

Investigation of the Enforcement Guarantees of the Rights of the Nation in the Constitution of the Islamic Republic of Iran

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One of the fundamental concerns of political systems, which is widely emphasized, is the rights of the nation, a concept that, in fact, all countries in the world strive to place at the forefront of their constitutions. In the Constitution of the Islamic Republic of Iran, as the highest legal document of the country, Chapter Three has been highlighted as a central and fundamental section of the political system, independent of individuals and factions. In general, the rights of the nation expressed in Chapter Three can be examined in three main dimensions: equality, security, and freedom. Considering the importance of this subject, the present article addresses the explanation and analysis of the rights of the nation in the Constitution. Overall, the purpose of this study is to raise awareness among all members of society regarding these rights, their associated obligations, and the guarantees for their enforcement in this context. The research method is descriptive-analytical, and the results indicate that all members of society are equal according to the Constitution of the Islamic Republic of Iran, and the equality of rights, duties, and the enforcement of these rights is not possible without proper guarantees.

Keywords: *Enforcement guarantees, rights of the nation, constitution, equality, security*

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1. Introduction

The rights of the nation are, on the one hand, a set of natural rights arising from the elevated nature of the human being, which legislators, in drafting laws, have no right to abolish or restrict, and against which governments must not create obstacles. On the other hand, they constitute a set of positive rights whose implementation the state secures and guarantees for its citizens under domestic laws, while the content of such rights differs from one country to another. For thousands of years, human beings have reflected on their rights and duties; sometimes these rights and duties have concerned their relations with one another, and sometimes their relations with their rulers. Therefore,

articulating and explaining these rights and duties can have a significant effect on citizens' pursuit of justice and on ensuring that officials act within the framework of right and law. In the draft constitution prepared after the Islamic Revolution, the rights of the nation were set out in Chapter Five, from Articles 22 to 48, although some other articles, such as Articles 3, 6, 74, and others, also addressed the rights of the nation. The most important function of the constitution is to regulate and limit the exercise of power and to organize the threefold relationships of citizen-sovereignty, citizen-citizen, and sovereignty-sovereignty. The constitution is the national covenant, the pact between the state and the nation, the highest legal document of the country, and the final authority for the settlement of national disputes. With



the adoption of the constitution, a national charter for the practice of a new form of governance was agreed upon and became the basis of action, and the reciprocal rights and duties of the state and the nation were formally recognized (Bushehri, 2017).

The Constitution of the Islamic Republic of Iran, in Articles 19 and 20, as well as Article 107, recognizes the enjoyment of rights, legal protection, and equality before the law. In Clause 14 of Article 3, it also states that the Leader is equal before the law with all other individuals in the country. Article 86 of the Constitution provides that members of the Islamic Consultative Assembly are completely free, in the exercise of their representative duties, to express their opinions and cast their votes, and they may not be prosecuted or arrested because of opinions expressed in the Assembly or votes cast in the exercise of their representative duties. Nevertheless, the implementation of Article 27 of the Constitution has always faced structural, bureaucratic, and legal restrictions due to certain concerns. For example, although this article does not in any way raise the issue of obtaining a permit for assemblies, and although in 1983 the Guardian Council stated that no permit from the Ministry of Interior was required for assemblies, over time, unfortunately, the Islamic Consultative Assembly imposed a restriction on this article and enacted the requirement of obtaining a permit from the Ministry of Interior, thereby increasing the obstacles to the realization of Article 27 (Zare, 2020).

Another issue that must be considered regarding the consequences of the non-implementation of Article 27 of the Constitution is that, if the path of peaceful public protest is blocked, the possibility emerges for violent assemblies that disrupt the foundations of public security, thereby damaging national interests as well as the individual and personal interests of members of society. In fact, if assemblies are supported by officials, the law enforcement forces will ensure their security, and because the organizers of the assemblies are identifiable, the likelihood of insecurity within them is reduced (Ghazi, 2014). Another important point concerning the harms resulting from the non-implementation of Article 27 is the possibility of exploitation by enemies. Failure to provide a legal platform for people to assemble and protest regarding an issue of concern to them enables media hostile to the political system, as well as governments supporting such

media, to direct people's protests and steer them toward actions and slogans contrary to the national interests of the country and the people. Unfortunately, the non-realization of the capacities of Article 27 has caused, at different times when people have had protests, hostile media and counter-revolutionary currents to exploit the legitimate protests of the people. Another issue that should be considered regarding Article 27 of the Constitution is the establishment of religious democracy in the country. One of the prominent aspects of democratic systems is the recognition of the people's right to protest, a right that the Constitution of the Islamic Republic has also recognized (Zare, 2020).

