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Government review and inclusion in law, the essay on Iranian theme laws

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ABSTRACT

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Influence debates in Islamic law and jurisprudence, which has always been the attention of jurists and lawyers, discuss the state of the entry. The government is, removal of a legal person who is issued with a warrant to seize it, and it forms the government, development and persecutions have mentioned, and the source of many of the inferences and conclusions ; the law was enacted, but the entrance is, that, out of the public really does not matter, but it rules out knowledge or vice versa, is a matter of the public outside, but inside it and the law is known, moreover, need to pay more attention to the legal and regulatory regime and enter the discussion, it is strongly felt.

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1. Introduction

Government and pictures of things that, in law, Particularly Imami jurisprudence, spread, and its scope, more or less, to the laws and regulations in Iran also developed, to infer the legal and religious rulings, we need specific reasons, we reach the ultimate goal leads, therefore, these two titles, like precious gems, will come to jurists and lawyers, and lawyers on the topics of this lifeline can better understand the concepts are legal, as it is found, the relationship to the principles of jurisprudence as regards the introduction of the law and rights, but of those who, in the conflict triggered by a common will to resolve the conflict, the government and entry, and the entry way, the government, with the words, allocations and expertise overlap, but the differences become clearer wording carefully, we will continue to investigate any of the titles.

1.1. Government

Government Decree name, and its origin is the death, literally: statesmen, politicians, government, administration, and the state (Abdonabi Ghayem, 2008), but in terms of jurisprudence, commentator and observer of any reason, the other reason is, in the terminology of scholars, commentators and observers of the ruler, and another reason to condemn the call, whether because the subject supervisor, the other meaning and interpretation, or its predicate, or its interpretation develop, the more reason to create, or have restrictions. (Valaai, Essaa, 2010) (Khorasani, Mohammad Kazem, 1988) and (Sheikh Morteza Ansari, 1998), but other definitions, expressed the government on conflicting evidence, is simply out of personal crisis decree has been issued for that matter, rule on rule, rule seeks Shedding (Mohammadi, Abolhasan, 2008), in the definition, the government is seizing one of two reasons, with its literal referent, the referent another way expansion or restriction, Devotional legislative mandate, in this case, the second ruling because the first sentence and call, and the relationship between the government of the call (Faraji, Hamid, 2010) (Moradi, Amir, 2010), in terms of governance, not to mention examples of Islamic jurisprudence, law, readers pay for clarification :

Example one: In the narrative, when the figure was likely to come Postures prayer doubt, based on the most influence, and in another narration said, a suspect in the number of followers Postures, but there is no doubt that prayer, oblivious to his followers not to be doubted, or conversely, if the Imam doubt, but there is no doubt Follows Suppliers Imam should not be ignored doubts, the second reason, because I have limited the subject, and it is the government (Sheikh Mohammed ibn Hassan Alhor Ameli, Beirut, 1988)

A second example: As evidence rule, evidence of secondary titles, original titles, such as the government seeks, and hardship due to the necessity of fasting, and the prohibition of drinking alcohol, which can have a bad day, because it is not necessarily seeks when consuming alcohol on distress is forbidden.

Third example: Article 202 BC. M. has been reluctant to actions that will result, affecting the consciousness of every person, and with respect to life, property, honor their threat in a way that is not normally tolerable and, in this material distinction between the ruling Detestable, or ordinary people, but in the Article 207 of the Act, a person commits the transaction, the judgment of the legal authorities, reluctance is not, then Article 207, Article 202 of the ruling.

Fourth example: Article 338 BC. M.. Is the sale, acquisition, but instead it turned out, and as prescribed in Article 350, may Assumed sales, or a condominium or a specified amount, generally Something equal parts, and also may generally be Holistic edema, the Civil Code, Article 338, which comes, sales must be given or general Holistic edema, but Article 350 of the Civil Code, the circle expands sales, and governs. Now the government must pay types :

1) Government Development: The persons included in the general order they are in the general order, rule of law, such as " scientists Holy » « Honest scientist " the virtuous, that is not necessarily the world, is known among scholars, or ' Your parents have forbidden », « Lahmato Alresagh Kalahmato Alnasab " than to foster such a causal relation is known, the concept of privacy, the relative incest sucking each other, has developed, in law, Examples it, such as the 1046 Civil Code that foster intimate knowledge of an incestuous marriage or hindrance, and on Article 1045 of the Civil Code, the relative incest, the ruling states.

2) Government Narrowing: In this case, first the general verdict has the people are many, but the latter, by law or legal Worship, who ruled from the inclusion of the general public is excluded, for example, one says, " scientists Holy " because the second says " The world is not a traitor " and a treacherous world, the universe, and is under the general order of necessity brings honor (Mohammad Reza Mozaffar, 1984)

After reviewing the types of government should be allocated between the government and deal: Rule is specified, but it is different in many ways, the assigned person or persons who are outside of the sentence, without tenure and involvement in the issue, but the government takeover and intervention, the subject of the sentence, the person or persons who are outside, (Abolhasan Mohammadi, 2008) the author's opinion, the takeover of government interference in the matter, the person or persons are out of

order, but the assigned person or persons without occupation and interference in the matter, the general verdict is out.

1.2. Entry

Entry is defined, it is not really out of the public, but the law considers it outside, or vice versa, is really out of the general public, but inside it is known, whenever they want, September 1970, subject to military law they invocation must be born in the first half of 1950, until on September 1970, is 20 years of age, being a military regulations would imply, that all born in 1950, the day of September 1970, the military service go here they have covered less than 20 years, while the real reason is removed, the arrival of such a situation, the reason I call it, (Abolhasan Mohammadi, 2008) in the following example, we will :

Example one :

Mentality rule says, it is incumbent upon probable losses, but the entry fixes this rule Mentality tradition, goes away, because the probability of loss is excluded.

A second example:

Let 's say one officer has died Property Office, but with enough research we find that he is not dead, because here the (interrupted), the first reason (suspicion), picks, it seems, between the entrance and the allocation the difference is the inclusion of a general allocation exit, exit is true, but the entry and exit worship discount, and also the state with the entry, there are differences, the rule of law dismissed (expelling worship), but legally Login (worship exit) is also log other than the government, because the government either because the subject really does not kill, but the pictures really matter anymore because, with the help of the canon or rule of law.

2. Conclusions

Assign a person or persons without occupation and interference, the issue of general warrants are out, but the rule of capture and involvement with the subject, the person or persons are out of order.

Login Sharia, and Sharia law to help law, and exit worship and interest, but excluding those included in the general allocation, withdrawal is real.

the need for the further implementation of the law, juridical issues, including governance, the rule seeks entry example conflict, and the State and Log Shedding discussion, not specific and general.

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