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The Role of International Law in the Country's Cultural Development

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Abstract: Culture in Persian literature, consists of a prefix of the word "far" means "pre" and "hang" means "drag." The word "tempering" in Persian literature comes from the same root, which means "discipline, educate, and teach literature." If the international system is considered a set of governments and international organizations, the impact of culture on these governments and organizations has been inevitable. In contrast to the past, international law and international developments have attracted the attention of researchers and the neglect of basic and initial freedoms is in violation of an international norm. Religion is another indicator of culture on international law, which in the past centuries, before the Treaty of Westphalia and after it, had an impact on international relations and played an important role in international alliances and international coalitions. If trade is considered the second pillar of the foreign policy of governments, then "culture" will certainly be its third pole. Culture provides a suitable field for business and, on the other hand, facilitates business relations. The culture and level of knowledge of a nation, especially the language element, can help to expand the culture of the nation. For example, when English is globalized, American English culture becomes widespread. In this regard, Fouad Ajami believes that the spread of English and the Internet has led to the domination of American culture.

Keywords: Culture, International Law, International System, Governments, Organizations.

INTRODUCTION

With the advent of modern ideas in the decade of 1990 and simultaneously with the methodological objection to the humanities and social sciences, the classical culture as an influential factor played an important role in the international system developments (Deegan Firoozabadi, 2011). Concepts of human rights, democracy, globalization, with the backdrop of modern technology communications and advanced media, became universal concepts. So that today, if a country is ignorant of these concepts, it will face a global response. In the present study, we will examine the conceptual framework of the subject in its role in international developments.

Statement of the problem

Cultural development in the international system faces major barriers and challenges in the legal and executive structure and content, and so far it has not been able to meet the goals in mind. Failure to exploit common international potentials due to lack of serious determination and specific program is the main reason for the emergence of these obstacles. International development requires an international joint program. A program that is the result of the collective wisdom of all existing international systems in the cultural and political spheres. (Hosseini Salimi, 2006)

Research questions

1. What are the components of international sustainable development in cultural development?

2. How can the international system achieve a sustainable development based on the international legal system?
3. How can globalization lead to sustainable international development?

Research hypothesis

Culture and politics in the international system are subject to their particular real and legal persons. It should examine the conditions of those individuals and, by formulating a strategic plan based on international law, design and model the desired model of international development. International sustainable development in the cultural and political spheres is realized when the international common chapters for development are defined and the beneficiary community of the international development is the whole international community. The infrastructure, the structure and content of globalization of culture and politics in the international system must be fundamentally changed in order to achieve sustainable international development. (Aristotle, 1978)

Research Methodology

The research methodology is descriptive-analytic. By reviewing the library of upstream documentation available in various fields of cultural development areas.

Culture and its types:

In order to achieve a comprehensive definition of culture, first it is necessary to understand different definitions and theories, and this means putting the complex and difficult arenas in place; because the theories presented by different thinkers are very different. However, in spite of this multiplicity, in order to get acquainted with its conceptual framework, we first begin with definitions of Iranian-Islamic thinkers and then to the compliments of Western scholars. The above definitions can be distinguished in both the classical and the new definitions. For classical thinkers, the definition of culture and its lexical roots varies. So its usage, rather than the word "culture", is not an empty form, but it means the meaning of growth and excellence.

Culture from the perspective of Islamic-Iranian societies

The word "farhang", is a compound prefix of the word "far" meaning "pre" and "hang" means "drag." The word "tempering" in Persian literature comes from the same root, which means "discipline, educate, and teach literature." The term "culture" is used in various dictionaries, meaning literacy, reason, knowledge, and greatness (irdiplomacy, 2012). This meaning has been manifested in Ferdowsi's poem:

"The wise asked the just

Which was better, culture or gem?

He gave him this guide

That culture is more than a gem

That culture is the makeup of spirit

IT was easy to speak of the gem

Gem without culture, is destitute and loose

With culture, the mental is bouncing"

In the new era, Hamid Enayat has used culture in the meaning of religion and ideology and is focusing on a set of cultures that include Islamic, Christian-Atlantic, Asian-European culture, Far East, and Southeast Asian culture. In Arabic, culture is called *Thaqafa* and it means learning, gaining skills, and education. In any case, the meaning of growth and excellence lies in it. (Oxford Barry, 2004)

Culture from the perspective of Western thinkers:

Among Western thinkers, Aristotle, is the first to pay attention to this concept. He states: "A city or country is a society of the same people for the best possible way of life, because happiness is the best of goodness and comes from internship or virtue, and as some have the virtues to the fullest, and others have little or no; it makes differences between people. This difference leads to disagreement over the government; because different peoples go for goodness and joy from various ways and means, and as a result, various governments emerge." From this expression we understand that Aristotle used the term "virtue" in the classical sense of culture.

