



Law

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Rank: Commendable in the Young Section

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Research Title: Cultural Prerequisite of Law-Abiding; Case Study: Iran

Kind of Research Work: Doctoral Dissertation



About Researcher

Seyed Shahaboddin Mousavizadeh Markeah was born in 1986 in Rasht, Guilan. He began his academic studies at the undergraduate level in the field of jurisprudence and the basics of Islamic law in 2004 (Ferdowsi University of Mashhad). After that, he continued his studies in Master of Public Law (University of Tehran – Farabi Campus) and a doctorate in Public Law (Ranked First in the Doctoral National Entrance exam - Shahid Beheshti University) with a focus on the Sociology of law and Administrative law. In 2017, he defended his doctoral dissertation entitled “Cultural Background of Law-abiding, with an Emphasis on Iran” with an excellent grade. He is now a researcher and lecturer in interdisciplinary studies of law and sociology, culture, and administrative law. Among his scientific and cultural works, the following can be mentioned: “Waiting for the Law-Abiding: A Contextual Analysis of Idea of the Rule of Law in Iran”, “Tensions and Contradictions of Law-abiding and Culture in the Age of Globalization”, “The Evolution of the Criminal Policy of the Judiciary in the Light of a Cultural Approach (joint article)”, “A Feasibility Study on the Administrative Prosecutor”, two volumes of the book “Essays on the Court of Administrative Justice (joint book)” and “Khake Dagh (Hot Soil)” (A book in the field of oral history of sacred defense (Iraq vs Iran Iraq or Imposed war)

Abstract

“The Law-abiding” is a social phenomenon that Common Approaches to it are Linear, Instrumental, and Translative. In this thesis, we tried to research its cultural prerequisites in the context of Iranian society with an interdisciplinary approach. In this work, a mixed-method (qualitative and quantitative) with the tools of note-taking, interviews, and questionnaires was used to be the beginning of the Sociology of Law-abiding. According to results, the Law-abiding has a Social aspect; it is a complex and contextual phenomenon and in a Dialogic relation with the Culture. Its ultimate goal is No to arbitrary behavior and its spirit is equality. That Dialogic relation is rooted in the importance of the Legal socialization for the emergence of the law-abiding and the importance of cultural Component is also because of this fact that law-abiding is a behavior that is formed by dominant social norms. According to Theoretical studies, the three most important Indexes of Law-abiding were Positive attitude to the law, Belief in legitimacy of the legal system, and Belief in equality. A Survey study was conducted after obtaining theoretical saturation about these Indexes. Our hypotheses were the absence of three important indexes of the culture of law-abiding: positive attitude to the law, belief in the legitimacy of the legal system and belief in equality, in the Statistical population. According to quantitative findings, 74.2% of the sample had a weak positive attitude to the law. 65.4% of the sample had Poor belief in the legitimacy of the legal system and 59.6% of the sample had weak belief in equality. In the search for the cause of this situation, a case study shows our current identity is often in the Embeddedness and Hierarchical dimensions of culture and has a sectarian appearance. This feature confronts that identity with the spirit and goal of the law-abiding. But, According to the dialogic relation between the legal system and culture, as well as the relative independence of social institutions from each other, developments have occurred in some social areas that reflect the evolution of the relationship between our current culture and law-abiding.

