

Comparative comparison law Tourism Iran with EnglandBehrooz Khaksari*¹, Bahar Khaksari² peiman latifi³¹. Department of law Kermanshah branch, Islamic Azad University, Kermanshah, Iran
Email: behrooz.nik@gmail.com². Department of law Kermanshah branch, Islamic Azad University, Kermanshah, Iran
Email: bahar.nik2005@gmail.com³. Department of law Islam Abad Gharb branch, Islamic Azad University, Islam Abad Gharb, Iran
Email: peyman.latifi@yahoo.com

Abstract: Human travel to different parts of the world led to the familiarity of nations. This reflects the fact that, despite cultural and ethnic differences, can be found harmonious and united in many aspects of life. Government intervention in the affairs of tourism is undeniable. Stable operation of all tourism capacities only in the light of the legal and principles rules is possible. Only governments that can provide stability and security and, most of all to enact laws in the field of tourists the aim of this research is to present the image of Islam and the Islamic Republic of Iran laws and legal provisions tourists, and comparison between Iran and the United Kingdom in the field of tourism. In this study, the question of what laws on the rights of foreign tourists in the Islamic Republic of Iran have been established rights of tourists in England how is Islam-based laws in Iran and the UK What about the rights of foreign tourists there; and what is the role of the rights of foreign tourists in the growth of tourism, were answered. Studies show that in Islam and the Islamic Republic of Iran human rights of all people are respected in Islamic countries and as long as they did not violate Islamic laws and the Islamic Republic, are protected by law and Islamic government. The results showed that under the laws of England and according to ethnic and religious groups in the country, Muslims are prohibited from entering some places and tourism and other religions are allowed to enter these places. England, while cares the welfare of tourists and trying to attract more foreign tourists if they violate the rules, will deal severely with them. This thesis consists of two parts. In the first part the history of tourism and its rights in Iran and the UK and the second part rights and duties of tourists in Iran and the UK investigated.

[Behrooz Khaksari, Bahar Khaksari: peiman latifi. **Comparative comparison law Tourism Iran with.** *Academ Arena* 2017;9(6):13-18]. ISSN 1553-992X (print); ISSN 2158-771X (online). <http://www.sciencepub.net/academia>. 2. doi: [10.7537/marsaaj090617.02](https://doi.org/10.7537/marsaaj090617.02).

Key words: Iran, development, rights of tourists, Islamic tourism, England.

1. Introduction**Saying the question**

Tourism as a new era emerging industry to become one of the main pillars of the world's business. Today, tourism is known as smokeless industry that is both a cause and a consequence of the globalization process; So that many planners and policy makers in the development of tourism remember that as the main pillar of the sustainable development.¹In addition to physical dimension, tourism in building a world of peace is very useful. Human traveling to different parts of the world causing the fondness and fellowship of nations and the people of the world realize that despite cultural and ethnic differences, can be in many aspects of life, harmonious and united. With this interpretation, government intervention in the affairs of tourism is undeniable and stable operation of all tourism capacities only in the shadow of the legal and

principles rules is possible. In other words, the tourism industry could survive without government intervention, because only governments that cannot able to provide stability and security and, most of all enact laws in the field of Legal tourists.²

So nowadays the government apart from other responsibilities of the past, to be responsible for a new responsibility as "tourism". Legal regulation is one of the fundamental factors in the development of the tourism industry. This procedure is forcing countries to adopt limitations and solutions in order to steer it sustainable. So codification of legislation and regulations in order to support tourism and provide security is essential to them, because arriving the foreign tourists to any countries and foreign tourism boom is concerned with the laws and regulations that protect their rights greatly. The main importance of

¹(Eftekhari and Mahdavi, Measures to promote urban tourism by using SWOT model, Lausanne the small village, Journal of Research in the Humanities, Tarbiat Modarres University, Volume I, Issue 2, Summer).

²(Bnadarvish, 1328. The role of government and public sector management program established tourism, Tourism Studies Quarterly, University of Allameh Tabatabai, the number one, summer.)

such issue is an urgent need to revive tourism, not only for economic purposes but also to restore the greatness of Iran in the international arena.

Research goal

Reviews of rights tourists in the rules of Iran and comparative comparison with England.

Research questions

In this thesis, the following questions were considered major and minor.

The main question

1. Are there some similarities and differences between the rules of Islamic Republic of Iran and the United Kingdom about the rights of foreign tourists?

Accessory questions

1. What are the rights tourists in the UK?
2. What is the role of paying attention to the foreign tourists in the development of tourism?