From Rousseau's point of view, the process of human evolution is accomplished through three distinct processes in parallel: "passing from animality to humanity, passing from affection to reason, and passing from nature to culture. These three processes lead to the evolution of a civilized human being that has entered the realm of culture. (Fars News Agency, 2008)

New western thinkers, including Malinowski, have defined the culture. "The culture includes handicrafts, artifacts, technical processes, thoughts, habits and values of a society, which, of course, these separate elements are linked together." he writes.

A remarkable point in Malinowski's definition is that neither individuals nor aggregates are the main pillar of meeting and fulfilling needs and functions, but rather institutions do this. (Farhangi, 2015)

In addition to the above definitions, the Mexican Declaration, the Declaration of the Representatives of the UNESCO Member, also defines the definition of culture. In this declaration, culture was the main factor in the identity of the sector to human societies. From their point of view, cultural identity is "the core of individual and collective set that derives from a combination of the various spiritual, material, and emotional qualities of a society." The statement states that culture is the hallmark of humanity and rational life.

From the above, we can conclude that culture is the identity element of societies and is the symbol of their rational life, and it is a whole that emanates from the combination of the characteristics and symbols created in each society. The central core of this universality and this rational life is the particular attitude of each society about humanity and its fundamental rights.

Islam and the international community: From the point of view of Islam, all people throughout the world are members of the great family of Islam and the Prophet of Islam (PBUH), as the last ambassador and messenger of the Lord, has been raised to the Prophet for all the world. There are many verses in the Qur'an that indicate its universality in international law. The Qur'an calls upon all human beings for monotheism and piety and for other principles: "O people, worship your Lord" "O people! Eat those things that are lawful and clean on earth, and do not leave the footsteps of Satan, which is your obvious enemy." "O people! A sermon came to you from your Lord and healed you for the disease you have in your heart and guidance and mercy for the believers." "We have not sent you except comprehensively to mankind as a bringer of good tidings and a warner." "O people! I am the Messenger of Allah to all of you." "Blessed is He who sent down the Criterion upon His Servant that he may be to the worlds a warner." "It is not except a reminder to the worlds." "Say, O people, I am only to you a clear warner." From these noble Qur'anic verses, it is clear that the audience of the Qur'an is universal, without any special conditions, language, spatial, racial, cultural or belief conditions. The Qur'an has a message to all of the world and the message of the Prophet is comprehensive. (Hade Mohammadifar, 2009)

Imam Khomeini also said on 5/7/15 in Noafel-leshato, in an interview with Channel 2 TV in Germany, in response to a reporter asking: "When you come to power in the Islamic Republic of Iran, how you will deal with the great countries of the world?" He says: "All countries, if they maintain our respect, we will preserve our mutual respect, and we will not accept them if countries and governments want to impose their obligations on us. We do not oppress others and do not go under the brunt of others." The same clear Quranic principle "You do no wrong, nor are you wronged."

On the issue of Islamic international law, in the fourteenth article of the Constitution of the Islamic Republic of Iran, it is stated: "According to the verse of Quran:"Allah does not forbid you from those who do not fight you because of religion and do not expel you from your homes - from being righteous toward them and acting justly toward them. Indeed, Allah loves those who act justly." The Islamic Republic of Iran and Muslims are obligated to act with respect to non-Muslim people with good morals and Islamic justice, and to respect their human rights. This principle is valid for those who do not conspire against Islam and the Islamic Republic of Iran."

Article 152 of the Constitution states: "The foreign policy of the Islamic Republic of Iran, based on the negation of any domination, the preservation of the total insularity and territorial integrity of the country, the defense of the rights of all Muslims and the non-commitment to the dominant powers and the rights of peace Mutual reciprocity with non-hostile states."(Jahangir Moeini, 1995)

A look at the laws of the Islamic Republic of Iran and Islamic law shows that culture in the Iranian society and Islamic countries is firstly based on the universal human principle and, secondly, on the preservation of Islamic identity while respecting other identities. (Aristotle, Politics, 1978)

International community and cultural rights:

If the international system is considered as a set of governments and international organizations, the impact of culture on these governments and organizations has been inevitable. Thus, the cultural factor has led to great revolutions in the history of international law, including the Revolution of France in 1789 and the Islamic Revolution of Iran in 1978 Hijri Shamsi, which this factor played a major role in the creation of them.

