

Circumstances and Factors of the Rule of Law on Contemporary Cultural and Artistic Development of Iran

Abstract

The rule of law is one of the multifaceted concepts and terms that has been one of the main concerns of developing countries in recent decades. Cultural and artistic fields similar to other dimensions of the social system in different societies, play a significant role in achieving inclusive growth and development. Iranian society in the contemporary period from the Pahlavi government (1941- 1978) completely exposed itself to development and this situation was followed after the establishment of the Islamic Revolution (1978). This study aims to investigate the status of the rule of law on contemporary cultural and artistic developments of Iran. The results of this study indicate that countries have not always used the same procedure in exercising the rule of law to achieve inclusive development, but have adopted various procedures based on diverse circumstances. In contemporary Iranian society, factors such as the importance of comprehensive development in society, confrontation with cultural diversity due to the growing communication in the world system, the role of the rule of law in establishing order in the cultural and artistic space and the issue of protection of Islamic values and Islamic ideology have revealed the need to establish legal institutions and codify laws in the field of culture and art; hence, the rulers and politicians took the necessary measures for the rule of law on cultural development.

Research objectives

1. Analysis of the backgrounds and causes of the rule of law on the cultural and artistic development of Iran in the contemporary period
2. Investigating the relationship between cultural development and the ideology of Iranian society in the contemporary period

Research questions

1. In the Iranian society in the contemporary period, what factors and contexts have led to the rule of law over cultural development?
2. Do the ideologies that govern a society play a role in cultural development programs?

Keywords: Rule of Law, Cultural and Artistic Development, Iran, Contemporary Period, Islamic Values.

Introduction

The process of development and the rule of law are two interrelated issues. Surveys show that in the rule of law, everyone is equal before the law. The rule of law is necessary for the peace of domestic and international societies and for the purpose of determining borders and boundaries and duties and preventing violence and aggression. This principle has been interpreted in the sense of equality before the law, and has occasionally been used to refer to the rule of law as opposed to absolute dictatorships and monarchies. Therefore, this principle became one of the most important concerns of underdeveloped societies in the contemporary period. In Iranian society, development is one of the key issues and goals. The development process affects various aspects of the social system. Meanwhile, the cultural arena has been one of the vital dimensions of human societies throughout history. Culture and art in any society is a reflection of the values and beliefs in each society and its preservation plays an important role in transmitting these ideas. With these interpretations, Iranian society in the contemporary period, due to the wide range of communication between societies, faced the issue of cultural development and its requirements. In the last century, Iranian society experienced a great Islamic revolution and in parallel with this development, Islamic ideology and culture gained a strategic position. The question that arises here is that considering the intertwining of the development process and the importance of the rule of law and the issue of cultural diversity resulting from globalization, what approach did Iranian society take in cultural development?

No independent work has been written on the issue of the contexts and factors of the rule of law on cultural and artistic development in contemporary Iran, but works on the issue of cultural policy-making and the rule of law have been written sporadically. An article entitled: "Discussion in Cultural Policy Making" has been written in the Quarterly Journal of Politics, Faculty of Law and Political Science, University of Tehran. The author of this study believes that in the field of policy-making of the Islamic Republic of Iran, in addition to having an attitude and policy in this field, he considers himself responsible for the preservation and dissemination of a specific culture (Vahid, 2006: 306-287). This statement indicates the rule of law on how cultural development in Iran in the contemporary period, however, this study did not enter the study of the basic areas of rule of law over development in Iran.

Another article entitled "Lack of Rule of Law" by Abbas Abdi has been published in the Journal of the Sociological Association. The author believes that the existence of the rule of law creates a social order and then continues to examine the problems of lack of law in clothing (Abdi, 1997: 159-151). In this work, in accordance with the subject of his research, the author has exclusively discussed the rule of law, and in this work, there is no reference to the discussion of culture and its relationship with the rule of law. The present study intends to investigate and study the domestic and international conditions in the contemporary period, to address the rule of law on cultural development in Iranian society in the contemporary period; also, the method of this research is descriptive and analytical based on library data.

Conclusion

Today, most attention of jurists and other thinkers in the fields of politics and economics is focused on the rule of law. The rule of law is a relative theory and affects all societies. Strengths and weaknesses of the rule of law by considering a set of factors that work together to strengthen or weaken the rule of law. Disruption in any of these factors, therefore, disrupts the rule of law. The rule of law is based on the

values, norms and principles of equality and non-discrimination, participation and cooperation, empowerment and freedom of expression, transparency, trust, reduction of corruption through transparency, partnership and unity, all of which are essential for inclusive development. One of the important areas in which the rule of law is discussed is the field of culture and art. In the contemporary period, the discussion of culture and art in its evolution in different societies has sometimes been both accompanied by change and was itself the source of movement and change. This power has made this area as one of the most important centers in the birth and stability of the values of societies considered by the rulers and individuals of society. Culture and art in Iranian society have long been a clear manifestation of national and religious values. Where the innumerable repetition of national and religious themes in cultural and artistic works such as poetry and architecture, painting, etc. has been evident. The inseparability of art and society caused the contemporary period and simultaneously with the comprehensive growth of development in various social dimensions, the field of culture and art of Iran did not shy away from this change. This issue caused those in power to pay serious attention to the field of culture and art in order to support the philosophical and ideological foundations. Culture and art, on the one hand, is a reflection of the assets of civilization and, on the other hand, is a lever to celebrate the values that govern society, so this issue became one of the areas of rule of law in the field of culture and art in Iranian society. Another context and factor that made this legalism necessary was the requirements of cultural development; The need for financial and organizational support in these areas made the rule of law debate more serious. Being on the path of integration in the world system and the emergence of cultural and artistic symbols and the spread of new philosophical and intellectual foundations was associated with the issue of cultural diversity and its requirements, and this issue played a serious role in the spread of legalism. The contemporary period for the Iranian society as a temporal context conceived a set of political, ideological and cultural factors that the reflection of this issue can be seen in the presence of legal oversight of these areas. Although culture and art in a society like Iran has represented the values and beliefs of individuals in society. It seems that the symmetry of the creation of a political-religious system with the widespread global developments in the contemporary period partially justifies this controlling approach in the field of culture and art.

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