Research hypotheses

In this thesis according to asked questions, primary and secondary hypotheses were as follows.

The main hypothesis

1. There is difference between the laws of the Islamic Republic of Iran and the United Kingdom about the rights of foreign tourists.

Accessory hypothesis

1. Tourist's rights in the United Kingdom has special importance.
2. Islam that is the basis of laws in Iran and the UK, has commented on the rights of foreign tourists.
3. Pay attention to the rights of foreign tourists play an important role in the growth of tourism.

History of research

Internal history

In a study entitled "attitude on the Rights of tourism in Iran"³ states that the objective attitude of the laws and regulations of tourism in Iran and the evolution of it and check the legal vacuum existing with the guidelines and recommendation to eliminate legal obstacles to it. The results show that the attitude of the laws and regulations and review the obstacles and difficulties in the tourism industry is essential that such attitudes can partially eliminate existing legal vacuum. Laws and regulations related to tourism should be established in a way that the items of income and employment easily able to replace industrial monoculture oil and that is essential in terms of the national income growth and economic development and the effects of currency note and government reduces its outsourcing to require the area for the growth of centralization and concentration of capital in the private sector and the tourism industry laws, including laws on customs, visas, insurance, work and... be revised.

In examining "The role of Islamic tourism in the

convergence of Islamic countries"⁴ stated that tourism is now a big part of the global economy for itself. Different countries have sought to share their own more and more of world tourism. In the process, countries can attract more of the world tourism that the necessary conditions to provide components of sustainable tourism. Undoubtedly, in today's conditions and inequalities of technological, economic, scientific, developed countries are more successful. However, the majority of Muslim countries, mostly are in developing and third world, and some of these countries as a result of increased oil revenues cannot be a third world for them to use as well as consumer and importer goods and technology of developed countries. Meanwhile, Islamic tourism can change the import and consumption economy of Muslim countries. The Islamic tourism is a form of tourism between Islamic countries that the positive effects of factors such as economic, social, cultural and political to Islamic countries brings. Islamic tourism including all types of tourism and the result of as spread of Islam, eliminate the religious differences between Muslims, reducing the gap between Muslims avoid the Economics import and international division of labor, increasing political vision of Muslims and above all the unity of the Islamic world will follow. This research on Islamic tourism between Muslims stressed and trying to analyze this type of tourism strategies developed and introduced.

In an article entitled "Principles and Rights of tourists from the perspective of Islamic sources" stated that Islam the rights of all those involved in Islamic countries are represented, including compatriots and those state-sanctioned Islamic countries have entered to recognize and respect the rights of everyone is essential. Tourists as well as people who come to the country with the permission of the government and according to the fundamental principles of Islam, including human dignity, fulfillment of contracts, invitations, etc.

Government and all Muslims are obliged to recognize the rights of such people.

The most important of these rights include the right to security, and traffic in the country, of social justice, the respect and observance of individual human dignity, human rights and the right of withdrawal is the least.

In the article "The sociological factors affecting the development of tourism in Iran (with a view to attract foreign tourists)"⁵ "believe that travel and tourism industry as the largest and most diverse industry in the world are considered. The phenomenon of tourism, which is a socio-cultural phenomenon

³(Forumand, 1328

⁴(Shariati, 1390

⁵) Thousand acres and Najafi, 1391

refers to the mobility of people. Its rapid growth has caused many scholars called the twentieth century as the tourism century. The industry is effective on the economic, social and cultural rights, such as foreign exchange, income, employment, prices, income distribution, and migration, division of labor, customs and art. According to the importance of tourism the main purpose of this article is to explain the position of, foreign tourists' satisfaction towards the hosts (the Iranians) in the development of the tourism industry.

External history

In reviewing the external resources in this thesis, the rules and regulations of the Kingdom about tourists and foreigners were used. Also the information contained in brochures and foreign tourists' magazines about England were used. In the context of the factors affecting tourism demand, numerous empirical studies have been done. Kulendran studies and Wilson (2000) Fukdyushi and Kim (2007) Song and Witt (2003) Elyat and Aynav (2004) of important studies in the field of factors affecting on are external demand of tourism. In these studies, different methods to explain the most important factors influencing tourism demand is used. Aronson et al. (2009), using regression techniques Seemingly Unrelated to estimate the demand function for foreign tourists Sweden and Norway 5 Denmark, England, Switzerland, Japan and America during 1993 and 2006 have been addressed. In this study came to the conclusion that the price index for consumer goods and services and changing habits, positive and significant impact on demand for tourism, but the effect of variable exchange rates are not significant. Andrea and Noda, 2005 to review the arrival of tourists to 43 African countries during the years 1996 to 2000 and political stability, and marketing factors are as important. Their research showed that income, relative prices and cost of living to these countries have no significant effects on tourism demand.