Attention to these undesirable consequences and other effects that the non-implementation of Article 27 may entail has led to efforts to realize this article, especially after the December 2017–January 2018 protests, although these efforts faced opposition from the Administrative Court of Justice. The government attempted, through the adoption of a bylaw, to make popular assemblies possible in specific and designated places; however, this bylaw was rejected by the Administrative Court of Justice on the grounds that Article 27 of the Constitution does not impose any spatial limitation on the formation of assemblies (Bushehri, 2017). Moreover, Article 3 of the Constitution obliges the government to secure the rights of the nation, including the right to free education, housing, employment, a healthy environment, and a society free from social, moral, and economic corruption. The increase in environmental pollution, rising prices and smuggling of essential goods, the absence of necessary regulation for securing citizens' cultural rights, and similar cases are consequences of governmental omission and refusal to perform the duties prescribed in the Constitution for securing the rights of the nation. These issues arise from challenges such as the deficiency and inefficiency of laws and regulations which, due to their incompatibility with the contemporary requirements of society, have remained ambiguous and have consequently led to outcomes such as confusion among executive officials, waste of public funds, and the growth of administrative and social corruption. Each of these issues has further legal and social harms which, if not addressed through timely identification of their roots and appropriate prevention and remedy, will increasingly affect justice,

trust, and public security and will lead to the further violation of fundamental rights (Abbasi, 2019).

Because the constitution regulates the political relations between rulers and the people, and because political power is mainly held by rulers, it naturally lacks a neutral executive power that can respond decisively and fairly to every violation of it. It is here that the question of the enforcement guarantee of the constitution arises. Instead of the term “enforcement guarantee,” expressions such as “supervision over the implementation of the constitution,” “responsibility for implementing the constitution,” and similar terms may also be used, all of which indicate a single meaning: the binding force that compels the forces of society to accept the implementation of the constitution. Regarding the enforcement guarantee of the constitution as a whole, one must consider the various ways in which the constitution may be violated in order to determine which enforcement guarantees have been codified in the constitution. One method of violating the constitution is through different and multiple interpretations, or, in contemporary terms, “different readings” of the law. Institutions that are the direct channels for the implementation of a law, if they are inclined toward interpretation, can gradually distort the content under the guise of interpretation. Therefore, the constitution had to close this path and ensure its proper implementation and the correct will of the legislator (Madani, 2003). In securing and guaranteeing individual rights and security, the constitution has accepted the theory of the rule of law in its broadest sense and, in the discussion concerning the guarantee of individual rights and security, has paid attention to the rule of law in legislation and judicial measures. In expressing individual rights, the constitution has articulated, under the title of rights and freedoms, everything that individuals must enjoy in different aspects of individual and social life. Attention to the constitutional principles related to this issue indicates that the constitution regards the enjoyment of these rights as the rule and has explicitly mentioned whatever was necessary as an exception. This means that rights must be limited only to the extent expressly indicated in the constitution (Hashemi, 2015). In this regard, the present study seeks to answer the main question: What are the enforcement guarantees of the rights of the nation in the Constitution

of the Islamic Republic of Iran, and what challenges do they face?

2. The Technical Meaning of Right

The field of law is one of the domains in which the concept of right has been extensively discussed. Jurists have addressed various issues concerning “right” in legal debates. What can be stated briefly regarding the definition of “right” from the legal perspective and in legal terminology is as follows: a right is an authority granted by law to individuals so that they may perform an act. Freedom of action is the essential element of right in this definition; that is, human beings are free to perform or refrain from performing that act. In other words, a right is a normative and constructed matter that has legal support. Its result is the preservation of social order. Accordingly, from this perspective, a “right” has no status other than that which is recognized by society (Jafari Langroudi, 2013).

