

## Theoretical Foundations of Civil Rights

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### ABSTRACT

In traditional civilizations sacred dignity of all human life is manifest, but unfortunately today all incomplete view of human temporal affairs of the look and the sacred dignity of human life in terms of Do not. We're here to talk to the traditional view in relation to civil rights restored. Of Our vision is innate rights and denial of citizenship rights to non-supervisory, non-infringement and eternal Is.

The conventional view of human civil rights issue is Bntm. Between Islam and the Law Between citizenship and civil rights of any other spiritual tradition established relationship breakdown is inevitable. Conflicts sometimes be seen in the traditions of civil rights cases of conflict and reconciliation can be solved Is. Apart from the natural and civil rights of indigenous rights is not separate from it, but the spirit throughout Tradition is that God has manifested in practice. Civil rights field, including individual or community or Particular area and has spread around .

**KEYWORDS:** Civil Rights, Human rights, citizenship.

### INTRODUCTION

The main topics of international law and the rights of citizenship rights and the issue of the Astmsak tool of its inherent value, and it is particularly important in a number of central issues Contemporary law is placed. Human rights observers to the innate rights of man is free and non-stripping, non-abuse and knowledge is eternal. Rights and freedoms guaranteed to provide the gift of eternal The man is extremely important and Sobhan God put it in the legislation As to what is right in Islamic law is Alnas observer is the same. In this paper we A quick look at some of the theoretical foundations of the civil rights of its look and see international law [1] also See Law of Nations [2] and also important from the perspective of the legal system, especially Islam and the common law reached back to LA.

Supervision of the scientific review of citizenship rights as separate from the province on behalf and in good working Rights "in various writings, the concepts of" citizenship rights "beyond the paper [3] and [4]. Term Is intended. In this talk we consider the concept of "human rights" and "ethnic rights", "Citizenship Have.

### Definitions and terminology

America and the Republic of France after the Revolution, the Declaration of Human Rights and the Declaration of Independence and America French citizens, civil rights and human rights issue was fully coherent, in the wake of World War Universal Declaration of Human Rights was also added to the second and inalienable rights as human terms Brings. Some of the most important and whether these terms is: Freedom: the right choice in all aspects of theoretical and practical man of action as long as he denied the rights Unlike the others, and disturbing public order and public morality will lead. **Idea:** a collection of opinions, views, opinions and believed in and perceptions of being a human person, society, And the other is human dignity.

Religion: a set of theoretical perspectives and ideas of man and the world and a set of manners and morals and Practical judgments given by the Prophet was a man to achieve eternal happiness.

**Freedom:** freedom of opinion and freedom of thought is obvious, because the legislator overseeing the areas of speech and Action, defines the crime in the areas of thought and belief, true and false is not a crime. Freedom of speech, freedom of opinion is confirmed, but a form of expression and action of the verb is considered and the expression of Freedom of expression can be defined and limited by legislation becomes law and criminal cases and also of course be the Reflected in the law is clear and documented that there is a doubt. Freedom of expression is often discussed To some observers that the government does not like the master of the other cases are also Potential harm to public morals or otherwise take into account. The law will determine the range, whether This is the statute,

whether Commonwealth La, and in silence the conscience of the jury or inferred Legal requirement, not a diagnosis or a power-holders thought the judge, citing legal sources. Definition of the term given to civil rights or human rights Hohefeld: Professor Hvhy Field Is:

- 1-Sense of the word is something that deserves another person having decided against it
- 2-Person is entitled to the safety of law
- 3- Points
- 4- Power law relationship with the goal of creating 5

### **Human rights, citizenship**

Meaning of is a human condition of man in traditional teachings and his example of true humanity that is both gender and

Called. Human life and in his Greek anthropos man German mensch in English

A glimpse of eternity [6] and the pink of his divinity [7] is. Concept of man as the pope or caliph]

And this point against the traditional view of man anthropos exquisite, pontiphex] 8

He shall embody the revolt of modern

Khalifa man of God lives in a world that is both general origin of the overall center. With the knowledge that this source

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Strives to attain perfection and to deliver its initial integrity. Khalifa man's existence reflects the overall center Upon the environment and the echo of the general source in the next period of time. 9

But sinful man is created in this world and he has lost the understanding of the divine nature pothook

] The nozzles themselves that it blocks his freedom on his neck is thrown. 10

Traditional view of man's earthly sovereign, subject to continuation of the unstable nature of the human journey Is known.