Concept of tourism law

The definition of tourism and tourists

Greek and Latin root of the word is derived from the term Tournus, one of its meanings excursion or navigation, and ending in ism for tourism or tourism as gerund accordingly. The term tourists refers to anyone regardless of curious that travel for pleasure. Borkarts and Medlyk (1981) introduced tourism as a short trip where tourists to travel to an area outside of his work.⁶ Tourism was the first time in 1811 in the English Journal called Sporting Magazine, this words in the dictionary it means traveling to see the monuments and the natural visit was a pleasure to work for.

Nowadays, tourism and ecotourism, due to its

abundant revenue, have prompted many countries that invest heavily to allocate part. Attract tourists to visit the attractions and national monuments and ancient invested a lot in the context of the preparation of places visited, roads desirable available hotels stars, vehicles suitable and so the natural to the area of travel there, at least invest in other types of tourism is possible. Based on the general concepts of tourism activities that tourists and those who provide facilities for them, shed. According to Paul Rober, tourism practice to travel and go to a place other than the place of usual and normal life to enjoy, even if it means working with small displacement associated with the main objective of this displacement than the luxury and is hedonism. Tourists also the one who does it; that is because of curiosity or leisure, pleasure and recreation or to claim that traveling is going abroad. World Tourism Organization (WTO) defines tourism. Tourism is a set of things that a person in a place and in a location other than their normal environment does. This trip does not take more than a year and aims to entertain, entertainment, recreation, sports and activities such as these.

Tourism status in the legal system of England

Economically, Malaysia is classified as middle-income countries. Malaysia's gross domestic product is less but because of low population, people are very good and the welfare of the country's per capita income is more than double the per capita income of the people of Iran.

Malaysia's economy, regardless of its size, one of the successful experiences of development in the structure of production and trade dependent as and a valid model for developing countries is considered. Malaysia's economy relies on foreign investment, especially investment in the country has changed America and Japan. At the same time this country in the seventies with Iran is one of the countries targeted for industrial production outside Japan's borders and Japanese craftsmen to produce broad industrial goods, particularly electronic products in the country followed.

In the economic field, in the distribution of economic freedom around the world (four countries with economies completely free, open, closed and closed) Malaysia is among the countries with economies in free markets. Iran is building one of the few countries with economies in this category would be enchanted tunic and among 155 countries, is ranked 151.

In the category index of globalization mainly related to global communications in various fields Malaysia ranked 18th respectively while that's especially economically rank the top eight. Iran placed in position 62 in this category.

The relationship between tourism and civil rights

⁶) Kazemi, Mehdi 0.1386. "Tourism Management", Tehran: Samt Publication Second Edition.

Citizens, including emerging concepts that particularly focuses on equality and justice and on the social, political and legal has found a special place. The notion of "citizenship" When I realized that all people enjoy all civil and political rights as well as to target opportunities in terms of economic and social life have easy access. While citizens as members of a society in various fields involved and the rights they have responsibilities also to better governance of society and order undertake, and recognition of the rights and obligations effective role in promotion of citizenship and a society based on justice and order.

Status of tourism and tourists in Iranian law.

Review and analysis of human rights and citizenship tourists in Iranian law

Tourists, regardless of religious beliefs and the dignity of the person being valid and valuable. The Islamic religious thought of man is he that angels are worshiped him. And God gave him dignity bestowed on other higher being is so reasonably dignified man is essential and attributes such as color, race, language and religion does in the lead. Or despised humans. On the other hand, people who travel in the world are, in a sense the call of God to "سـروافيا الارض" the actual cover, and certainly over the nations of the world lives, property and honor those safe from invasion and desecration double will. They are the natural rights of man and the government and people of the host country is required to respect the sanctity of these rights. Universal Declaration of Human Rights, one of the glories of man and an indication of the thinking human culture, relying on the inherent dignity and with rights of man criteria stated that compliance with it, a world free from violence and discrimination peaceful coexistence will a. In the introduction, the statement said that "Because of the lack of recognition and contempt for human rights to work brutally killed that spirit of humanity disturbed and the emergence of a world in which human beings express opinions free from fear and poverty graduates have the highest aspirations of mankind has been announced. Since the basis of human rights should be protected by law as human as the last treatment does not have to rebellion against tyranny and oppression.

