality (Nobakht, 2008: 46-51).

### **3. The Definition of Human Rights**

Human rights are formed by a conglomeration of all that individuals are allowed the expressed capabilities inherent and otherwise which are derived from laws, sharia, customs and agreements touching humanity. Laws are expressed and are composed of those basic rules which regulate the private interactions of people with each other and the interaction between the ruled and the rulers in the public arena within the structure of public and constitutional laws. All people in creation are endowed with the same rights and respect having the same inherent spirituality. These rights are inalienable and through assent by all conform to the legal structures internationally and within varied societies. Freedoms here described and contained do not discriminate according to race, color, sex, religion, language, wealth, opinions political or otherwise and which apply equally to all. Therefore all men have rights and responsibilities which are defined in relation to each other. Other-words the rights of the people are defined socially but bind them universally according to their natural and inherent rights which are human rights. The rules of human rights allow people to achieve their full human capability and as such are

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essential and self-endowed and necessary for the human existence (Hakki, 2010: 27-8).

#### **4. The Historical Progression of Human Rights**

The topic of human rights from the ancient times has been the focus of many thinkers and rulers. Many of these are of the opinion that human rights are as old as human civilization and are inherited from the same source. As such human rights as a race are commensurate in age to human civilization and its progress and are based in the philosophy and religion of men. We can point for example to Hammurabi the king of Babylon in the 18th century B.C. in the Mesopotamia. He composed a set of 82 laws with the aim of inclusion of public justice which contained rights of women, farm workers, commerce, and ownership. He set up responsibilities for the members of his society and at the same time made his rule responsible to answer to those whose rights were denied in his land. It was the custom in India that during war the homes and planting grounds of the populace were spared in a time of war (Ziai Bigdeli, 1984: 39-40). The Achamenids during the rule of Cyrus the great king of Persia defended the acclamation of the rights and the freedom of the minorities and by freeing the Babylonians from the Assyrians and by respecting their freedoms tried to make the abeyance of human and citizen's rights universal. The Ashkanians in their time gave respect to all ethnic groups and the followers of religions and creeds of all types could without any pressure or encumbrance or hostility live with freedom (Sabagpour, 2002: 154-5). Many thinkers believe that human rights in ancient Greece had much importance among philosophers and were specially attended by the populace. Plato at this time in his "Republic" spoke of human and citizen's rights and Cicero the Roman philosopher defended his theory of natural rights and spoke of it being immediate and not abstract and related to the nature of man. Aristotle believed in the natural rights of the people which were composed of natural and universal elements independent of all relations and dual agreements among people which must be investigated and understood by the people. Among other Greek philosophers we can mention Diogenes which on the basis of the rules of natural rights declared all people to be similar and defended the equality of women and all other groups. During the time of ancient Greece the crystal clear nature of men was accepted in its generality and ubiquity and all man in their nature were seen as one absolutely equal. Man in the world society was seen as equal to all others and his happiness was seen in his suitability with nature which is a restatement of the natural rights of men. The belief of men who are naturally equal and the immutability and independence of this from any will or the assent of governments can even in the Middle Ages be seen in the thoughts of thinkers such as Aquinas and Crouseus (Ziai Bigdeli, 1984: 65). Crouseus attempted to lessen the metaphysical thoughts relating to human rights in favor of human will and stated in his "war and peace" that "god does not interfere in the works of his creation" (Gazi, 2005:134). After renaissance thinkers such as Hobbes, Locke, Rousseau, and many others affected the progress of the topic of human rights greatly. They believed that all people naturally are free, equal, and

independent and that the legitimacy of the rule is to be found in the welfare and happiness of the people.

### 5. Human Rights and Divine religions

Human rights have been of interest in the various religions and we may point to Zarathustra who speaks of the basic rights of all people which we call human rights (Jonidi, 1999: 32). The tradition of Judaism speaks of Moses stressing the fact that people must choose their own destiny. Jesus spoke of love and kindness seeking the equality of all people (Morgen, 2001: 28). Aquinas who knew that the church can be at odds with reasoning spoke of the collective thought and inspired knowledge. Cicero attributed natural rights to god and believed that that the church must move in accordance to divine justice which presumes equality of all. Crouseus who also believed in the natural rights of all people stated that the roots of human rights were found in the soul and composition of the people. He believed that natural rights were based on human thought. Crouseus in his theory of social contract gave prominence to individuality and stated that the relation of individual and the state hinges on the state accepting the natural rights of the people. Islam gives particular thought to human rights and in many verses touches on this subject. such as the verse