However, certain prophets and saints in the first group and other people are into the second category, the

Thanks to the innate human rights are indivisible Azav not documented and motivated the development of human rights, even

It is also, according to tradition, the divine and the human society of "human origin" in other communities

Enjoy these rights unless the law or the law - a law that is consistent with the teachings of

Civil rights - and to protect the rights of citizens, the part of these rights is prohibited. The

Mnat currently valid legislation, the legislation will of Allah and the Sunnah of the Prophet (PBUH) and the pure Imams (AS)

Human innate rights is emphasized and attention

The human subject is a human civil rights. It is a common man. The same man Bntm

He speaks. It has a human head and two ears. Neither gender nor race nor religion, nor any

Other conditions of the condition can be differentiated.

Reply to this section for those who know, or for civil rights against the traditional teachings

I expect more from their rights of free people have written to the poor and sick in their views

Appeals to comment. All members of society, human beings have a duty disgrace of his god.

Although the rights held in the West is prepared to provide scholars from East and West

emam Ali(PBUH). Differences "Fela Maqal Anzr Tnzr I smelt." Have also been accepted by most countries

And cash is a problem and the root rule out another problem

### **Islam and citizenship rights**

Civil rights and even Islam's emphasis has always paid attention to some of the samples

We noted: "So for those who fight because they did wrong and that God is on power to the victory" God is here 'cause of the oppressed in their way is known to leave. For those who triumphed after his crime, what they Certainly way but only against those who oppress men and rebel in the earth without right.

Some scholars, citing some cases, the civil rights traditionally have been considered contrary to Islam and this

Human rights workers are found in groups of scholars in a range of human rights dissidents.( www.HaghGostar.ir )

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I live around the Prophet (PBUH) and Amir Ali Ibn Abi Talib (PBUH) on the clear evidence

Civil rights and civil rights protection and monitoring of human rights. And much of the supporting reasons Prophet of the weak, slaves, women and children, whether before or after the Prophet's mission is to be denied Except that he

was buried alive by the Arab girls Shift and it's support throughout the life Poor and oppressed is not? Now we'll reject some claims

Preference and the difference in the issue of marriage Islam as a religion cannot be mended as Some have thought the reason was religious discrimination. Way to distinguish between the natural system and Freedom does not preclude natural persons. Respect of the sacrificed animal nutrition of the infidels because of discrimination cannot be Some issues such as conditions or the like Mqzvf or control or tail or waste mine waste or waste within infidels or the like They cited some impressions I have introduced it causes discrimination in traditional Islam, the And not because otherwise you have no evidence except the sign of Kish in the traditional Islamic aggression will not And found the Prophet (PBUH) and the pure Imams (PBUH) is also a witness, so that the story repeatedly Ali (PBUH) in the Jewish claim on the ownership of armor in court and before the Jewish claim Judge've read. The letter to Amir Malik (RA) revealed evidence of the importance of civil rights Islam Prophet Mohammad (PBUH) and other free adventure "Yom Almrhm" is. Even many Islamic history and the story of the conquest of Mecca and Building Literacy in dealing with captives per Hrby considered infidels have

Divided into traditional and modern Islam, there is no place in traditional Islam and only Islam is the same, and where and when In traditional Islam, the Prophet (PBUH) has obligation in religion? And the claim that the history of Islam or the Muslim Where traditional human rights is not acceptable, unless the Muslims on Islamic history know, the Even the pure Imams also have uterine valid, let alone others!

Islam is submission, and peace and civil rights is a religion of peace and religion. Discriminatory attitudes Islam is doomed, and citing the opinion of old and new, some Muslims and Muslims and people who appear The understanding of Islam have been the protagonist and their situation, not to Islam. His traditional But it is necessary to avoid confusion about the so-called tradition or tradition To write.

**tradition** Transition is associated with the literal terms of the root and its meaning in the range of transmission Knowledge, practices, techniques, rules, and many other elements that Qvalb inarticulate nature and are written There is accessible to the Sun on his show, but instead could be. "It gives Delivery is to show what it might be like words written on the move Skin look, but can also be carved facts on human lives and gentle aspiratory Or even an electric eye that certain teachings are passed through it. St. ... Means facts or principles Secretary of the divine through various personalities like prophets .... For human men, and in fact [14] "for a full face mask cosmic obvious and it is derived

#### **Natural rights, civil rights, the spirit of the law**

Natural rights long taken place in the minds of human thought and his work has had. Socrates Danshth natural law of God is clear. Some make it permanent, and all I know and agree on www.HaghGostar.ir legal database of articles published, the Wide That man should strive to discover it, the man in the community and will not make it work. Some also believe that natural law is a set of rules to be developed, but a principle Is inspiring and legislators will try to complete it. After a set of rules or legal matter Observer is that the natural rights of man, is not comprehensive civil rights law and a sense of spirit The spirit of the law is difficult. Absolute rights of citizenship rights observers, however, Permanent, fixed, and human physical and human beings in any ruling in this respect than the other No. The more general expression of the spirit of civil rights law, not as a matter of individual s The law

#### 6- Characteristics of citizenship rights

A - is universal, because the human family is the inalienable right of every member and every human person where it is Of every race, language, sex, or religion, that is, it is deserving and who is forced to acquire these rights. This Rights are inalienable.