A right is a form of dominion over something, which may sometimes relate to a corporeal object, such as the right of prior possession through land revival, the right of pledge, and the right of creditors in the estate of the deceased; and sometimes it may relate to something other than a corporeal object, such as an option right attached to a contract. Sometimes dominion is directed toward a person, such as the right of custody and the right of retaliation. Therefore, a right is a weak degree of ownership, or rather a type of ownership (Jafari Langroudi, 2013). It has also been stated that “a right is the power of a human individual, in accordance with law, over another person, over property, or over both, whether such property is material and tangible, such as a house, or not, such as a claim” (Jafari Langroudi, 2013). A right is “the authority, capacity, and privilege granted to persons, by virtue of law or legal rules, with respect to the object of the right, by means of which they may impose their will on others in their social relations and oblige them to observe and respect it.” In legal terminology, right is a hypothetical concept; that is, this concept has no external existence whatsoever. It arises only in relation to the voluntary acts of human beings. Since human beings possess free will, they must perform certain acts and must refrain from others. In light of these “oughts” and “ought-nots” governing human conduct, concepts such as “right” and “duty” come into existence. For example, when reference is made to the

right of pre-emption or to the right of a wife over her husband and vice versa, this same hypothetical concept is intended. Based on the foregoing, right may be defined as follows: a right is a hypothetical matter determined by a higher authority in favor of or against a person (Tavassoli, 2006).

From the totality of the definitions provided regarding the legal term "right," the following points may be derived:

1. A right grants its holder a form of authority and freedom of action.
2. A right is a privilege and benefit belonging to persons, enabling the holder to exercise control over it and prevent others from violating it.
3. A right is a hypothetical concept that cannot be observed outside the mind, although it produces legal effects.

Ayatollah Javad Tabrizi states that a right is a specific relation and a particular dominion established between two parties: the person in whose favor the right exists and the person against whom the right exists. The person in whose favor the right exists will have authority.

3. The Origin of Right

When we speak of the origin of right, we are in fact seeking the foundation from which rights and their rules emerge and acquire legitimacy, because the mark of every legitimacy and validity in law depends on identifying the basis and foundation of its formation. Of course, the origin of right must not be confused with the source of right. The basis or origin refers to the binding force of law, whereas the source refers to the point of emergence of legal rules or, in other words, the documents and authorities from which law is derived. Various classifications and foundations have been mentioned regarding the origin of right, which fall into two broad categories. One view recognizes nature as the origin of right, which is also referred to as natural rights, while the other view regards the legitimacy of rights as dependent on enactment and agreement, which is also referred to as positive law (Tavassoli, 2006).

The discussion of natural rights on the one hand and positive rights on the other reflects the distinction between what exists by nature and essence and what is officially recognized according to the will of the legislator or as the result of a type of convention, agreement, or arrangement. The rights and privileges conceived for

human beings are either based on positive law or grounded in natural law. Of course, the main root of this disagreement goes back to conflicting views regarding why rights are created and what the principal function of law is. Some believe that the function of legal rules is, first and essentially, to secure justice, whether or not this leads to the protection of governmental interests. By contrast, others believe that the philosophy of law, the creation of legal rules, and their intrinsic purpose lie in supporting the government and securing its interests. Accordingly, those who regard justice as the basis of law believe in the existence of superior and natural rules that stand above the will of the government, and they maintain that states have a duty to discover and protect those rules. Supporters of the latter theory, however, consider law to be unstable and arising from governmental enactment and the historical development of each society.

4. The Rights of the Nation in the Constitution

The rights of the nation are, on the one hand, a set of natural rights arising from the elevated nature of the human being, which legislators, in drafting laws, have no authority to abolish or restrict, and against which governments must not create obstacles. On the other hand, they are a set of positive rights whose implementation the state secures and guarantees for its citizens under domestic laws, while the content of those rights differs from one country to another. The draft Constitution of the Islamic Republic, prepared after the Islamic Revolution, contained twelve chapters and approximately 150 articles. In Chapter Five, the rights of the nation were set out from Articles 22 to 48, although some other articles, such as Articles 3, 6, 74, and others, also addressed the rights of the nation. However, due to disagreements that arose regarding the adoption of the draft, after the victory of the Islamic Revolution, the rights of the nation were reconsidered, and the draft was prepared by revolutionaries and jurists in order to institutionalize such rights. Accordingly, the Assembly for the Final Review of the Draft Constitution, also known as the Constituent Assembly or Assembly of Experts, was formed with approximately 70 percent of its members being clerics. Through numerous sessions, it incorporated the rights of the nation into Chapter Three of the Constitution adopted in 1979 and placed them within the framework of Islamic criteria. After the

completion of sixty-seven sessions, the principles of that constitution were put to a referendum, and on December 2 and 3, 1979, approximately 98.5 percent of the people voted "yes" to it. The efforts of opposing groups, including the Kurdistan Democratic Party, the Fedaian-e Khalq, and the National Democratic Front, in opposing the constitution and the compatibility of the rights of the nation with Islamic criteria, failed.

