

Recognizing and Classifying the Factors Affecting on Increasing and Promoting Children's Cultural Rights

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Abstract: The purpose of this study is to identify and rank the factors affecting the promotion of children's cultural rights. The present research is qualitative and the data have been collected using expert techniques and documentary methods. The statistical population of the study is 30 cultural experts that we interviewed by non-random accessible method. The results of this study showed that the legal factors include (compliance with the country's cultural rights system of international legal conventions, recognition of international cultural rights of children and the attention of the civil and criminal legal system to all cultural rights of children) are known as the first priority and are more important among the factors affecting the promotion of children's cultural rights. Cultural factors are the second priority, the most important of which are (institutionalization of child support culture in the country's cultural system, high level of cultural intelligence in society and easy access of children to cultural goods in the country such as books and media) and social factors. In the third priority, which are (the existence of social protection laws for children, the absence of social discrimination between children in society and the existence of social protection for homeless and poorly cared for children in society).

Keywords: Fundamental Rights, Cultural Rights, Convention on the Cultural Rights of the Child, Cultural Intelligence, Social Discrimination.

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Introduction

"Law" is a major social and cultural factor that cannot be studied and cognitively accurate without understanding the culture and society and the active factors in it. Because rights are derived from the culture and society and the values in them. One of the most important types of law knowledge is Cultural rights. Cultural rights are part of human rights, which are human rights by participating in the cultural life of society, benefiting from scientific developments, preserving moral knowledge and principled interests in science, acquiring knowledge or artistic productions, gaining education and preserving cultural and linguistic identity. And supports customs (Kaffashi, 2017: 57). The definition of this category of rights is very difficult due to the many differences that exist between the definition of culture and rights and their understanding. It is not easy to provide a definition of culture, and it is obvious that there is disagreement in existing examples. Due to the existence of international instruments, experts have tried to reach at least a consensus on minimal issues. Therefore, the problem of research is to express the issue of what are the most important factors in promoting children's cultural rights and how are their rankings achieved? On the other hand, the main purpose of this research is as follows: Identify and rank the effective factors in promoting children's cultural rights.

Sub-objectives are:

1. Identifying the most important factors in promoting children's cultural rights.

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2. Ranking the most important factors in promoting children's cultural rights.

The questions of this research are posed as follows:

Main Question

- What are the factors influencing the formation of children's cultural rights and how are their rankings formed?

Sub-questions

1. What are the most important factors in promoting children's cultural rights?
2. How are the rankings of the most important factors influencing the promotion of children's cultural rights formed?

Fields of cultural rights:

- Constitution of the country Law and approvals of the Supreme Council of the Cultural Revolution Islamic Penal Code.
- Internal agreements together and governments together.
- Law on Punishment of Disruptors of the Economic System of the Country Laws related to handicrafts of Iran Tourism.

Types of children's cultural rights in society:

1. Formal rights (approved) of children's culture: This means that what is accepted in government institutions as the rules and principles of legal regulations for children and the effort to implement and realize it.
2. Customary cultural rights for children: means what children, as consumers of cultural goods, accept and practice as a customary thing among themselves, and this causes another phenomenon, which is called cultural backwardness.

Theoretical Framework of Research

In this section, we summarize and present the most important theories related to the title of the research. Based on the information provided in the theoretical literature of the research, we encounter some objections. For example, the lack of innovation and initiative in some cases in a preconceived view of the future of the world based on recognizing the opportunities and threats facing man and human civilization, lack of attention to some progressive principles of the world, the existence of "protection" for countries, ambiguity and Summary In some cases, such as the definition of a delinquent child and a refugee child, it is important that the decisive and immediate response of international communities and organizations to regional crises and international conflicts and the rights of the child affected should be considered a necessity and urgency. The issue today, with so many terrorist groups such as al-Qaeda, ISIS, al-Nusra, al-Harar al-Sham, Boko Haram, the Taliban, the MEK, the basis and nature of such a convention, which is based on the continued fair and non-discriminatory implementation of these laws, will be in jeopardy.

The Universal Declaration of the Rights of the Child and the Convention on the Rights of the Child have taken a positive step in addressing the child and his or her needs, which together are valuable educational and training points. In this study, the effective factors in children's cultural rights have been studied and ranked. For the final result of this research, it can be said that one of the most important branches of jurisprudence is Cultural rights. The constitution of Iran is based on Islam and therefore culture and cultural rights have a special place in it. Article 20 of this law explicitly mentions it. Article 31 of the Convention on the Rights of the Child on Cultural Rights also refers to the cultural-artistic dimensions, including all areas that lead to fun, relaxation and happiness and, as a result, the development of appropriate creativity for the child. Member States are obliged to respect and provide for and promote such a right that these sections of the theoretical foundations of research are realized in this research as the basis of the intended analysis.

Research Methodology

This is a qualitative research. That is, expert and documentary methods have been used to collect some of the required information and as a complementary method. In this research, all experts in the field of cultural law in universities and cultural centers in Tehran as a statistical population have participated. Also, we tried to interview about 30 experts in the present study, data collection was used using methods such as libraries and the use of documents and first-hand books, and to rank the factors, the expert method was collected through centralized interviews. Experts in a non-random way and also in an accessible way. Also in this research, Cultural rights is the main variable of this research. In order to measure the variables in this research, elites have been used to ask questions in the form of specific interviews. In addition, documents related to the title of research and content analysis of first-hand texts have been reviewed. Factors affecting cultural rights have been identified as well as ranked. Based on this, first the factors affecting cultural rights are extracted from documents by content analysis method and then they are ranked based on the opinion of elites.