“انا هدينا السبيل، اما شاكرًا و يا إما كفرو” which states that in the order of the creation the human being is designated by God as the apex of all creation and God’s designate on earth and God has given to it the power of choice and knowledge so that it may find the proper road to happiness and guidance, or the verse

“يا ايها الناس انا خلقناكم من ذكر و ائني و جعلناكم شعوبا و قبائل لتعارفوا، ان اكرمكم عندالله اتقيكم” which speaks of men’s equality in abeyance of human values and the absence of advantages based on race, language and ethnicity, or the blessed verse 98 which calls all people to be of the same root and equal, or “ هو الذي انشاكم من نفس واحدة ” which states “ it is him that created you all from one passing breath. Also in the Koran verse 13 Sure Hejrat it is stated that all creation is from one source and so no one is in spirit outranks anyone else. The only advantage in the Koran is given according to personality and actions which is improved according to the mode of thought and religious practice and though([WWW.mehrnews](http://WWW.mehrnews), 2013).

### 6. The Concept of Citizen’s Rights

The prefix Citi- is Greek. Its etymology citizen and city are derived from the Latin Citoyen. The Greek Polis means city. The city is the place of residence partaken in a social manner under one political structure where all have rights and responsibilities (Pelloux, 1991:1). As the people are social creatures, the society and the social life is necessary to their growth. According to the legalistic sciences the rights and responsibilities of all people finds meaning in their social life. Aristotle was one of the first thinkers that found the natural rights of all people in the natural rules that governed them. He stated this natural right as an unwritten law which existed in nature and in particular in the spirit and nature of men. He also stated that this advantage granted by nature

creates the conditions that allow men to rule and be ruled. The middle ages witnessed a church which insisted on equality however not one level but on distinct levels and this was a period of decline for the idea of citizen's rights. By the passage of time meaning of citizen's rights emerged at the onset of the renaissance and the waning of the power of the church and the emergence of modern and liberal thought and the French revolution (Sheibani,2002: 11). It is in this period that the likes of Montesquieu, Rousseau, Kant, de Tocqueville, Weber, Durkheim, and Thomas Humphrey Marshall expanded the notion of citizens' rights. Among these thinkers Marshal accentuated his thoughts on citizen's rights more than the others. According to marshal the people in addition to their civic duties have citizen's rights composed of civic, political and social rights which take personal, political, economic and social forms and in turn guarantee the freedom of thought, opinion, ownership, and speech. These freedoms give meaning to economic welfare and security. He saw this as putting all members of the society on an even keel with respect to their rights and duties. He also called the twentieth century the century of citizens' rights (Ahmadi, 2009: 416). These thinkers were mainly concerned with improvements in their social and individual lives. What is apparent in their thoughts is that citizen's rights are inherent rights of men and therefore an aspect of humanity. These citizens' privilege is an all-encompassing feature which trumps other aspects of social life such as race, religion, ethnicity or social class. Citizen's rights were defined in the international civic and political proclamation of the 16 September 1966 composed of fifty three articles guaranteeing rights such as the right to life, freedom, pursuit of a healthy and comfortable life, chance to form a better future, and access to education and training, etc. What these thoughts purport to show is that citizen's rights contain valid rules which arise from a personal human axis and out of the wants and needs of a people as opposed to divine commands. This then sets all people equal in the eyes of god. These thoughts are universal in nature and speak of global citizen's rights and responsibilities.