The history of constitutional law in the Islamic Republic of Iran is not very long; rather, it extends to slightly more than one century. The tendency toward drafting a constitution in Iran took shape before the Constitutional Revolution and in the early Qajar period. The most important background for this tendency was the familiarity of the thinkers of that period with Western legal and political thought and the Iranian search for modernity through legalism. After the Constitutional Revolution, these ideas provided the foundation for the formation of laws and regulations, such that the first Constitution of Iran was adopted in 1906. This constitution underwent several amendments and changes during the Qajar and Pahlavi periods.

5. Enforcement Guarantees of the Rights of the Nation in the Constitution

After identifying the rights and freedoms that can be conceived for human beings and the issues related to them, we arrive at the important question of whether these rights can be easily implemented and enjoyed. In order to provide a correct answer, one must examine the factors that can contribute to preserving these rights.

Today, various perspectives exist in this regard, and they identify factors that may be effective. Those factors that have a more constructive, clearer, and more useful role are discussed in the following sections. It is evident that different views and perspectives exist concerning the factors affecting the preservation of rights and freedoms, and these may vary from one country or system to another. What is important in these discussions, and what has been attempted here, is to examine issues that are accepted in contemporary societies and progressive countries, that have been able to play their role and demonstrate their effectiveness, and that, to some extent more than other factors, have taken the necessary steps toward supporting and defending human rights. At the same time, the following discussions are presented with attention to the particular type of government in our

country, namely an Islamic government whose foundations are formed by Islamic regulations. It will be explained that these factors can also play a special role and function in our country, so that, if the necessary conditions are provided and all relevant matters are prepared, we may have a country in which all people feel that their rights are implemented, equality is expanded, and justice is made comprehensive. In such a case, we would have a progressive society in which people pursue their material and spiritual growth and perfection; a society characterized by order, security, and legality, over which the angel of justice has spread the wings of felicity.

6. Separation of Powers and Democracy

The separation of powers and democracy are interconnected categories and may be discussed together, as they are issues that can have a specific function in preserving rights and, consequently, expanding justice and equality.

In systems based on the separation of powers, where democracy is usually an inseparable element, the separation of powers from one another and the performance of each branch according to its own role ensure that the duties and functions of each branch are carried out independently and free from the influence or interference of the other branches. As a result, the performance of affairs and division of functions also enable the rights of the people to be realized within these processes and to be less exposed to violation.

Democracy also contains issues and subjects that, because they are linked to the idea of government by the people, follow a path and orientation whose ultimate purpose is also directed toward the people. All affairs are conducted by the people; the people themselves carry them out and benefit from them. Since they themselves participate in the implementation of these affairs, they better preserve and protect their own rights. Accordingly, the people take their destiny into their own hands and proceed to change it, attend to their own affairs, and implement them. As a result, greedy eyes and transgressive hands are prevented from destroying their rights, and the people enjoy the exercise of their rights. In the following discussions, the issue of separation of powers and democracy will be examined from the perspective of preserving rights and freedoms (Abbasi, 2019).

Today, separation of powers means “the division of governmental power among the three branches: legislative, executive, and judicial. According to the theory of separation of powers, none of these three branches may interfere in the work of another or perform the duties of another” (Ghazi, 2014). In terms of historical background and foundation, the roots of the theory of separation of powers go back to ancient Greece. For example, Aristotle believed that every government has three powers, and that the wise legislator must identify the limits of each of these three powers. The first of these three powers is a body whose function is discussion and deliberation concerning public interests. The second concerns rulers, their characteristics, the limits of their authority, and the method of their selection. The third power encompasses judicial functions (Ghazi, 2014). Today, in explaining the philosophy of separation of powers, it is regarded as a guarantee for public security and the prevention of despotism.

Accepting this basis, the separation of powers proposed by Aristotle differs from the modern separation of powers. For example, in explaining this matter with respect to the judiciary, and in discussing the appointment of judges while dividing them into three groups, he writes that the first group, in which judges are selected from among all the people and have competence to hear all types of cases, is specific to democracy. The second group, in which judges are selected from a particular class but still have competence to hear all types of cases, is specific to oligarchy. The third group, in which some judges are selected from among all the people and others from a particular class, is specific to aristocracy and polity.

