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Poverty Eradication and Human Rights

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ABSTRACT:
Combating poverty is considered a major aspect of the social development process and is effective in achieving the higher goals of social development, including attaining equality, justice, and social cohesion, as well as ensuring global peace and security. Analyzing international documents related to social development also highlights the importance of this issue in the social development process and emphasizes strategies for achieving the ideal state of poverty elimination. It is evident that if poverty is neglected, it causes numerous problems for both local and global communities. Poverty itself creates deprivation, inequality, and insecurity, and thus the pillars of social development collapse in the presence of issues such as discrimination, lack of participation, insecurity, and vulnerability to crises. Therefore, it is essential to have a proper policy for social development at the national level, focusing on empowerment, improving employment status, and enhancing social support systems to ensure people's security against life disasters. Additionally, at the international level, cooperation is a constructive element that has always been emphasized in credible global documents and is considered necessary for achieving social development. Paying attention to human rights regulations is the best strategy for poverty alleviation.

Keywords: Poverty, Human Rights, Poverty Alleviation, Social Participation, International Sanctions

INTRODUCTION:

Social deprivation emphasizes the relationships among individuals within society. Social deprivation occurs when individuals or groups in society are unable to fully participate in the community they live in. Consequently, the income, capabilities, and other characteristics of poor individuals diverge significantly from the standards of society and other groups. Hence, poverty is a social structure often associated with specific groups such as women, the elderly, and the disabled. Those who experience material poverty strongly feel a lack of ability to express themselves, power, and independence. The absence of the rule of law, insecurity against violence, and the imposition of various forms of discrimination and inequalities by social structures and institutions intensify the burden of failures on the poor, making it more than just material poverty. In reality, society and its social relationships and structures prevent the poor from taking advantage of new economic opportunities and participating in social or political activities, thereby hindering the reduction of human deprivation. A complex process emerges, deepening social divides and preventing social development.

The Social Development Summit in 1995, followed by the United Nations Millennium Summit in September 2000, discussed poverty within the broader context of social alienation. They reflected the reality that poverty is linked to the process of social exclusion and fragmentation and that mere economic freedom and neglect of the living conditions of the poor threaten social cohesion, which is one of the goals and pillars of social development. In reality, poverty is a multifaceted issue where its various aspects perpetuate one another. Many of today's issues such as war, ethnic and national conflicts, mass migrations, and crimes have roots in poverty. Thus, the state of poverty can be interpreted as a violation of human rights, and according to human rights treaties, poverty reduction is considered an obligation. This research aims to examine the impact of human rights on poverty alleviation.

Generalities:

1.1. Problem Statement:

All human beings have an inherent right to access the necessary resources for a minimum standard of decent living. The discussion of the right to an adequate standard of living has been highlighted in international documents. According to international human rights documents, people are entitled to an appropriate level of nutrition, shelter, and healthcare. In reality, anyone

suffering from severe poverty endures a violation of a set of economic and social rights. Poverty, as a concern for public policy both globally and nationally, is now considered a multifaceted problem. Studying the problems of poor individuals and communities and the opportunities for improving their conditions has led to an understanding of poverty as a combination of deprivations. This understanding is reflected in the adoption of the Millennium Development Goals and a conceptual shift in addressing poverty as seen in the World Bank's World Development Reports, which analyze poverty concerning opportunities, empowerment, and vulnerability. Additionally, the practical analysis of capabilities and human capacities by Human Development Reports of the United Nations Development Program has expanded this understanding. Social development is a process of human growth and implies the creation of a supportive environment through the implementation of comprehensive social policies and a fairer distribution of the benefits of economic growth based on social justice. The World Summit for Social Development recognizes poverty reduction as a moral, social, political, and economic necessity and a means for comprehensive development. It calls on governments to identify the root causes of poverty, meet the basic needs of all, and ensure the poor have access to productive resources including credit, education, and more. The United Nations Conference on Sustainable Development, held in 2012, identified the elimination of poverty as one of the essential requirements for sustainable development, with social development being one of its main pillars. The United Nations General Assembly, in its approval of further measures to achieve social development, also considers it necessary to place the issue of poverty at the center of the goals and policies for achieving social and economic development. This includes reaching a consensus among all relevant actors to reduce extreme poverty. The aim of reducing the proportion of individuals living in extreme poverty was set as the first goal of the Millennium Development Goals. Recent reports on the progress towards achieving these goals indicate that, due to extensive and ongoing efforts, this goal is one of the objectives that the international community has managed to achieve to some extent. However, many challenges remain regarding the elimination of this issue due to the complexity of poverty. Although the principle of human rights was first clearly articulated in the Western world, it is now relevant everywhere; meaning, human rights have geographically transcended oceans and seas to influence the domestic policies of nearly every country. From widespread lawlessness regarding human rights, global governance has evolved to the level of global human rights law. The principles supported by human rights laws have strong normative values, even when governments try to evade them or ignore the treaties they sign. Human rights obligations are increasingly linked to poverty alleviation programs. Any