B - non-human transmission and not separated, because without it one cannot be called human. It, "no need" or "less of"

C - cannot be divided. I cannot detection Who denied

D - elements it is necessary to complement and supplement each other and are interdependent.

E - is a divine gift, and no human authority or authorities, including government, religious or secular law Not granted.

F - the inherent rights of indigenous people and their human personality traits can be interpreted in any Contract and is not dependent attribute.

7-Universal citizenship rights Before the Universal Declaration of Human Rights by the UN General Assembly formally in Speech rights, "adopted in 1948, the Anthropological Society of America warned that the declaration as Be interpreted. They had believed that what the Law Society in a "common values in Western Europe and America

A human being may be considered anti-social society something else because it seems to him Relative to cultural norms and values that it stems from different

Other hand, in the East was also discussed and the universality of human rights was established. Their characteristics National, regional, historical, cultural and religious backgrounds were further consideration. Although he Some claimed that universal human rights is accepted in some cases it is also rooted in the West And individual liberty viewpoint not necessarily reflect Asian values, also argued that the Declaration They then developed a world without it cannot be considered universal. This view of the Declaration The "Bangkok was also reflected. Representatives of Asian governments adopted the Bangkok Declaration on Article 8 Because the global nature and universal human rights should be given to national and regional characteristics and background Various historical, cultural, and religious background process in a dynamic and evolving set of international rules . "Considered

It should be noted that although the majority of UN member states in preparing the draft Universal Declaration [www.HaghGostar.ir](http://www.HaghGostar.ir) legal database of articles published, the Wide Did not attend, have confirmed its position relative to the orientation ambiguous and conflicting That hand is generally accepted as universal human rights and the legitimacy of the other different inquiry Were attached to it

### **Will suffice and civil rights**

Public officer to perform the mission of justice and legal policy is to devise

Authorities in the nation and around the materials having losses and supervision authorities and judges on the Supervisory authorities on the civil rights of judges necessary to protect the rights of citizens of this Policy is Adeleh. But what is particularly important that non-litigious matters other than matters related Trafy Public interest and address the need to litigate and the courts if they can inform No petition shall also enter and process for monitoring and protecting civil rights is precisely this

Will suffice types are as follows:

A - Will suffice in relation with the government agents - agents in this regard, the Government and people Desirable Are the Divine Essence

B - Will suffice in relation with the government - in this regard Desirable people are against the government is Desirable . The relationship that people have a duty to stand against the diversion of the main This is why civil rights

C - Will suffice people in relation to each other

Will suffice government and people of other accounts that they want, including the importance of maintaining these Civil rights and public prosecution offices and courts and prosecution offices judicial administrative violations Have an important role in this category.

### **9-Civil rights and judicial**

Aside from the office overseeing the judiciary is to preserve civil rights, monitor and protect the rights

In the civil justice system is the main task of this system. With the specific regulations in

In this regard, there is one important civil rights violations in the judicial powers should be searched. Aside from the torture of those accused of responsibility, dealing with inappropriate judicial restraining citizens, Improper treatment of prisoners by prison officials of the judicial system is Women planning or intentional negligence or fault of the judges in respect of civil rights are important issues

Obviously Mtdayan and others often do not have the satisfaction of judicial opinions, and obviously the judge in Accountable before the law and their conscience and the independence of judges and judicial independence is a principle, but There are also restrictions on speech and behavior of judges for an opinion based on sex discrimination.

The judge is not allowed in the race for the line of duty is the judiciary. Lord Dnyng ardent fan of the judicial security in Britain, says When a judge knowingly exceed their authority, his act of judicial nature, and thus loses its Safety can also be eroded

Civil rights violation is a violation of the neutrality of the judge. The "principles of judicial ethics," says Neutrality requires that the judge does not have any sympathy or theoretical, requires that he

However, is open to different views freely without prejudice to accept and act

Obviously, judges, police pursued the issue of civil rights violations by them of the basic tasks

Judges, prosecutors and law enforcement is that courts should be transparent manner and strictly followed.

However, it should be noted that the departure or arrival at the immorality of justice, the judge dismissed that happens in Islam

## RESULT

The more general civil rights cases in human rights law and international conventions and national and observer Spirit of the law. Conflict with the traditions of civil rights, or due to lack of understanding of the tradition or Understanding of civil rights is wrong. Monitoring mission of the judiciary in protecting rights Citizenship of its judicial system starts.

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