7. Democracy and Its Issues in Supporting Rights and Freedoms

If the theory of separation of powers reaches the practical stage, the abuse of power will be reduced to its lowest level, and every power arising from one branch will stand in relation to another branch. Montesquieu’s purpose in the separation of powers was to prevent rulers from abusing their authority so that the freedom and welfare of the people would be preserved. Montesquieu states that human history proves that those who hold government and rule over the people abuse their position, and in order to prevent this abuse, their

authority must be limited. The state powers that stand parallel to one another each possess authority and attempt to preserve the rights of the people. If any one of them seeks arbitrarily to eliminate, annul, or invalidate these rights in certain cases, the other branches control and prevent it. As a result, each branch strives, to the extent of its capacity and perhaps even outwardly for the preservation of its own power, to implement and remain committed to the fulfillment of the people’s rights and to struggle in this path (Ghazi, 2014).

Securing freedoms in despotic one-person systems appears extremely difficult, and such governments, without granting power to parallel branches, do not succeed in securing rights and freedoms. In Book Six of *The Spirit of the Laws*, it is stated that when the legislative and executive powers are held by one person or by a specific assembly, freedom will not exist, because there is a fear that the same person or assembly may enact tyrannical laws and implement them tyrannically. If the judiciary is not separated from the legislative and executive powers, freedom will not exist, because wherever the judiciary and legislature are joined, the life and freedom of subjects will be exposed to arbitrary control. Thus, through the separation of powers, those who are governed are less exposed to the destruction of their rights and may even benefit from greater advantages, enabling them to obtain their rights more effectively. Of course, it should be noted that the mere separation of powers and their independence from one another cannot be sufficient for securing the rights of the people. To secure the freedom of the people, separation of powers is not enough; rather, a balance and equilibrium must be established among the three powers so that none of them can gain priority or superiority over the other two. In other words, separation must be accompanied by moderation, and the branches must also maintain relations with one another (Zare, 2020).

The realization and implementation of rights and freedoms under the separation of powers is an accepted matter and one on which there is general agreement. It serves as a guarantee against all forms of arbitrariness, despotism, and monopolism, and this is a requirement of democratic government, in which the people are valued and their rights are respected and protected.

Regarding the separation of powers, the Constitution of the Islamic Republic of Iran states: “The governing powers in the Islamic Republic consist of the legislative,

executive, and judicial powers, which operate under the supervision of the absolute guardianship of the jurist and the leadership of the community, in accordance with the forthcoming principles of this Constitution. These powers are independent of one another" (Ghazi, 2014). By considering the aforementioned principle, we understand that in the system of the Islamic Republic of Iran, the principle of separation of powers has been accepted in a particular form, namely the independence of the branches. The branches possess powers and activities independent of one another, but this system has a special and unique structure that differs from other systems based on separation of powers. This is because, according to the same principle, these powers are under the supervision of the Leader and operate under the guardianship of the jurist and the leadership of the community in accordance with the following principles of the Constitution. Furthermore, according to Clause 7 of Article 110 of the Constitution of the Islamic Republic of Iran, resolving disputes and regulating relations among the three branches are among the duties and powers of the Leader.

By following Islamic rulings and rules, the system of the Islamic Republic claims to support the people and establish equity and justice among them. Naturally, in this regard, it must provide facilities, defend the rights of its citizens, and create the necessary instruments for the implementation of these rights. Islam firmly confronts despotism, removes government from human beings, and regards God as the true sovereign so that individuals may not have superiority over one another and government may not become a tool of repression in the hands of individuals. Since the purpose of separation of powers is also to prevent despotism, this common cause facilitates the coexistence of the two systems, namely the Islamic system and the system of separation of powers. It is in this process that Article 57 has accepted the system of separation of legislative, executive, and judicial powers in a relative manner and through its own specific method. On this basis, each branch undertakes part of the affairs of governing the country and exercises a portion of sovereignty through the relevant institutions. Through this exercise of sovereignty according to law, the affairs of the country are implemented, the rights of the people are preserved, the path of despotism and monopolism is blocked, and new horizons are opened for the material and spiritual growth and welfare of the

people. When judicial functions are performed by a specific branch and the executive affairs of the country are carried out by the executive branch, one may hope that freedom and security will prevail in that system and that all people, with legal support, will be able to exercise their rights (Abbasi, 2019).