### **7. Citizen's Rights Vis a Vis Human Rights**

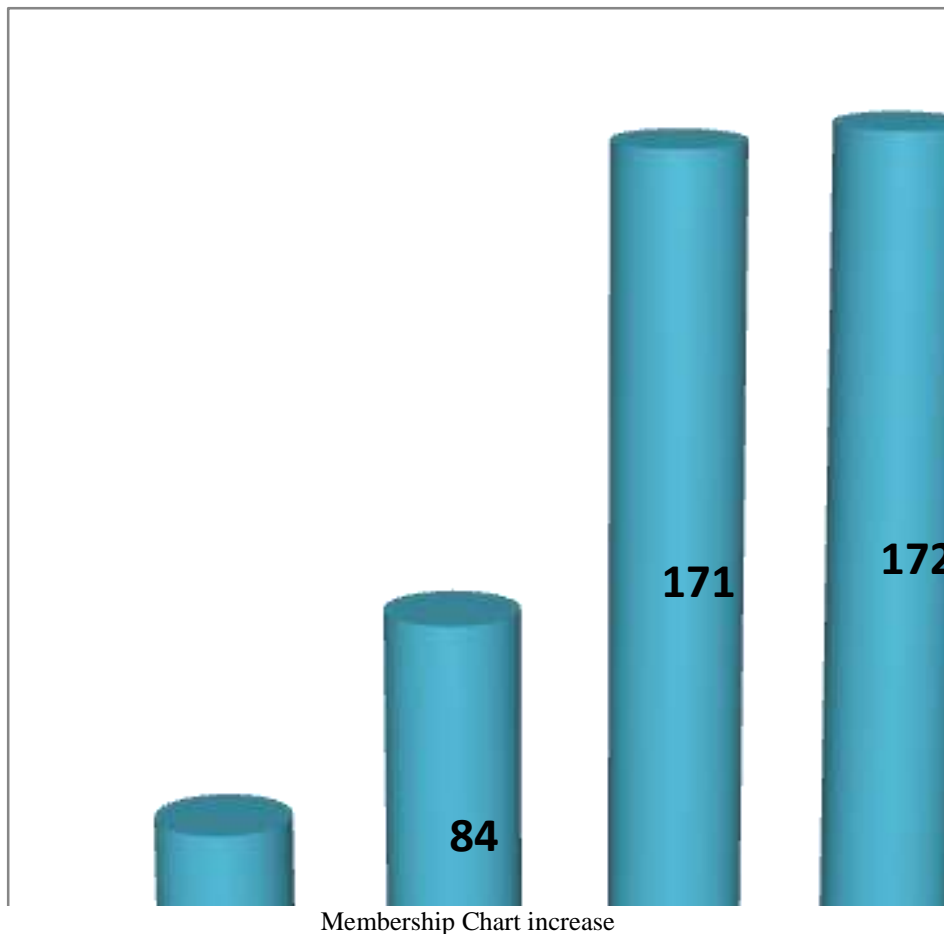
Human and citizen's rights are typically taken to be synonymous however we must separate their individual meanings as there are subtle differences. Human rights are common to all however citizen's rights are specific to a country, society, or nation. Citizen's rights arise from the guarantees given specifically in a country's constitution and as national phenomena are specific to a nation. A citizen is part of a society to which he or she belongs. The citizens of a nation are affected by its laws and share the rights and responsibilities they define. Partaking in town gatherings, activities in organizations and local offices, and suffrage are all citizens' rights. However human rights arise out of human nature. Citizen's rights touch on nationality; human rights encompass basic and meta-national rights notwithstanding the cultural and national traditions (<http://fina.ir>, 2012). Human rights as basic and original rights of men impose themselves on all who may work on drawing a constitution and do not owe their legitimacy to any deliberations form a mandate on the governments with or

without any deliberations. Following the Second World War with the mandatory teaching of citizen's rights in schools and universities of Europe much has been done to promote citizen's rights and creation of good and active citizens (Kerik, 1387: 172-3). An active citizen is in particular also an aware citizen. An aware citizen may be defined as one who is aware at the minimum of how to have a social life appropriate of a human being worthy of being called that and one who recognizes his rights and responsibilities (Yahyaei: 2001: 30).