assessment of how far human rights have progressed over time and space in the realm of poverty alleviation inevitably concludes that there has been little progress in this area. Transnational corporations and international organizations are still very weakly obligated to adhere to human rights norms. Since 1990, they have accepted some human rights responsibilities toward poverty alleviation, but at least in the case of transnational corporations, these responsibilities remain largely voluntary, and many corporations either ignore or manipulate these responsibilities for their benefit. The best tool to pressure them into changing their policies is through national and international human rights social movements, rather than resorting to official organizations and global governance rules. On the other hand, a significant contradiction exists in this field: while poverty alleviation measures are recommended from a human rights perspective, issues such as economic sanctions, which are in clear contradiction with human rights standards, have led to an increase in poverty. A clear example of this can be seen in Iran. In such a situation, the main question is: what is the status of poverty alleviation in human rights measures, and what are the human rights obligations for poverty alleviation?

1.2. Importance and Necessity of the Research
Social deprivation emphasizes the relationships among individuals within society. Social deprivation occurs when individuals or groups in society are unable to fully participate in the community they live in. Consequently, the income, capabilities, and other characteristics of poor individuals diverge significantly from the standards of society and other groups. Hence, poverty is a social structure often associated with specific groups such as women, the elderly, and the disabled. Those who experience material poverty strongly feel a lack of ability to express themselves, power, and independence. The absence of the rule of law, insecurity against violence, and the imposition of various forms of discrimination and inequalities by social structures and institutions intensify the burden of failures on the poor, making it more than just material poverty. In reality, society and its social relationships and structures prevent the poor from taking advantage of new economic opportunities and participating in social or political activities, thereby hindering the reduction of human deprivation. A complex process emerges, deepening social divides and preventing social development. In simpler terms, poverty is a significant obstacle to achieving human rights goals, and poor individuals are glaringly deprived of human rights compared to affluent and economically capable individuals. It is essential to examine poverty alleviation strategies from a human rights perspective.

1.3. Research Objectives:
General Objective:
To understand the relationship between poverty alleviation and human rights.

Secondary Questions:
1. To understand the impact of poverty on first-generation human rights.
2. To understand the human rights obligations of governments in poverty alleviation.
3. To understand the role of transnational corporations in poverty alleviation.
4. To understand the impact of international sanctions on poverty and human rights violations.

1.4. Research Questions

Main Question

What are the human rights obligations for poverty alleviation in the context of different generations of human rights?

Secondary Questions
1. What is the impact of poverty on first-generation human rights?
2. What are the obligations of governments in poverty alleviation based on the human rights system?
3. What are the obligations of transnational corporations towards poverty alleviation based on human rights requirements?
4. What is the status of international sanctions as an obstacle to poverty alleviation from a human rights perspective?

1.5. Research Hypotheses

Main Hypothesis

It appears that the obligations of human rights regarding poverty alleviation should be sought in the second generation of human rights.