By accepting the separation of powers, the Constitution of the Islamic Republic of Iran has taken into account the idea of supporting the rights of the people and preventing every form of despotism and improper or unlawful restriction. Accordingly, it must be said that in the Islamic Republic as well, the branches enjoy a balance of power, and this balance enables each of them to perform its role in supporting the rights of the people of the country and to preserve citizens' rights without interference and without monopolistic tendencies. According to the principles of separation of powers in the Constitution of the Islamic Republic of Iran, legislative power is exercised through the Islamic Consultative Assembly; executive power, except in matters directly assigned to the Leader, is exercised by the President and the ministers; and judicial power is exercised by the courts of justice (Bushehri, 2017).

8. Conclusion

Public rights and freedoms are among the most important rights and freedoms that individuals possess in every modern and democratic society. The reflection of public rights and freedoms in every constitution is highly significant and important, to the extent that if public rights and freedoms do not exist in the constitution of a country, the nature of that constitution must be seriously questioned. In a democratic and people-centered society in which the rules and structure of democracy are observed, perhaps the most fundamental issue is the preservation and guarantee of the implementation of the public rights and freedoms of the citizens of that society. Public rights and freedoms consist of the totality of advantages and facilities enjoyed by individuals in a democratic society. In fact, they bring individuals a form of independence from the state and the forces of sovereignty, as well as self-confidence, so that through this path they may preserve and strengthen their personality and acquired rights. Among the notable titles that are seen today in the constitutions of countries are the rights and freedoms of the nation. This category is regarded as one of the serious and important

instruments whose absence serves as a criterion for assessing whether societies are democratic and whether governments and ruling bodies are despotic or liberal in nature. Public rights and freedoms are not limited to countable cases and include many instances, among which one may mention the right to life, the right to choose, the right to movement, freedom of residence, individual freedom in private life, trade union freedom, freedom of access to competent courts, the right to have a lawyer, the right to enjoy a fair trial, the right to the confidentiality of correspondence, conversations, and personal secrets, the freedom to defend one's legitimate and acquired rights, the right to seek justice, freedom of expression and belief, freedom of assembly, freedom of the press, religious and cultural freedoms, freedom of work and occupation, political freedom, freedom of ownership, and equality. The mere declaration of public rights and freedoms in constitutions, as has been repeatedly stated in different parts of the thesis, cannot by itself guarantee their preservation and implementation. Therefore, for the implementation of public rights and freedoms and the preservation of legitimate freedoms, mechanisms and instruments are needed that support and promote public rights and freedoms. These guaranteeing factors play a very fundamental role in the implementation of public rights and freedoms.

The existence of democratic societies, the existence and observance of the principle of the rule of law, the existence of fair trial and a competent judiciary in society, and the existence of a capable president in the position of implementing the constitution that includes public rights and freedoms are all among the main factors guaranteeing public rights and freedoms and ensure that these rights are implemented in the best possible manner in that society. The Constitution of the Islamic Republic of Iran and Iranian society are not separate from the issues mentioned above. This thesis has therefore attempted, from various perspectives, to examine and evaluate the categories embedded within the discussions of public rights and freedoms from the viewpoint and approach of the constitutional law of the Islamic Republic of Iran. The status of the rule of law in Iranian society and in the constitutional law of the Islamic Republic of Iran was discussed, and the author believes that the fundamental principle for guaranteeing the protection and implementation of public rights and

freedoms is the observance of the principle of the rule of law in Iran's legal-political society, as well as identifying the characteristics and features of the rule of law that allow one to say that this principle is observed in a given society.

The relationship between the rule of law and public rights and freedoms was discussed specifically, and this relationship was analyzed and evaluated. Social rights in the Constitution and its numerous principles were addressed, and the inherent dignity of the human being, the principles governing social relations, the status of welfare and social security in the international system and Iranian domestic law, and the differences between these two systems were also discussed. Then, economic and cultural rights were addressed, and the public rights and freedoms of individuals falling under these categories were examined.

The right to universal and free education, intellectual property rights, freedom of the press and mass media, the cultural diversity of minorities and their rights and freedoms in the domestic legal system, and other related matters were discussed. Among the economic rights examined in light of the principles of the Constitution of the Islamic Republic of Iran, freedom of work, prohibition of forced labor, and employment policymaking in the field of Iranian domestic law were considered the principal axes of economic rights. This thesis has attempted to analyze, carefully and realistically, the issue of fair trial and judicial rights through subjects such as the provision of judicial security, with the principles of the Constitution serving as the central framework.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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Declaration of Interest

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Ethical Considerations

In this research, ethical standards including obtaining informed consent, ensuring privacy and confidentiality were observed.

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