## **8. The Universal Nature of Human Rights**

Immediately following the end of the Second World War on the tenth of September 1948, a declaration which could be called a resolution with 30 articles and under the name of the declaration of the human rights with no opposition, was passed by the general assembly of the U.N. The 56 members of the U.N. at that time with the exception of Saudi Arabia, South Africa, Belarus, Soviet Union, Poland, Czechoslovakia, Yugoslavia, and Ukraine who abstained voted in favor of the resolution (Shabrang, 2003: 182-92). The result of this vote made it clear that no member of the U.N. stood in opposition to this declaration (Mehrpour, 2013: 23). This declaration was in two parts. The first section outlawed slavery, usurpation of rights and exploitation, arrests without due process and cause, discrimination according to race, color, sex, language, religion, creed, opinions political or otherwise, rights to amnesty, fair trial, marriage, free speech and free thought, peaceful assembly, free elections, equal opportunity to participate in government, and ownership. The second section addresses economic, social and cultural rights. This section reiterates the right of all to social security, gainful employment, living standards, learning and participation in the social and cultural life of the society (Aghai, 1997: 15). This declaration was called universal as opposed to international declaration of human rights in 1948 and aimed to be universal (Ghari S. Fatemi, 2011: 173-85). It aimed to overshadow national and governmental boundaries and weaken the rule of the governments in general. It in fact called for a new order. It aimed to break the walls shielded these governments and wanted to make human rights an international and universal issue. The protection of human rights and a demand for citizen's rights by nations led to limit the actions of governments and forcing them to accede to the high nature of man and observance of its human rights. The government of Iran at the time was a signatory to this declaration and with a short delay the Parliament gave its approval. The international conference of Tehran in 1968 in which some 84 delegations participated gave further assent to rights and freedoms of the men. The second article of the declaration of 1968 in Iran asserts that the universal declaration of human rights is a product of the common understanding of world's nations with regards to human rights with are undeniable and that the international body is committed to its observance. The third article states that all men are endowed with total freedom and humanity and declared that all nations should in way of achieving this should observe and guarantee freedom of speech, freedom to be informed, freedom of creed and religion and additionally

the right to participate in political, economic, cultural, and social life irrespective of race, language, religion, or political opinion (<http://aihre.org>, 2002). The forty eight meeting of the general assembly in 1993 with the passed the declaration of the international conference of human rights under the name “the program of action of the human rights of Vienna” with the participation of 171 representatives from various governments. This declaration in addition to affirming those elements of human rights which had been touched upon by past conferences committed all governments to observe human rights according to the U.N. declarations and the un- deniability of the universal nature of human rights and the basic freedoms of all.



This conference also called for greater coordination in advancing human rights at the U.N. (<http://pajoohe.ir>, 2014). The fifth paragraph of the first part of the Vienna declaration and Program of Action declares that all conclusions regarding human rights are universal, irreducible, and attached and interrelated (Walas, 2003: 255). Other words all human rights are universal and undividable and are directly related and closely so. Furthermore the world community must view human rights in a broad and just manner which is unprejudiced. Also that



these nations considering their various national and regional backgrounds and the discrete nature of their histories customs and religions should commit to in spite of their political, economic and cultural orders to defend all the rules that entail human rights (<http://hawzah.net>, 2008).

## **9. The Concept of Human Rights from the Perspective of the Middle Eastern Governments**

Many rulers in the Middle East believe that the course of advancement of human rights in the Middle East have been at odds with the nature of the region and as such have never been an internal or local phenomena. They believe the imposition of human rights in the Middle East has been from the outside and by the interference of the United Nations and those countries which have supported it. They also see human rights as unique to the west and one sided. The onset of the Islamic revolution in Iran showed that not only has modernization and the passage of time and the ensuing progress has not pushed religion by the wayside; but that its resurrection can be again a helping influence in advancing human rights (Sajedi, 2015: 82). Through this approach the rulers of the Middle East became even bigger detractors of some of the rules regarding human rights in the world. As Islam had given great consideration to the magnificence of humans which are “free and worthy of responsibility”. The verse of Sharifeh says, “ولقد كرمنا بني آدم... وفضلناهم على كثير ممن خلقنا تفصيلاً” appoints humans to be of magnificence and high divine nature whom should never be objects of insults, demotions, and violations of their personal solace. The ideas of human rights and their proper freedom which thus contained in the Koranic teachings point to inherent and natural rights. The governments in the Middle East by enunciating the Koran which calls man to be the highest form of creation and a ruler on earth thus call out the high magnificence of the human being. It is God then that has provided men all the opportunities of life and the nature it created for man to behold and it is God that has endowed all the rights in their subtle compositions as opposed to men. Through this reasoning it is necessary to obey divine laws in order to protect human rights and to rule and direct a society through justice and truth. In response to the declaration of human rights by the U.N. which is based on liberal and democratic values the “Islamic conference announced two declarations on "Basic of Human Rights and Duties in Islam", and " Declaration of the Bill on Human Rights" in Mecca (1979) and Taef (1981) respectively (Ghorbani and Simbar, 2011: 454). But the Islamic Conference of Cairo” in 1990 emphasizing the cultural and historical values of the Islamic nations “which as a whole form a global culture entrusted with guidance on humanity thus linking the material world to the next” approved the Islamic declaration of human rights thus protecting the rights and freedoms of the legitimate people of the Islamic nations (Salim, 1997: 171-75). This declaration states that the Islamic nations take it as a matter of faith that the guarantee of the basic rights and the freedom given to the public in Islam is part of the mandates of Islam and that no one can obstruct or be in ignorance of such divine orders (Sajedi,2010,: 111-2). Other words the basic rights and public freedoms in Islam are part of the religion itself. The divine orders are given by

