JUSTICE AND LEGAL EQUALITY (STUDY IN THE DIVANS OF PARVIN ETESAMI AND FERIEDUN MOSHIRI)

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ABSTRACT
Justice and equality have been gained the attention of the poets, writers and also scholars. The people have been familiar with justice and tried to establish justice in different periods. Parvin Etesami and Feriedun Moshiri have encouraged the people to make efforts to establish justice and legal equality in their divans. This article tries to investigate justice and equality from the perspectives of Parvin Etesami and Feriedun Moshiri.

KEYWORDS: equality, Feriedun Moshiri, Human, life, justice, Parvin Etesami,

INTRODUCTION
The God has created the world and balanced it. In this miracle creation of the sky and balancing of the world are introduced as two equal conducts; the balance that the God refers to it in creation of the sky and universe, is nothing except establishing justice, and placing everything in its right place in required amount and time for living of creatures”(Hakimi, 2007). The article 7 of the Universal Declaration of Human Rights stipulates that all people are liberal and equal and this article emphasizes the equality of all individuals. Furthermore, equality has been referred in two articles of thirty articles of the Universal Declaration of Human Rights. This article analyzes the concept of legal equality and justice in the works of Parvin Etesami and Feriedun Moshiri.

“Justice is a fundamental and key concept in the old and new political traditions. No scholar can be found that has no ideas on justice. The humans have suffered from pain and trouble in establishing of justice in all periods of history”(Marami, 1999).

The humans have been familiar with justice since old times and they have tried to establish justice. Justice is meant life and injustice is discrimination and difference and gradual death of the society”(Hakimi, 2007).
“Concerning to the justice and balance in the society and distribution of the wealth it is necessary to study the principles of justice and identify the contexts and conditions for establishing justice. Balance in distribution of the wealth is achieved by identification of the society”(ibid:154).

In Parvin opinion, justice is the base of the government and governing and injustice leads to corruption and declining of the society. In her opinion, if the ruler is just the God aids him in governing. She believes that the rulers should behave justly and distribute the wealth justly in the society and avoid the racial and gender discrimination. Parvin has paid attention to the social issues much more than others and most of the human rights manifestations are seen in her divan and she fights with injustice and blames discrimination. Feriedun Moshiri is the poet of love and peace and the world of justice. He blames injustice and criticizes the advocates of the injustice in the world. He expresses justice with simple and eloquent language in his poems.

Justice
By brief glance on the human history we find that the human has wished to establish justice in the world, so that all religions have insisted on this exalted ideal”(Starting, 2005).
“Justice is construct that we suppose we have it and so we can judge justly. Suddenly, all of us can identify that there is no justice and usually we reply rapidly that why there is no justice?

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Justice means giving equal opportunities and behaviors of one thing based on the rules, if there is any rule. For example, a race is just when its rules are the same for all people. If we begin at one time and pass the same distance in the same age and ability that race will be just”(ibid).

“If we have the equal chance the life will be just. If we have equal food and water for eating and drinking, and if all people could attend in school equally, and even all people were behaved equally without any discrimination, and even all people could vote all of these are examples of justice”(ibid).

“Establishing justice and prevention of oppression cannot be substantiated only by moral, verbal and cultural solutions, although such issues, particularly moral, educational and cultural issues have deep effect on establishing justice, however, the reason for oppression and injustice is conducts of the tyrant people and this group is overwhelmed in the desires and self-conceit”(Hakimi, 2007). Justice has been one of the main political, social and economic concepts. Justice paves the way to development. The governments have to establish justice, equality and eliminate discrimination. The international organizations and associations should make effort to establish justice and improve the societies. Any person without considering religious, racial and gender background and even without considering personal competencies and social conditions shall be benefitted by humanly rights. These rights are right to live, having legal identity, freedom of expression, religion, immunity from torture and punishement, right to legal procedures and justice. Human is the noblest creature and it is natural that this creature has rights superior to other creatures and any conduct that breaches this right is considered as breach of human rights. Furthermore, justice is valued in all religions. It can be said that one of the principles of the religions is attention to human dignity and justice. Since justice leads humans to happiness.