Secondary Secondary
1. Poverty affects first-generation human rights, including the right to life, equality before the law, freedom of expression, and freedom of religion.
2. The obligation of governments to alleviate poverty is one of their primary commitments under human rights obligations.
3. The responsibility of transnational corporations in poverty alleviation is based on their social responsibility.
4. International sanctions, by creating poverty, are a clear violation of human rights.

1.6. Research Methodology

This research is conducted using an analytical and descriptive method, utilizing note-taking from books, theses, and existing articles.

1.7. Data Collection Method

The data collection method is library-based, using note-taking and electronic resources.

1.8. Research Background
1. Nademi, Younes; Hasanvand, Dariush (2019): In their article "The Intensity of Sanctions and Poverty in Iran: The Necessity of Lifting Sanctions from a Human Rights Perspective," they concluded that the Iranian economy has experienced various economic sanctions over the past three decades, including international sanctions such as oil, financial, trade, and banking sanctions. These sanctions have had significant impacts on various economic indicators in Iran. The article aimed to examine the impact of the intensity of sanctions on poverty in the Iranian economy from 1985 to 2013. Another goal of the research was to demonstrate that despite the sanctioning parties' claims that sanctions do not affect people's livelihoods (due to the exclusion of food and medicine from sanctions), these sanctions have increased absolute poverty and thus had significant impacts on the people, especially the vulnerable groups. Using the Markov Switching Model, the study examined the intensity of sanctions along with other macroeconomic factors affecting poverty. The model's results indicated that as the degree of economic sanctions intensified, absolute poverty in the country increased. Given the research findings, the claim by sanctioning parties that sanctions do not affect people cannot be accepted. Therefore, economic sanctions should be lifted for human rights reasons.

2. Islami, Reza; Ajali Lahiji, Mahshid (2017) in their article "Reducing Poverty: Guidelines for Social Development in the International Human Rights System," concluded that the fight against poverty is a major component of the social development process and is effective in achieving the lofty goals of social development, including attaining equality, justice, social cohesion, and ensuring global peace and security. Analyzing international documents related to social development also highlights the importance of this issue in the social development process and emphasizes strategies for achieving the ideal state of poverty eradication. It is evident that if poverty is neglected, it will lead to numerous problems for both internal societies and the global community. Poverty itself creates deprivation, inequality, and insecurity, thus undermining the foundations of social development, which are susceptible to issues such as discrimination, lack of participation, insecurity, and vulnerability to crises. Therefore, within a guideline for social development, the importance of correct policy-making in the domestic dimension for empowering and improving employment conditions and also enhancing social support systems to ensure people's security against life's calamities can be considered. Additionally, at the international level, cooperation is a constructive element that has always been emphasized in reputable global

documents and is considered necessary for achieving social development.

3. Roda E. Howard-Hussman (2015), in the book "Globalization and Human Rights," examined the mutual impact of globalization and human rights, and one of the discussed topics was the global obligation to change economic behaviors to achieve human rights. Ultimately, states are still responsible for the human rights behavior of multinational companies that have headquarters in one or more states. States have various tools to control the behavior of multinational companies. For instance, governments can impose human rights conditions on export credits or insist on human rights clauses when negotiating trade or investment agreements with other governments. Instead of regulating the behavior of multinational companies directly, new international treaties can be drafted to obligate states to regulate the human rights behavior of multinational companies within their borders.

4. Habibnejad, Seyed Ahmad, and Salmani, Marzieh (2019), in the article "A Suitable Model for Poverty Eradication in the Legal System of the Republic," concluded that today, government commitments in the area of poverty eradication are among the most important issues for present governments. Poverty is considered one of the greatest challenges facing governments and the global community, and various, sometimes contradictory, solutions have been employed by committed governments to address it, which have not been very effective.

Chapter One:
Concepts and Theoretical Foundations

Section One: The Concept of Human Rights and Its Governing Principles
Since this research will study poverty alleviation from the perspective of human rights rules, it is necessary to clarify the concept of human rights and the principles governing them.