God through the holy books by his chosen prophets and no one can obstruct or deny these rules and goals which are set through a divine source (Aghai, 1997: 229-38). One can easily obtain the contradictions between this declaration and those which are brought forth by the U.N. or the Europeans. The ruling parties in the Middle East certify only those areas of the civil rights declarations that agree with the Sharia and oppose those which conflict with the Sharia. Thus according to the Cairo declaration, which has been accepted by the Islamic nations, the governments of the Middle East are committed to human rights and citizen's rights which do not conflict with Sharia. The governments of the Islamic nations resting on the 64th verse Ale Omran and other verses from the Koran which state that the only form of subjugation is to the all mighty deny a duty to carry out the articles of the human rights. This leaves the said governments an open hand in ignoring their responsibilities as stated in the human rights and citizen's rights declarations of the U.N. Many such governments in the Middle East find the human rights declaration of the U.N. as one sided and a creation of the West and Christendom. They also state that these declarations have not accounted for the culture, customs, the geography, and more importantly the divine commandments of the other religions. Therefore they claim such declarations cannot be universal. These governments should acknowledge that if a country accepts rules thus gaining entry into an international which assumes a change of course then it has naturally accepted the abeyance of the rules of international which includes the right to discuss their validity and a means to affect changes in these rules (Walas, *ibid*: 14-5). Also globalization has affected various aspects of individual and public life and has changed the political, economic, social, and cultural life of these nations which include the notion of citizen's rights (Manochehri & Jafari, 2014: 136-7).

### **10. The Concept of Citizenship in Islam**

The most important teachings of the divine religions are the worth and magnificence of human life. This grand nature of man precludes him in interfering with other people's rights. The responsibility of man to God and the acceptance of spiritual laws define effectively the boundaries in the field of human rights. The Islamic view of human rights puts all faith in the divine rule of God and is at odds with the "natural and intellectual rights" views. However the almighty has at times given his prophets (or the God-fearing agents of the prophets) the permission to modify or revise some of these laws. Since in Islam the material and the next life are connected therefore happiness and accomplishment of the next life are grounded in the worthiness now and in carrying out the divine rules in this life. It is only God that can guide a soul to happiness and fulfillment and it is him that describes the human and citizen's rights. The order of citizen's rights according to Islam in contradiction to Christianity (the Islamic school of thought recognizes no new legal order was created by Christ) is described through the Koran and the tradition and thought which it created. It is man that must use his intelligence to find himself and consequently to approach the source of knowledge in the universe. Man's incompleteness makes him dependent on divine inspiration which comes to his

aid and guidance. Accordingly God uses divine inspiration to guide men thus affecting the most complete and truthful of men (prophets) as a tool to connect with humanity in order to teach those divine laws. According to this view, the ruled and the rulers have responsibilities.