Justice plays an important role in human dignity and it offers the mankind greatness and oppression leads to decline of the societies. “Nowadays we can see injustice and only the name of justice has been remained although we hear the slogans of civilization but yet the people suffer from poverty and discrimination in all over the world. Justice is a fundamental concept in the political thoughts and it has been one of the main wishes of mankind in history. The different divine and humanity schools have proposed diverse solutions historically and theoretically for explaining and establishing of justice”(Marami,1999).

Justice and equality from the perspective of Feriedun Moshiri

Moshiri does not believe in eating, sleeping and suffering from pain and accompanying others as the ultimate goal of creation, but he believes that the world is ill (ill-organization) and it is necessary to find remedy and keeping silence is unfair reaction.

The goal of living is not eating and sleeping
Is not observing the lost world and suffering from pain
Is not accompanying with flower, drinking wine and playing instrument
The world is ill and bored
We have to live in this ill world
If I could not remedy its pain is unfair (Moshiri, 2012)
He wishes to live long and he does not want to die and he wants to teach the people kindness and to connect them with kindness and justice and chivalry:
I do not want to die
I want to teach humans kindness
To establish justice and wisdom
To throw flowers on the feet of the tomorrow
What tomorrow and what world (ibid:963)
Justice has exalted position in the poems of Moshiri and in his opinion, justice is valuable. He introduces the world and the affluences beautiful when the world is governed by the just rulers and believes that the liberal men are killed due to injustice:
One the almighty God said:
You were not pleased in my world
I offered you much affluence
You never smiled

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I created air, blossom and sun 
Love and the essence of existence 
I told: yes, you are right 
This world is pleasing but 
The bodies of the liberals were decayed in it 
Instead of counting these blessings 
I wish there was justice

**Justice from the perspective of Parvin Etesami**

She was advocate of humanity, liberty, social justice and deprived and oppressed people. She has talked about justice in her divan frequently. The following poem refers to justice explicitly. She complains about the events and the tyrant people:
The world does not stop misbehaving 
The world does not end deceiving 
The wolf knows only cruelty 
The snake knows only biting

Parvin believes that one of the reasons for injustice is ignorance and unawareness; since the ignorant person is content with what he or she has, and so he or she never tries to vindication of right and this conduct leads to injustice:

You are ignorant and consider the world 
Without deceive and meanness 
You are wheat in the mill 
Though one or thousands kilo

In other example Parvin explains injustice in the class distance and believes that a poor that has no food and money lives in misery while the rich is fatigue due to eating much: 
The poor passed away because of hunger 
The rich were bored by eating steak (Azartalat: 2011)

“Social justice is meant respect on the others right and observing the public benefits, or in other words, recognition of the others rights and observing public discretion and recognition of natural and conventional rights of all members of the society”(Marami,1999).

In other part of this poem, Parvin expresses that injustice is not only the result of the oppression, but she believes that inefficiency of the people causes to trouble in some cases and imbalance between effort leads to injustice(Parvin divan, 2011).

The following famous poem represents injustice in the society, since inefficiency of the ruler causes to injustice in the country. Parvin narrates a short story and expresses a scene that some people mostly lower class individuals are watching passing of the king and they were attracted by the splendor of the king. The people were excited by observing the king. A child asked an old woman a question about the crown of the king, she was experienced and said that this beautiful crown has caused to our misery and financial pressure leads to misery and poverty, and it is unjust.

One day a king passed an alley 
The sound of happiness and excitement was heard 
A child asked an old woman 
What is that shinning thing on his head? 
She replied we do not what it is? 
But it is obvious that it is expensive 
The old woman replied that 
It is result of my tear and your effort and pain (ibid:165-166)

She refers that the rulers and kings are like shepherds who protect the sheep, but the fact is that these rulers are like wolves in the costume of shepherd and plunder the properties of the people:
He has deceived us by the costume of shepherd
This wolf is familiar with the herd since long time age
That pious, wise and learned man is thief
That ruler who stole the people properties is beggar (ibid)

“The right of justice (Articles 10 and 11 of Universal Declaration of Human Rights and articles 14 and 15 of the Covenant on Economic, Social and Cultural): the poor are particularly vulnerable to human rights abuses, but often they cannot be benefited effectively in this context. It can be referred to deprive of access to justice for many reasons. Some of these reasons can be cited as: economic constraints, illiteracy, lack of information and education, lack of confidence, jurisdictional complexity, and uncertainty in the judicial system. This condition is due to this fact that the poor are usually discriminated more the common people, they are discriminated and their fundamental rights are denied”.