Since nations today play an important role in cultural change, it can be said that the recognition of nations and their constituent elements plays an important role in the proximity of states. In this context, Jay. M Michael, English thinker and the author of the book "International Cultural Rights," lists the role of culture as the third pillar of foreign policy. If politics and trade are the two pillars of international law, then culture is the third pillar. In his opinion, politics is the mechanism for building bridges of communication between nations seeking their own national interests, a mechanism that can bridge their gaps, and diplomacy has the skills and abilities that can serve as a tool for political demands. The importance of this issue, is as far as the former foreign minister of Iran has repeatedly stated that diplomacy, the recognition of cultures and the good diplomat, is one who knows the culture of nations well. Senator Fulbright also names culture as the fourth pillar of international law after military, diplomacy and economics. (Imam Khomeini, 2005)

With the theory of Samuel Huntington, the Challenge of Civilizations, the role of culture in international law entered a critical phase. Without ending the Cold War as the end of the ideological conflict, he sees it as the beginning of a new era of clashes between civilizations. He divides the living civilizations into seven or eight great civilizations. Western civilizations, Confucian, Japanese, Islamic, Hindu, Orthodox, Latin American, and on the sidelines are also African civilizations, and the lines of the fault of these civilizations are the source of future conflicts and the replacement of the ancient state-nation unit. He believes that the confrontation between civilizations is the dominant global policy and the last stage in the development of the struggles of the New Age. Because:

- The difference between civilizations is fundamental.
- Self-awareness of civilization is on the rise.
- Religious revival is a means to fill the growing identity gap.
- The hateful behavior of the West has raised the awareness of other civilizations.
- Cultural characteristics and differences are unchangeable.

Economic regionalism and the role of cultural alliance are on the rise, and the lines of the existing fault between today's civilizations have replaced the political and ideological frontiers of the Cold War era, and these lines are the spark are causing a crisis and bloodshed. The thousand-hundred-year-old hostility of Islam and the West is on the rise, and the rights between the two civilizations of Islam and the West are to endure the bloody events. This will undermine the "paradigm of clash of civilizations" and other issues of the world. In the new era, new roles are shaping the axis of civilization, and eventually Islamic-Confucian civilization, alongside, confronts western civilization. (Branislaw Malinowski, 1931)

Conclusion:

According to the definition of culture, the concept of culture is difficult and complicated. But we have to say that every meaning we have from culture has a general meaning in it, and it is growing and advancement. According to this definition, it has to be said that in international developments in various historical periods, culture has played a major role in developments. Because culture is used as an appropriate tool for interference in another country, countries have used this very well. Religion have always been instrumental in contributing to international conflict as a cultural indicator. Muslims and Christians have used this factor well. Now that today culture is the third pillar of foreign policy of countries, countries are trying to use this issue in a desirable way, knowing the issue of reducing the authority of the sovereignty. Cultural law goes so far as to provide for

regional cooperation, and countries are considering this cultural link to extend their cooperation to various economic, political and security spheres. (Dariush Ashura, 1978)

The European Union is an example of a successful union that the union's cooperation should be due to the sacred unity of the eighteenth century and the culture of the division of interests. With globalization and the concept of a global village, advanced countries, using their most modern technologies, try to provide an inclusive and successful culture. Subcultures, on the other hand, have enjoyed a degree of relative freedom through the decline of the sovereignty of states. The cultural globalization, as Gerrard Lucerre asserts, will be a test for civilizations. In this test, traditional and modern elites will face a confrontation. The culture will be defined in two ways. One definition of it, is a system of symbols and meanings that make sense of the system of human life. On the basis of this definition, culture is equal to common collective wisdom. This look will create the meanings of the elements of culture in the world, and everyone will understand and interpret it. Another definition has been made on the elements of the culture, which, according to some elements, deduces the conclusion that the state of nations is nothing but an independent cultural complex. Worldview, language, customs, human artifacts, science and technology, kinship rights, beliefs, arts and ways of thinking, behavioral patterns, etc. Constituents of culture form

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