### **11. Human Rights and Citizen Rights from the Perspective of I.R. Iran**

Iran historically speaking, although with some short lived exceptions, has been the realm of rulers and despots which always have seen themselves as “shadows of God”. The power structure was such that even those orders which conflicted with the people are basic and citizen’s rights were to be obeyed without prejudice. This continued to the period of the constitutional revolution in Iran and in this brief period the ideas of equality, justice, and citizen’s rights circulated. However due to the conflicts between the revolution’s leadership and the constitutional movement such trends came to a halt and the rule of law in Iran was not established. Even in the Pahlavi era despite the openings leading to modernization and economic growth and owing to a lackluster political maturity the human and citizen’s rights were not advanced (Rouknabadi, 2016: 13). The coming of the Islamic revolution created hopes of the fruition of human and citizen’s rights. The plebiscite passed in Iran which legitimized the Islamic Republic gave much credence to the idea of human and citizen’s rights which were embodied in the article 19, 32, 26,47, 23,19, and as such created much hope for the nation. This created much hope in Iran and led to a quick passage. The constitution of the Islamic Republic gives assurances of human and citizen's rights through its many articles which aim to guarantee rights and freedoms of the nation. For example article 22 guarantees the right to life, possessions, work, and housing albeit with very limited exceptions and article 23 forbids cross examination of one’s personal beliefs and subsequent prosecution on that basis. However post-revolutionary Iran in its rapid formation of groups and political organizations became distasteful to the extremists in the revolution. The eight year imposed war on Iran did not allow for the formation and advancement of human rights and citizen’s rights in Iran. The interpretation of some clerics is that the constitution must reflect the Islamic nature of the rule and that the government can only set Islamic rules and this through the divine emissary who is the supreme leader. Others believe that people should participate in choosing and passing laws so long as they do not conflict with the Sharia and that this can succeed in creating a civil society in Iran. The second group was able to succeed in passing the civil rights bill containing 120 articles of year 1383 in the Majlis. The preamble to this bill states that the absolute rule over men and the world is God and he has made man master over his public life in a society and his fate (Charter of citizen’s rights of the IRI 2004 ). The charter signify the rights to life, health, quality of life, equality in the magnificence of humanity, freedom and security as a citizen , participation in choosing ones fate, freedom of speech and thought, freedom of assembly, freedom of congregation and demonstration, freedom forming a family, access to a fair legal system and judgment, an economy which is free and competitive, housing and ownership, proper work, welfare and social

security, education, clean environment, consistent growth, and national pride. These freedoms cannot be suspended without reproach by the law in parts or in whole. This “assent by law” presupposes that the laws of the Islamic Republic are based in the Islamic tradition with respect to human and citizen’s rights and that they cannot be in conflict with those teachings (Khanlar, 2005: 17-58).

These rights have been communicated by the various post-revolutionary governments and the 11th administration has used SMS and social media to also inform the populace. The important lesson here is that the public cannot be informed solely through social media with regards to their rights and this is not the right format to effectually accomplish the task. Placing ideas of human and citizen’s rights in the public domain, which contains their basic rights, needs a long term properly designed program. Article 26 section 2 of the universal declaration of human rights states that “the purpose of education would be the blossoming of the human personality in all aspects and the strengthening of the adherence to human rights and essential freedoms”(Levin, 1998: 19). Human and citizen’s rights in advanced countries are taught from the elementary schools all the way to the universities. This is significant as it is stated in the Vienna Conference that education and increasing the awareness of human rights with the aim of raising and maintaining sound and lasting relations among various societies are of the highest importance (Walas, *ibid*: 260).

The governments in the Middle East by stating that some of the Islamic laws conflict with citizens and human rights cannot shirk from their responsibilities with regards to the natural rights of the peoples. As always the major focus of these rulers in the Middle East has been to preserve their power and their rule and not their citizen’s rights. We note that none of these governments or their branches (executive, legislative or judicial) has been able to correctly provide public welfare which is among the most salient rights of citizenship. This is apparent in the flood of emigration towards the West from these countries. These are governments which are not ready to guarantee the citizen and human rights of their people. They have not been able to give their populace the right to social security, proper work and hiring opportunities, appropriate living standards, and participation in cultural life in their society. One may also ask whether the articles of human rights of 1948 which was approved by many governments can be simply discarded by the same governments. These articles are the result of many centuries of human thought reflecting on the greatness of humanity and that these ideas have become universal. It is necessary for the Islamic Republic of Iran to interpret those elements of Islamic human rights which are seemingly at odds with the universal human rights in a manner that would make them compatible. Just as the Diego price of men and women has been set equal and the practice of stoning and dismemberment have been excluded or severely diminished in the courts of many governments in the Middle East. It is possible to curtail other practices through modern interpretations of Sharia, so that the Islamic notions remain and the global condemnations of said practices are diminished.