Subsection One: The Concept of Human Rights
The term "right" has multiple meanings in the language. It can refer to conformity, agreement, a fixed entity, truth, the opposite of falsehood, and worthiness, with its plural being "rights." The term "right" is an Arabic word, and its equivalent in Persian is "persistent existence" and "certainty," meaning anything that possesses stability and persistence. French theorist Roby considers a right to be a privilege that is assigned to an individual; a privilege that generally can be transferred or waived, is accompanied by legal protection, and grants the holder the power to file a lawsuit. Thus, the foundation of a right is a benefit and privilege similar to property, in which a person can exercise control.

"A right is a legal relationship through which the law grants an individual the ability to exclusively control and dominate a specific entity (to take possession of it) or to demand that another person do or refrain from doing a specific act."

"Some view the origin and source of rights as needs, meaning that human needs result in the acquisition of rights and entitlement concerning what one needs."

Rights have many interpretations and meanings, including:

1. Rights as a Plural Form of Right: In this sense, "right" refers to the power or authority that a legal system of any country grants individuals to either directly use a property or request the transfer of property or the performance of a specific action from others.

2. Rights as a Set of Legal Rules: In this interpretation, rights are a collection of binding and general rules aimed at creating order and establishing justice, governing human social life, and whose enforcement is guaranteed by the state.

Another meaning of rights is the legal system or the legal framework of a country. This concept is often dealt with by sociologists. In this view, rights constitute a social system within which there exists a set of social-legal relationships, the rules governing these relationships, the institutions that ensure the implementation of these rules, and the legal organizations through which these legal institutions operate.

The emergence of human rights in the West can be seen as a product of social necessities and the result of revolutions and popular movements against authoritarian systems. In other words, it can be said that global human rights stem from the needs arising after World War I and World War II. This term entered everyday discourse after World War II and the establishment of the United Nations in 1945. The development of the concept of human rights has been emphasized through the introduction and acceptance of various philosophical and ethical ideas and has eventually led, at least from a legal perspective, to the establishment of very complex laws and political and legal institutions aimed at protecting and advancing the fundamental rights of all humans everywhere. Experts provide two definitions of human rights:

1. General Definition: This definition states that human rights are those rights that every human has simply by being human. This concept has been present in political thought since the inception of philosophy, five centuries before the Common Era, in the ideas of Greek thinkers such as Socrates, Plato, and Aristotle, through medieval thinkers like Augustine and Aquinas, to modern thinkers who were critics of modernism, including both postmodernists and communitarians.

2. Specific Definition: This refers to human rights as codified and accepted by the General Assembly of the United Nations. It includes the Universal Declaration of Human Rights of

1948 and the two Covenants of 1966. Human rights have been accepted by states globally through the adoption and enforcement of the United Nations Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social, and Cultural Rights, and various other treaties concluded at both the global and regional levels. The Universal Declaration of Human Rights was adopted by the United Nations General Assembly on December 10, 1948, through Resolution 217. Out of fifty-six member states of the United Nations, the Declaration was adopted with 48 positive votes, 8 abstentions, and no negative votes. The abstaining countries included Saudi Arabia, Belarus, Poland, Czechoslovakia, South Africa, the Soviet Union, Ukraine, and Yugoslavia. In 1968, at the World Conference on Human Rights, representatives from 84 countries gathered in Tehran and accepted the Tehran Declaration, which affirmed that the Universal Declaration of Human Rights committed all members to it. The General Assembly introduced this Declaration as a common standard of achievement for all peoples and nations and called upon all member states and all nations to promote and ensure the effective recognition and observance of the rights and freedoms contained therein.

Human rights are referred to in French as "Droits de l'homme," in English as "Human Rights," and in Arabic as حقوق الانسان"".

From the Islamic perspective, human rights are fundamental rights that every human possesses simply by being human, regardless of color, race, language, nationality, geography, changing social conditions, individual capabilities, or any other distinguishing titles. Thus, human rights are universal because they are a natural and inherent right of every member of the human family. Every person, regardless of their race, language, gender, or religion, is entitled to these rights, and they do not need to be acquired. It is noteworthy that human rights are a divine gift and are not granted by any human authority such as kings, governments, or religious leaders. Rights derived from the constitution are granted due to the relationship of citizenship or residence in a particular country, but human rights, as described, are inherent. Another point to mention is that human rights are part of the rights that every human has simply by being human. In contrast, many rights based on divine wisdom are granted not because of being human, but for otherwise reasons. Therefore, interpretations of human rights are always influenced by the perspectives within the legal system and cannot be separated from it. In Islam, human rights are part of the legal system and can be explained in line with its objectives.