Equality in the law

“Justice always does not mean equality” (Bageri, 2000).

“Equality before the law is another principle of human rights. The Universal Declaration of Human Rights stipulate that: “All human beings are born free and equal in dignity and rights and they have reason and conscience and should behave as brothers. Article 7 of the Universal Declaration of Human Rights stipulates that: “All people are equal before the law and are entitled without any discrimination to equal protection of the law. All people shall be protected against discrimination equally. Article 26 of the International Covenant on Civil and Political Rights approved in 1975 by the legislature force in Iran acknowledges that: “All persons shall be protected before the law and without discrimination”. In this respect, the law shall prohibit any discrimination and provide equal and effective protection against discrimination in terms of race, color, sex, language, religion, political or other opinions, national or social origin, property, birth or other status” (Ebadi, 2004).

“The legal concept of equality before the law is that all people in terms of gender, race, color, religion, ancestry, etc are entitled to single verdict. For example, if an action is prohibited by the law, the committed person shall be punished by the same verdicts issued for all people” (ibid:8).

Justice from the perspective of Parvin Etesami

“We are the servants of the God
What we have is his properties (Azartalat, 2011)

Also, Parvin refers to this fact that there is no difference in people in terms of gender and race and she reminds us that we all are responsible in his court:

White and black are the same
There is no difference in races and origins (ibid)
In other couplet, she refers to death and explains that all tyrant and oppressed people will be judged in the court of the God and everybody experiences death.
Whether the wolf or lamb
Will be judged in the court of the God (ibid)

Imam Ali said: justice is the foundation that the world has based on it. This quotation refers to the general law and criterion and it is justice. Justice is not changeable tradition in the existence and it is originated from the divine justice” (Hakimi, 2007).

Justice from the perspective of Feriedun Moshiri

“In the following couplet, Parvin reminds us that we are all the servants of God and he is owner of our properties. God has created all humans equally:

We are the servants of the God
What we have is his properties (Azartalat, 2011)

Also, Parvin refers to this fact that there is no difference in people in terms of gender and race and she reminds us that we all are responsible in his court:

White and black are the same
There is no difference in races and origins (ibid)
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Justice from the perspective of Feriedun Moshiri

In the following poem quoted from Saadi, Moshiri expresses equality of the people. The people are the members of the society and all of them have been created by God and none of them is superior to others:
It is his splendor that all humans respect him
They have been created from one mother and father
They are parts of a body and they are from the same origin
None of them is superior to others (Moshiri, 2012)
In the following, Moshiri points that all people are servants of God but why they behave hostility with each other. He believes that if the people could percept this poem of Saadi now the world was not destructed.
Alas, in our time the children of Adam
Tear out each other like a wolf
It is clear as the sunshine that
The world was not destructed
If the it listened to the advices (Moshiri, 2012)

“One of the important issues that are considered in discussion on the justice is equality before the law. Does the law consider all people equal? Does it prefer on group to other group? Generally, equality before the law is one of the principles for substantiating of the justice in the modern life and the justice is meaningless without it”(Marami,1999).
Moshiri likens all humans to the branches and leaves of God, since the origin of them is the same so, all people should be equal and never cut one of the branches:
We are the branches of the God’s tree
Since the leaves, branches and fruit are the same origin
Why we cut them with the ax (ibid:1206).

CONCLUSION
One of the challenges of Feriedun Moshiri and Parvin Etesami was justice in the society. Both of them believed that since the God has created all humans, so they should be treated equally and justly.
Justice prevention oppression and distinguishes right from wrong. Justice provides legal life and it separates human from animal. Justice is life and oppression is death and destruction.
Beauty of justice and ugliness of oppression has an inverse relationship; the justice is beautiful the oppression is ugly and demonic.

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