## **12. Conclusion**

Human rights and citizen's rights are divine gifts and belong to natural and inherent rights of the people and no one can delete or reduce the whole or any parts of these rights. Human rights and citizen's rights are inalienable and accrue from being human and not from any special privilege or situation. They are rights inherent and inalienable and exist irrespective of race, color, sex or religion. These rights are universal as they speak of the equality of values and the inherent greatness of humanity. Human rights are derived from human nature and are universal. Just as Robertson links the increase in awareness of the world situation and globalization to the world being connected in a global village we can state that human and citizen's rights in the world have become universal and of high spiritual value. Human rights today exist in a network of interconnected rules and one cannot choose parts to accept and parts to dismiss. One can truthfully state that carrying out rules and elements of human rights is not dependent on the discretion and wisdom of the rulers and not subject to elimination in whole or parts. Human and citizen's rights are enforced when the majority of a nation or societies are aware of their civil, economic and political rights and when the rulers cannot deprive the nations of their rights in whole or partially. It is with knowledge of the due citizen and human rights that a people can reach higher plateaus with equality and can with a feeling of responsibility and reciprocal duty help to create a higher justice in the disparate societies in the world. The teaching of citizen's and human rights in schools can result in more informed and responsible citizenry. These teachings in advanced nations commence in the elementary schools. They are discussed in the universities and this can increase awareness and understanding of citizens with regards to their afore-mentioned rights and responsibilities. Such awareness will increase participation in social and group activities along with a higher sense of responsibility.

To answer those governments that state the progress in human rights in the Middle East has not arisen internally and the basic structure of the human rights in the Middle East has derived from outside influences only and that the topic itself is Western and one sided, it can be said that they have made a mistake, intentionally or inadvertently. The inherent rights of men are not declared or understood only in the West and they cannot be the only people to whom this applies. The abeyance of human rights is as old as the Hamurabians and Ashkanians and in particular the order of Cyrus the great in 539 B.C. freeing the Jews from bondage which was a proclamation of human rights cannot be forgotten. It is an injustice and disparaging to call the West a harbinger of human rights. As most cultures and traditions have been instrumental in framing the ideas of human rights one can correctly state that human rights are a global creation and it behooves the international community to move in a world that guarantees equality for all and has made the absence of prejudice its highest principle.

The increase of membership in the last six decades in the international organization of human rights and the welcoming of the various conventions on human rights attest to the global nature of human rights. Those rules of human rights which conflict with Islamic rules can through a modern interpretation of

Islam and through discussions and theoretical discourse be reconciled with human rights and this can create new pathways for administering societies and improving the acceptance of human rights in general. It is the incorrect interpretation of the governments of the Middle East with regards to a possible diminishment of their rule that has blocked the integration of citizen's and human rights. However with advances in communication and advancing the level of culture and knowledge of the nations in the Middle East and also through proper education one can hope that the ideas and rules regarding human and citizen's rights will sink in the ruling paradigm of Middle East nations.

## Resources

1. Aghai, Bahman.1376 (1997). *A Terminology of Human Rights*. Tehran: Ganj-e-Danesh publishing.co.[In Persian]
2. *Afghanistan Independent Human Rights Commission*, 6 June 2002. In [aihr.org.af/home/document/738](http://aihr.org.af/home/document/738).
3. Ahmadi, Hamid. 1388 (2009). *Foundation of Iranian national identity, national identity, citizen-centric theoretical framework*. Tehran: The Institute of Cultural and Social Studies. [In Persian]
4. Crick, Bernard. 1387 (2008). *Democracy, a Very Short Introduction*. Translated by Poya Imani, Tehran: Nashr e- Markaz. [In Persian]
5. Donnelly, Jack (1989). *Universal Human Rights in Theory and Practice, Part II*. Ithaca, Corner University Press. [In Persian]
6. Gazi, Aboulfazl. 1384 (2005). *Fundamental rights imperatives* (19<sup>th</sup> Ed.). Tehran: Mizan. [In Persian]
7. Ghari S.Fatemi, Seyed M.1390 (2011). *Human Rights in the Contemporary World* (3rd Ed.). Tehran: The S. D. Institute of Law Research & Study. [In Persian]
8. Ghawam, Seyed Abdulali.1386 (2007). *Globalization and the Third World, The trend of Globalization and the position of developing countries in the international system* (3rd Ed.). Tehran: Ministry of Foreign Affairs Publication. [In Persian]
9. Ghorbani Sheikhneshin, Arsalan and Simbar, Reza (2011). *Iran and Convergence in Organization of Islamic Cooperation*. Tehran: Imam Sadiq University. [In Persian]
10. *Group Comments: Economics and law*. [24/07/1391](http://www.fina.ir) (2012). in <http://www.fina.ir>.
11. Hakki, Farshid. 1389 (2010). *Human Rights discourse for All*. Tehran: The Shar-e-Danesh Institute of Law research & Studies. [In Persian]
12. Held, David & Mac grow, Antony. 1388 (2009). *Theories of Globalization*. Translated by Masood Karbasian. Tehran: Nashr Cheshmeh. [In Persian]
13. Jonidi, Feridon. 1378 (1999). *Human Rights in Today's World and Human Rights in Ancient Iran*. Tehran: Balkh publication. [In Persian]
14. Khanlari, Abdulreza. 1384 (2005). *Collection rules and Regulation of Citizen Rights*. Qom: Negin. [In Persian]