Dr. Sharifi Taraz Kouhi considers human rights to be a specific type of rights that, in its most fundamental and humanistic sense, are important and prominent moral rights. In other words, "human rights are ethical and legal norms for the protection of all humans by virtue of their membership in the human family. These rights stem from the intrinsic dignity of humans and exist at both the ethical and legal levels internationally."

Dr. Seyed Mohammad Hashemi, in his book *Human Rights and Fundamental Freedoms*, provides a legal definition of human rights and states that human rights are a set of privileges belonging to individuals within a society, as established by legal norms. Individuals, being human and in their interactions with other members of society and with the ruling power, benefit from these rights with necessary guarantees and protections. This definition consists of two parts: one is the human rights and privileges recognized in the legal system, acknowledging the natural abilities and capacities of individuals and taking necessary measures to provide these individuals with the essential means for a dignified life, which are: 1) the right of individuals to self-governance, 2) the right to access life's necessities, and 3) the legal structure of human rights and privileges. The other part is the legal guarantee of human rights, where legal norms simultaneously serve both to explain and to ensure human rights.

Human rights are gaining increasing importance worldwide every day. "Signs of this importance are appearing and becoming more prominent in all legal spheres. Undoubtedly, the European Court of Human Rights plays a unique role in this context. The dynamic interpretations and evolution of this Court have breathed new life into the European Convention on Human Rights. Today, the Court's jurisprudence is cited as valid rules in all matters related to human rights. In the current situation, the Court does not consider a state's commitment to refrain from interfering in citizens' affairs, or more precisely, not infringing upon the rights and freedoms contained in the Convention, to be sufficient. This institution, by employing the 'positive obligations theory,' asserts that states are not passive or indifferent regarding the realization of human rights; rather, they are obliged to actively intervene to ensure these rights. The Court requires states to intervene and protect certain rights outlined in the Convention. This achievement was not obtained suddenly but is the result of years of the Court's work and the establishment of a suitable framework for these obligations. It is important to note that these obligations are specifically cited for each right in the Convention, using particular principles and rules, and most importantly, through dynamic and evolving interpretation."

According to the theory of liberal schools, human rights are those necessary for human nature and existed before the formation of the state, thus transcending it. Therefore, states must respect them. More clearly, in idealistic schools, it is believed that some rights, in terms of human dignity and honor, are fundamental

and essential for individuals to fulfill their mission. These rights, known as human rights, lie outside the realm of human legislative power, and legislators cannot deprive anyone of them. Such rights and privileges are denied by materialistic schools. Materialistic schools argue that human rights are always subject to change and evolution and, consequently, cannot be precisely defined.

Subsection Two: Fundamental Principles of Human Rights:

Human rights and their flourishing are based on fundamental principles that enable humanity to enjoy a dignified life in various aspects. To understand these foundational principles, one can draw inspiration from Article 1 of the Universal Declaration of Human Rights, which states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." Dr. Hashemi, considering this article, identifies the foundational principles of human rights as the principles of human dignity and worth, freedom, equality, and fraternity. Thus, four fundamental principles can be named as the core principles of human rights, which also have clear sources and documentation in Islamic thought. Below, we will briefly explain these principles: the principle of inherent human dignity, the principle of freedom, the principle of equality, and the principle of fraternity and justice.

A. The Principle of Human Dignity:

Dignity refers to value, honor, humanity, purity from contamination, nobility, and generosity. Inherent dignity is the respect, honor, and esteem that all humans possess due to their intrinsic independence, capacity for reasoning and thought, and divine aspect, which are inherently and equally shared. Therefore, human dignity is the foundation of many human rights and obligations.