Since the United Nations their faith in fundamental human rights and the dignity and worth of the human person and equal rights for all people and nations with aspirations to be..."⁷

Status of tourism and tourists in English law

Tourism and tourists in the UK

Geographical location

England is located in Southeast Asia and geographically distinct is composed of two parts. The

country is between 1 and 7 degrees north latitude and 100 degrees east longitude is 119. Both the western part of the peninsula of England and the East of England, has a very similar landscape of high plains beach most of the hills and mountains covered dense forest where the highest is Mount Kinabalu in Borneo procedure is the height of 2/4095 meters.

Compare and implementation of tourism and tourism in Iran and the UK

UK properties compared to Iran

By studying the tourism situation in the United Kingdom and Iran to clearly recognize Islamic presence in the country and stay for foreign tourists is quite different from those in our country. Limitations in our country for travel and stay in hotels there people in this country does not apply.

As well as foreign tourists are not required to follow the Islamic dress to attend the country. And gambling centers in this country, but to them it is forbidden for Muslims. England enjoying the island and its coastal location, the diversity of animal and plant specific and above all create an atmosphere of tropical interior International safe, sustainable and away from regional and global tensions suitable for the revenue from the tourism industry has created. On the other hand, due to the presence and ethnic mix of Malay, Hindi and Chinese and decentralization of the people in the district or county, unlike Iran, interactive culture and normal relations with people of other nations, religions and languages among the British people has been institutionalized. England's located in the neighborhood of three continents: Asia, America and Australia tourists' better access to these areas is also provided.

The need to develop Islamic tourism and related solutions

One of the best ways is to invite non-Muslims to learn about Islam and Muslims with Islam there. They attract tourists and catering to non-Muslims from near and through the teachings of Islam and Muslims become familiar behavior and convert to Islam. If political and religious leaders to strengthen the faith and the spirit of religious people by the fore and the country as a model for the world to bring not only tourists hurt to think about culture and society does not, but the best way to Invitation to Islam. If Muslims believe that the strength and richness of their culture and religion will not see any harm.

Tourism is developed for several reasons. A main goal of its development make economic gains resulting from foreign currency (for International tourism) income, jobs and government revenue as a catalyst for the development of other economic sectors such as agriculture, fisheries, forestry and industry to help the economic needs and the cost of rebuilding the infrastructure used.

⁷) Universal Declaration of Human Rights and the International Covenants Tehran, F, I, 1375

4. Discussion

Conclusion

Rights of non-Muslims in Islamic countries

It can be concluded from this study in an Islamic country like tourists also have other legal persons and any violation of their rights is prohibited. It is obvious that any law, recognizes all the rights that citizens do not recognize for tourists; because the first passer tourists who stay in the country for a short time and does not require those rights. Second, granting all the rights, duties also follows that he cannot do their duty.

Thirdly, granting all the rights to the tourists in the interests of society and may be associated with corruption. Then it is legal for a short stay in country should be recognized for tourists, most notably the right to security, right of entry, stay and exit of freedom, rights and certain other rights respected as they passed.

Priority scheduling rules

Tourism planning is especially important for the following reasons. Some states do not know how to properly develop modern tourism, so a tourism plan and development guidelines in these areas can provide for the development of this sector.

1. Tourism is a complex, multifaceted and fencing that includes other sectors such as agriculture, fisheries, industry, history, transportation system, water, electricity, telecommunications and other infrastructure is.

2. Tourism is basically sells the product of an experience that includes visits to certain facilities and services. The planning process should be considered compliant products and tourism markets.

3. Tourism can have direct and indirect economic benefits. Through careful planning and integrated these benefits can be maximized.

4. Cultural tourism benefits and disadvantages - to create a diverse community. Tourism development plan to determine the best policy to avoid cultural problems - social, and use tourism as a tool for environmental protection is used.

5. Forms of tourism, based on changing market trends and other characteristics change. When planning can be used for the development and revitalization of areas with old or poor design, be used.

6. Tourism development, staffing needs have special skills. Manpower want to acquire these skills and capabilities should be trained and educated.

7. The development of controlled tourism requires organizational structure particular, marketing strategies and promotional programs, laws and regulations and financial measures through the planning process complex and links that can be closely related to tourism policy and development, funded. (1986, Haywood).