15. Leven, Leah. 1377 (1998). *Human Rights Question and Answers* (3rd Ed.). Tehran: Gatreh Publication. [In Persian]
16. Manochehri, Abass & Jafari, Firoze. 1393 (2014). Effects of globalization on civil rights in Iran. *Elmi-Pajohshi Do*, No.16. [In Persian]
17. Mehrpour, Hossein. 1392 (2013). *International Human Rights Order* (5th Ed.) Tehran: Etelaat Publication. [In Persian]
18. *Mehr News, Equality in Islam : 12 the principle of equality of persons in the Quran. Mordad 1392 (2013)* In <http://www.mehrnews.com/news/2113881,21>.
- 18- Morgen, Jak. 1380 (2001). *Human Rights*. Translated by Ahmad Naghibzadeh, Tehran: Department of Law and Political Science publication. [In Persian]
19. Nobakht. Mohammad Bager, & Mohammadi, Hamed. 1387 (2008). *The process of globalization, changes and requirements in the field of economics, Islamic Republic of Iran*. Tehran: Office of Science Development Publication. [In Persian]
20. Pelloux, Robert. 1370 (1991). *Le citoyen Devant'etat*. Translated by A. Ghazi, Tehran: Tehran University publication. [In Persian]
21. Sabagpour, Aliasghar, 1381 (2002). Globalization, National sovereignty and Ethnic diversity in Iran. *National Studies Quarterly*, Vol.3.No.11. [In Persian]
22. Salim, Muhammad al-sayyid and Al-sayyidd, Moinebadvi ( 1997). *The Organization of the Islamic Conference in a changing World*. Translated by Hassan Rezaie, Tehran: foreign ministry Publication. [In Persian]
23. Sajedi, Amir. 1394 (2015). The Role and Functions of Secularism in the West and the Islamic World, *Political Science Quarterly*, Vol. 11, No.31. [In Persian]
24. Sajedi, Amir. 1389 (2010). Obstacles to Democracy in the Middle East. *Quarterly Journal of Political Science*, Vol.2, No. 8. [In Persian]
25. Shbrang, Mohammad. 1382 (2003). *United Nations Charter, Declaration of Human Rights*. Tehran: Daneshwar. [In Persian]
26. Sheibani, Malihe. 1381 (2002). Citizenship and Social Welfare. *Social Welfare Quarterly*. Vol.1, No. 4.
27. Tavasoli Rouknabadi, Majid & Noori, Moktar. 1395 (2016). Historical sociology of the formation of citizenship in contemporary political discourse in Iran. *Political Studies*, Vol.8, No. 31. [In Persian]
28. *The Islamic Republic's Bill of Rights*. 1383 (2004). [In Persian]
29. Toloui, Mohammad. 1372 (1993). *Comprehensive political culture*. Tehran: Nashr e-Elm.
30. Walas, Rebeka. 1382 (2003). *International Law*. Tehran: Shar e- Danesh. [In Persian]
31. Yahyaei, Fraidon. 1380 (2001). *Transitional process and obstacles to the development of democracy in Iran*. Tabriz: Yahyaei. [In Persian]
32. Zakerian, Mehdi. 1387 (2008). *The universality of human rights in the modern international system*. In <http://www.hawzah.net/fa/Article/View/81098>.
33. *Human Rights Vienna Declaration and Program of Action*, 1393-11-14 (2014). In [http:// www. pajooh.e.ir](http://www.pajooh.ir).

**34.**Zakerian, Mehdi. 1387 (2008). *Constructing Human Rights in the age of globalization*. Tehran: The Institute of Cultural and Social Studies. [In Persian]

**35.**Ziai Bigdeli, M.R.1363 (1984). *Public International Law*. second Edition, Tehran: Ganj e- Danesh Publication. [In Persian]