The preamble of the Declaration of Human Rights references this principle as follows: "Whereas recognition of the inherent dignity and the equal and inalienable rights of all members of the human family is the foundation of freedom, justice, and peace in the world." Article 1 states: "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." It seems that the inherent nature of dignity in the Declaration implies that this quality can never be separated from a human being under any circumstances. According to experts, Islam acknowledges two kinds of dignity for humans: one is inherent and universal, where all humans are equal, and the other is acquired dignity, which varies according to the dignity one has achieved, such as that gained through piety. From the Islamic perspective, dignity is not only a right but also an obligation. That is, not only do others not have the right to harm one's dignity, but individuals themselves also do not have the right to forsake their dignity or submit to degradation and humiliation.

The most important condition for ensuring human dignity is the establishment of a human rights system based on the rule of law. To achieve this, the following conditions must be met: First: Recognition of the right of citizens to freely determine their destiny. Second: A law-abiding state based on the principle of the rule of law (existence of a legal system). Third: Recognition of human rights and a proper place for them within the legal system (the principle of the supremacy of human rights). Fourth: Effective enforcement mechanisms for the realization of human rights." Now, we will briefly explain each of these.

The first condition concerns the right to self-determination, which is one of the most fundamental and essential human rights. It is examined in light of the respect for the inherent dignity of individuals. "The fundamental right of individuals and the basis for recognizing a political system as a democracy is the right to self-determination. In democratic governments, all citizens, whether directly or indirectly, not only have the right but also the duty to participate in the political system that defends their freedom and rights. They should be able to use their power through their elected representatives and fulfill their civil and civic duties. Therefore, people, by virtue of their inherent dignity, can choose the type of government, its officials, their tenure, the quality of governance, and the way of replacing or changing officials. Accordingly, individuals have the right to determine how their country is governed. The right to self-determination, in its internal aspect, is the right of all nations to achieve economic, social, and cultural development without external interference. In this regard, every citizen has the right to participate in public affairs at all levels, and the government must represent all people without discrimination based on color, race, origin, social class, etc. In its external aspect, all nations have the right to freely determine their political fate and status in the international community based on the principle of equal rights and respect for freedom from colonialism and foreign domination."

The second condition is the existence of a legal system, which is a prerequisite for a law-abiding state and requires adherence to the principle of the rule of law. Individuals have the right to be governed by a state that is subject to the law. Imam Khomeini stated: "Islamic governments are those that are subject to the law; they are governments of law." He also said elsewhere: "Make sure to get used to not ruling against the rights of your fellow countrymen; if someone does wrong, do not act with violence against them. The law must be followed." Another important condition is the effective enforcement mechanisms for human rights. This means that no legal rule is effective without the presence of effective enforcement. According to Imam Khomeini, Islam guarantees all human rights and matters. Currently, due to government pressure in Iran, freedom is neither for men nor for women; freedom in Islam is for everyone."

B. Freedom:

Freedom is a profound human aspiration that has always been central to human thought and desire. The concept of freedom and its related notions have been significant in various philosophies, religions, and human agreements throughout history.

According to Article 1 of the Universal Declaration of Human Rights, the inherent freedom of individuals is emphasized: "All human beings are born free and equal in dignity and rights." Article 2 then discusses the enjoyment of freedom by all members of the human community, and Article 3 establishes it as a personal right. Article 5 addresses the abolition of slavery, while Article 16 affirms freedom in marriage. Articles 18, 19, and 20 discuss freedoms of thought, religion, belief, expression, and the freedom to form political and other assemblies. Finally, Article 29 outlines the limitations and exceptions to these rights. This article specifies that everyone, in exercising their rights and freedoms, is subject only to those restrictions established by law that are necessary for recognizing and respecting the rights and freedoms of others and for the requirements of morality, public order, and the general welfare in a democratic society. In classical democratic theory, the primary principle governing the scope and limitations of rights and freedoms is to avoid causing harm to the rights and freedoms of others.