Correspondence to:

Behrooz Khaksari

Department of law Kermanshah branch, Islamic Azad University, Kermanshah, Iran

Email: behrooz.nik@gmail.com

References

1. Abu Yusuf Ya'qub ibn Ibrahim, the book Alkharaj, Cairo, Motbaaho Alsalfyeh, fourth, 1396 BC.
2. Universal Declaration of Human Rights and the International Covenants Tehran, F, I, 1375.
3. Imam Ali (AS) Nahj al-Balagha, translation Seyyed Jafar Shahidi, Tehran, Cultural and Scientific Publications, first, 0.1368.
4. Amadi, Abdul Wahed bin Muhammad, Description of Ghorar al-Hakam and Doraral-Kelam, Jamaluddin khansari, Tehran, Tehran University, fourth, 1366.
5. Banadarysh, F, role of government and public sector management program established tourism, Tourism Studies, University of Allameh Tabatabai, number one, 1382.
6. Daryae, M., travel and tourism in the process of civilization and the Koran. Tehran, Sobhane noor, 1384.
7. Reza, Mohammad Rashid, Women 's Rights in Islam, 31, Dar Al-Azvaa.
8. Rezvani, Ali Asghar, geography and tourism, first edition, Tehran, Payame noor Publications, 1374.
9. Shariati, R., rights and obligations of non-Muslims in Islamic society, Qom, Islamic Propagation Office, first, 1381.
10. Sarafi and Abdollahi, analytical concept of citizenship. Geographical Research Quarterly, Issue 63, 1387.
11. Tabatabai Motameni, M., public freedoms and human rights, Tehran, Tehran University, the first, 1370.
12. Tabarsi, Fazl bin Hasan, Al-Bayan Complex in the interpretation of the Qur'an, Tehran, Naser Khosrow Publishing, 1372.
13. Ameli, Zinedine, Alrozato Albahyeh, Beirut., Darahya' Al-tras Al -Arabi, second, 1403 BC.
14. Ameli, Muhammad ibn Hasan, vasail shia, Tehran, Alaslamyh, 1396 BC.
15. Ameli, Muhammad ibn Hasan, vasail shia, Qom, al-Bayt Institute, first, 1409 BC.
16. Awad Maroof, Bashar and others, Almasnad Al Jame, Beirut, Daraljalil, first, 1403 BC.
17. Koleini, Muhammad ibn Ya'qub, Osul al-Kafi, Beirut, Dar al-Azva.
18. Holy Quran.
19. Mobasheri, A., Human Rights, Tehran, Islamic Culture Publications Office,.

20. Majlesi, Mohammad Bagher, Bahar al-Anwar, Beirut, Darahya' Al-tras Al -Arabi, third, 1403 BC.
21. The set of basic laws - civil, Tehran, Ganj Danesh library, fourth, 1374.
22. Mohaghegh Helli, Jaafar bin al-Hassan, sharae al-islam, Qom, third, 1403 BC.
23. Najafi, Mohammad Hassan, javaher al-kalam, Darahya' Al-tras Al -Arabi, seventh.
24. Algieri, 2006. an economic estimation of the demand for tourism: the case of Russia. Andréa & naude, 2005. determinants of tourism arrivals in Africa: a panel data regression analysis.
25. Archer, B. (1980), "Forecasting Demand, Quantitative and Intuitive Techniques", International Journal of Tourism Management, March, pp. 5-12.
26. Archer, B. (1994), "Demand Forecasting and Estimation, Travel, Tourism, and Hospitality Research: A Handbook for Managers and Researchers. J. R. Brent Ritchie and Charles R. Goeldner (ed.), New York, John Wiley and Sons Ltd. Second Edition: 105-114.
27. Arnesson, L., A.K. Salman, A. Sorensson & G. Shukur. (2009) "Estimating the Swedish and Norwegian international tourism demand using (ISUR) technique." Centre for Labour Market Policy Research Working Paper Series.
28. Athanasopoulos, 2006. modeling and forecasting Australian domestic tourism.
29. Athanasopoulos, G. & R.J. Hyndman, 2006"Modeling and Forecasting Australian Domestic Tourism." Monash Econometrics and Business Statistics Working Paper.
30. Bain, L. (1995). Tax concessions and their impact on the revenue base of the eccb territories. Background paper for the Eastern Caribbean Central Bank. Basseterre, St. Kitts.
31. Blake, A. R. Durbarry, J.L. Eugenio-Martin, N. Gooroochurn, B. Hay, J. Lennon, G. Sugiyarto, M. T. Sinclair, I. Yeoman (2004) "Tourism in Scotland: The Moffat Model for Forecasting and Policy in Complex Situations' 2004/2.

6/8/2017