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## Dimensions of deception and its non-prescription theoretical principles in personal interactions

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### *Abstract*

Deceit, swindle, temptation, and forging are different dimensions of deception in personal interactions, each of which due to the specific material and spiritual elements has different consequences and principles. Recourse to tricks in personal interactions, especially in economic relations, is a sensible example of violation and its distribution in the society will cause real difficulties in economic and social safety. So, recourse to deception and any tricks in personal interactions is prohibited by the legislator and its perpetrator has legal and canonical responsibility in accordance to its type and nature.

In the respect to religious-outward studies, economic oppressions and injustice avoidance, fair economic distribution, harm avoidance, prohibition of unlawful business, distribution of moral values of trade, the values of labor and stock in markets, institutionalization of commercial ethics and other principles such as honesty, precision, and reciprocal respect are the theoretical principles of non-prescription deception in the universal markets. This piece of writing with analytical study, focusing on the different dimensions of deceptive operations in economic relations and explaining any related terms, tries to express the theoretical principles of non-prescription deception in personal interactions; also with canonical-ethical approach, suggests the governance of ethic and canon in economic relations as a universal useful solution in avoidance of universal difficulties and threats.

**Keywords:** commercial ethics, economic interactions, deceit, temptation, swindle, and forging

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## Non-Elimination authorities

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### *Abstract*

Article No.448 of the civil code considers the authorities of elimination of the all or some of the contracts appropriate. In the society and setting of people's legal relation, this law which due to the emergence of article No.448 is granted that deduction and comprehension of the mentioned article result in diminish of some people's rights. Although since its approval most jurisprudences and exponents of civil rights have been taking into granted the influence of conditioned elimination of all contracts but according to the recent jurisprudences and exponents, the law and its outcomes and domains could be bounded.

This library-based research, is intended to prove that some of authorities such as authorities of fraud, authorities of Taflis, authorities of Taazore Taslim (excuse of delivery), with all conditions are Non-Elimination authorities.

**Keywords:** authority, elimination, fraud, Taflis, and Taazore Taslim

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## The Law of citizen and legal civil rights in law and international documents

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### *Abstract*

The "Law of citizen" humanity's achievement of the Millennium is an old history and its roots are evident in our religious teaching as well. Citizenship providing in the contemporary world has lots of charm, and as a most basic functions of government is considered. Therefore, nowadays in many countries, legal rules of modern citizens are incorporated and people have taught to claim the outcome.

In our country, one of the aspects of development and legal reform, the concept of "civil rights" is the constitution which is the highest legal source in many of principles has pointed to the this legal. It is also mentioned in detail in Islamic penal and the code of criminal procedure.

In the most important directive of the judiciary for 15act is legal, observing the rights of individuals in the judgment process has been particularly the preliminary investigation and interrogation and now throughout the country commission of supervision to civil rights legislation was the result of good the law was well established throughout the country and faces many challenges but so far is obtained great successes. Civil rights of humanity's achievement of the Millennium are an old history and its roots are evident in our religious teaching as well.

**Keywords:** Law of citizen, Human Rights, human dignity, law and person, legitimate freedom, fair hearing

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## **The principles of Gazf and studying determination of Magzuf**

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### ***Abstract***

Gazf (unlawful sex accusation) is a social behavior which is considered as a crime in Islamic Criminal Law and there are different punishments for its perpetrator. Gazf is one of the crimes which is subjected to Hadd and one's condemnation to it results to rejection of any testimony and proof of being guilty. The issue which is proposed in realization of Gazf is the role of determination or indetermination of Magzuf (accused person). In this case, there are different points of view. Some jurisconsults believe that if all people, who subjected to Gazf, complain in the court, Gazf will be proved through the conversion of total knowledge to detailed one. In opposition, others believe that the subject is out of such a conversion and determination of Magzuf is a principle in realization of Gazf. Regard to the importance of the matter, this paper tries to study the subject from jurisconsults and lawyers' different points of view in Iran and other Islamic countries.

**Keywords:** Gazf (unlawful sex accusation), determination, Hadd, and Magzuf (accused person)

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## Emendation of basis and its comparison with syllogism

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### *Abstract*

The issue of basis emendation is very important in methodology (*science of principle*) and deduction of order, especially in non-worshipping orders. Some of the Fundamentalists (*peoples believe in principles*) believe that basis emendation is a case of syllogism and regarding the Prohibitor's evidences of following the syllogism reject its correctness. Meanwhile among the believers, some have denied the similarities between basis emendation and syllogism; the others have accepted that it is a case of syllogism. It has been practically used in spite of Shia jurisprudent's disagreement. So, in this paper, in addition to explaining the basis emendation, its different types, its background, and its significance, some examples of occurrence of basis emendation in jurisprudence is mentioned in which its occurrence possibility and permission is pointed out and the status of its differences from syllogism has been studied.

**Keywords:** basis emendation, basis extraction, basis research, syllogism, sabr, and division

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## **The Analysis of Moharebeh in the Bill of Islamic Penal Code**

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### ***Abstract***

The Bill of Islamic Penal Code in Hodud consists of some changes and innovations including Moharebeh. The article No. 280 (of Bill of Islamic Penal Code) forms the legal basis of the Moharebeh which in comparison with Islamic Penal Code approved in 1370 has some significant differences. In this article, Moharebeh is defined as using a weapon in purpose of threatening people's life, fortune, honor, or to intimidate them in a way which results to insecurity in the milieu. The definition reveals that according to article basis, Moharebeh in Bill of Islamic Penal Code is subjected to realization of a criminal result which is creating insecurity. This article in the mental basis differs with article No. 183 (of Bill of Islamic Penal Code). In the article No. 280, a person is called Mohareb not only using a weapon in purpose of intimidation and insecurity creation but also in threatening people's life, fortune, and honor.

This paper tries to analyze the pillars of Moharebeh in Bill as well as investigating legislator's approach in following the popular quote or unpopular quote.

**Key words:** the Bill of Islamic Penal Code, Innovations, Moharebeh, popular quote, and unpopular quote.

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## Study of opposite condition of Qur'an and prophet's tradition

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### *Abstract*

Stipulation is a commitment which is written meanwhile insertion of another contract, which results in relation and dependency between the stipulation and contract. The stipulation becomes subordinated and a part of the major dealing. Stipulation is known as an implicit condition which is attached to another contract and determines or changes the limitations and conditions of that commitment.

Since stipulation like a contract is a juridical, its validity is subjected to realization of general and specific conditions. Matter of stipulation and its opposition to Qur'an and prophet's tradition as a specific condition is mainly attracted by jurisconsult. This paper is going to study the concept of opposite condition of Qur'an and prophet's tradition, jurisconsult's ideas, different statements, and discussions on the subject.

**Keywords:** Contract, Stipulation, general condition, specific condition, and opposite condition of Qur'an and prophet's tradition

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