Imam Khomeini, among scholars who have advocated for freedom, especially post-constitutional era scholars, holds a special place. Regarding freedom, he states: "The cornerstone of the Declaration of Human Rights is the freedom of individuals. Every person is free. Everyone should be equal before the law. Everyone should be free in their place of residence, in their occupation, and in their way of life. This is the essence of the Declaration of Human Rights." While he broadly supports the principles of the Declaration, he criticizes the signatory states, saying: "The Declaration of Human Rights has been signed by those who have deprived people of their freedom throughout their tenure. The Declaration of Human Rights emphasizes the freedom of individuals. Everyone should be free and equal before the law. This is the Declaration of Human Rights. Yet, the same Americans who signed it have committed atrocities against humanity. They write thirty articles that are beneficial to humanity, but they do not adhere to any of them."

Dr. Hashemi, in his book *Constitutional Law of the Islamic Republic of Iran*, views the practical realization and preservation of the principle of freedom as dependent on the practical commitment of the government and public belief. The Constitution of the Islamic Republic of Iran incorporates measures to promote the intellectual development of the people. Enhancing public awareness in all areas through the effective use of media and other resources is a government obligation. If implemented, this can contribute to intellectual growth and strengthen the sense of freedom-seeking among the people.

C. Equality:

After the concept of freedom, equality is the most important concept in explaining human rights. It is considered one of the fundamental principles and pillars of human rights. "Over a historical process of approximately two thousand five hundred years, from the time of Plato and the Sophists to today, it has been established in the minds of contemporary humans. One of the two pillars is democracy, and the other pillar, of course, is freedom." Some understand equality to mean that power should be distributed equally among the members of society so that no one holds more power than another. The right to equality among citizens can manifest in the following areas: "First, political equality, where all citizens have an equal right to vote, meaning each person has one vote, and individuals are equal in being elected. The next is legal equality, where everyone is equal before the law and enjoys the same rights. Another aspect to mention is social equality, meaning that all classes and groups are equal in political activity. It is worth noting that the foundation of equality is the rights of the nation. Equality is a principle under which citizens exercise their rights."

Therefore, the principle of equality means that all individuals have the same rights and duties. As long as complete equality is not established among individuals in every respect, social justice cannot be achieved in a society. Social differences, in any form, pave the way for oppression, aggression, and injustice, making all principles under human rights impossible. That is why equality is considered a principle for achieving democracy, and freedom is considered secondary.

In the field of public law, constitutions are the primary legal documents in which the concept of equality must be reflected. Therefore, "equality is one of the foundations of public law. This concept plays a fundamental role in defining human existence. Because in most revolutions (including the French Revolution), equality has been a primary demand of the people, this demand gradually became one of the requirements of democratic government. For example, France chose democracy through the establishment of equality. Gradually, equality evolved into the fundamental meaning of democracy and the foundation of the rule of law."

There are two views regarding equality: one is formal equality, and the other is substantive equality, which will be briefly explained.

One key point about formal equality is that it primarily concerns the general applicability of laws, as the general applicability of law is the most crucial guarantee of upholding and observing the principle of equality in the theory of the rule of law. However, this characteristic does not necessarily lead to equality among all individuals or to justice in the distribution or access to resources and opportunities. Proponents of this view regard the equal application of laws in similar cases as the fundamental idea of equality, and they see this formal approach as guaranteeing the realization of the idea of equality and justice. On the

other hand, supporters of the substantive view of equality are concerned with existing inequalities in society and the deprivation of certain groups of citizens from the necessary resources for a desirable life. They believe that the solution to this concern is differential treatment by the government in different situations.

Ronald Keen distinguishes between rights that all citizens should equally benefit from, such as any right reflecting the right to self-determination, like the right to vote, freedom of opinion and expression, and equal treatment of all citizens. He also distinguishes between rights under which citizens should be considered equal. That is, while the principle of equality suggests that everyone should be equal, it is not always possible to distribute all rights equally to everyone. According to him, the recognition of the equality of citizens is important, not necessarily equal treatment. Hence, even with the recognition of equality among individuals, the treatment of citizens might still be unequal. Economic and social rights fall into this category. All people are equal before the law and its application, with no social class distinctions. From the Islamic perspective, all humans are created from one man and one woman and are not different in their creation.

The French Declaration of the Rights of Man and Citizen of 1793 states that: "All human beings are equal by virtue of their humanity and are equal before the law." The 1795 French Declaration also declares: "Equality means the same law for everyone, whether it is protective or punitive. Equality eliminates any form of racial discrimination." Article 7 of the Universal Declaration of Human Rights states that all are equal before the law and have the right to equal protection under the law without discrimination. Everyone has the right to equal protection from the law against any discrimination that contradicts this declaration and against any incitement to such discrimination. According to Article 26 of the International Covenant on Civil and Political Rights, which was ratified by the Iranian legislature in 1975, all persons are equal before the law and are entitled to equal protection of the law without any discrimination. The law must prohibit any discrimination and ensure effective and equal protection for all persons against any type of discrimination, especially based on race, color, sex, language, religion, political or other opinions, national or social origin, birth, or any other status. Article 19 of the Constitution of the Islamic Republic of Iran recognizes all Iranian people, regardless of their ethnicity or tribe, as having equal rights and does not consider color, race, or language as grounds for privilege. Article 20 of the Constitution again places all individuals, regardless of gender, under equal protection of the law and provides them with all human, political, economic, social, and cultural rights while adhering to Islamic principles. Clause 4 of Article 3 of the Constitution lists among the duties of the Islamic government the enactment of laws ensuring comprehensive rights for both men and women and the establishment of fair judicial security and equality before the law. Clause 9 of the same article considers the elimination of unjust discrimination and the creation of fair opportunities for all as part of the duties of the Islamic government.

Therefore, it seems that from the perspective of human rights, people are equal in human dignity. Thus, under equal conditions, they should be treated equally.

D. Brotherhood:

The concept of human brotherhood stems from the inherent dignity and worth of humans. Imam Ali tells Malik al-Ashtar: "Your relationship with people is either as a religious brother or as a fellow human. Humans have equal rights, and no human is considered a superior human; all have the same level of dignity." Imam Khomeini has also stated: "In Islam, race, language, ethnicity, and group affiliations are not considered. All Muslims, whether Sunni or Shia, are brothers and equal, and all enjoy the same Islamic benefits and rights." In another statement, he said: "In Islam, race, groups, parties, language, and such things are not considered. Islam is for everyone and benefits everyone. We are all brothers and should live together."

Imam Khomeini also emphasizes the relationship of brotherhood between the rulers and the people. In his envisioned Islamic system, the people are the true benefactors and the primary holders of power, while the officials and the government are their servants and servants. In this view, the government derives its power from the people and must serve them. This issue has frequently been addressed in Imam Khomeini's statements.

In France, in 1795, when the third constitution of the country was written, the Charter of Rights and Duties of Citizens began with the following: "Do not do to others what you do not want others to do to you, and treat others as you would like to be treated." According to the principles of the French Republic, brotherhood means being together. Therefore, the concept of brotherhood is also related to public order.

"The fundamental principle of brotherhood, although stated in most human rights declarations, is not observed in binding international documents. In other words, the principle of brotherhood, while not legally binding per se, can serve as a basis for envisioning and implementing legal measures for the protection of human rights."

CONCLUSION:

According to human rights principles, all members of society should have the opportunity and ability to actively participate in the societal affairs in which they live. Equality and equal opportunity for men and women in all social, economic, and political activities are essential. Obstacles created by any form of discrimination and inequality that limit individuals' access to participation in decision-making, education, services, healthcare, and productive employment must be removed. Such limitations and oppressive deprivations, even if they do not lead to other disasters,

are considered reprehensible as they infringe on basic human freedoms.

In this context, many instances highlight the need for changes in social institutions to enhance and elevate their quality in accordance with the requirements of social development, and to alter the prevailing social patterns in dealing with issues. Only in this way can social development function effectively as a core component of sustainable development. Complete eradication of poverty is only possible through the implementation of all human rights principles.

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