Theoretical Definition

Children's cultural rights means a set of rules and regulations and executive regulations and directives that are communicated to others by organizations with occupational health. The purpose of this collection is to implement justice and order in society and also to realize the rights of children.

Definition of pragmatism: cultural rights are a variable with several specific values that are measured using specific indicators in the form of interviews and questions.

Results

Descriptive Statistics

- In this research, the required information has been prepared by interviewing and asking 4 questions from 30 experts. Based on the statistics obtained for the primary variables (respondents' faces), it can be said that:
- In terms of gender, 63% of respondents were male and 37% were female.
- Regarding the degree of the respondents, 27% had a master's degree and 73% had a doctorate degree, the frequency of which was higher than other frequencies.
- Regarding the marital status of the respondents, 16% were single, 77% were married and 7% were divorced.
- Regarding the age of the respondents, 51% are 18 to 27 years old, 33% are 28 to 37 years old and 16% are 38 to 47 years old.

Results from the interviews:

During this process, the answers to the questions were first categorized. Responses had the highest percentage of frequency and their frequency percentage was clear and were considered.

Question 1: In your opinion, what are the most important legal factors affecting the promotion of children's cultural rights?

What are the most important legal factors affecting the promotion of children's cultural rights?

Based on the answers, prioritization of effective legal factors are these cases.

Table (1): Summary of the first interview question

row	The most important legal factors affecting the promotion of children's cultural rights	Frequency	Percentage of frequency
1	Compliance of Iran's cultural law system with international legal conventions	7	23%
2	Recognition of international cultural rights of children	5	17%
3	Attention of the civil and criminal legal system of the country to all cultural rights of children	4	13%
		16	53%

Based on the information obtained from the interviewees, it can be said that the Iranian cultural rights system adheres to international legal conventions, recognizes the international cultural rights of children and the civil and criminal law system pays attention to all children's cultural rights as the most important legal factors affecting promotion. It is the cultural rights of children and special attention should be paid to the promotion of children's cultural rights.

Question2: In your opinion, what are the most important cultural factors affecting the promotion of children's cultural rights?

- The most important cultural factors affecting the promotion of children's cultural rights:

Based on the answers, the prioritization of effective cultural factors is as follows:

Table (2): Summary of the second interview question

row	The most important cultural factors affecting the promotion of children's cultural rights	Frequency	Percentage of frequency
1	Institutionalizing the culture of child protection in the country's cultural system	6	20%
2	And easy access for children to cultural goods in the country such as books and social media	5	17%
3	High level of cultural intelligence in society	4	13%
	Summary of 30 answers	13	50%

Based on the information obtained from the interviewees, it can be said that the culture of child protection is institutionalized in the country's cultural system, children have easy access to cultural goods such as books and social media and high level of cultural intelligence in society as the most important cultural elements. It is effective in promoting children's cultural rights and special attention should be paid to promoting children's cultural rights.

Question 3: In your opinion, what are the most important social factors affecting the promotion of children's cultural rights?

The most important social factors influencing the promotion of children's cultural rights:

Based on the answers, prioritizing the effective social factors are:

Table (3): Summary of the third interview question

row	The most important social factors affecting the promotion of children's cultural rights	Frequency	Percentage of frequency
1	Existence of protective laws in social areas for children	8	27%
2	Lack of social discrimination between children in society	5	17%
3	Presence of social support for orphaned and neglected children in the community	4	13%
	Summary of 30 answers	17	57%

Based on the information obtained from the interviewees, it can be said that the existence of protective laws in social areas for children, the absence of social discrimination between them in society and the existence of social support for orphaned and incompetent guardian children in society as the most important social factors affecting promotion. It is the cultural rights of children and special attention should be paid to the promotion of children's cultural rights.

Question 4: What is the basis for ranking the most important factors influencing the promotion of children's cultural rights?

In this study, 3 categories of cultural, social and legal factors related to the promotion of children's cultural rights were discussed and scientifically reviewed. As a result, the answers given to these factors are presented according to the following table and chart:

Table (4): Summary of the fourth interview question

Frequency factors	Priorities Frequency	percentage
Cultural	9	30%
Rights	14	47%
social	7	23%

Based on the answers provided by the respondents, it can be said that legal factors are the most important factors (as the first priority in the second priority are cultural factors and in the third priority are social factors).

Conclusion

Children's rights have become one of the most important human rights issues today and need serious support from the international community. Given the need to address the strengths and weaknesses of policies implemented by governments and international organizations, it has taken a positive step in addressing the child and his or her needs. In this study, the effective factors in children's cultural rights have been studied and ranked, which in the final result of the research can be said that one of the most important branches of jurisprudence is cultural law. In this study, it can be said that the legal characteristics are the most important of these factors (adherence of the country's cultural rights system to international legal conventions, recognition of children's international cultural rights and attention of the civil and criminal legal system to all children's cultural rights). In the second priority, cultural factors have been one of the most important factors (institutionalization of child support culture in the country's cultural system, high level of cultural intelligence in society and easy access to cultural goods for children in the country such as books and social media). The third priority is social factors (the existence of social protection laws for children, the absence of social discrimination between children in society and the existence of social support for orphaned and incompetent guardians in society).

Suggestions for the future of research

These suggestions are generally presented to stakeholders and planners in various organizations in our country based on research findings.

1. 1.The judiciary and other relevant institutions should review the laws of children's cultural rights and bring them in line with the laws of children's rights in the world and accept the international system and update it.
2. Media advertisements, especially on radio and television, regarding the cultural rights of children should be broadcast continuously and specialized films should be prepared on this subject.
3. 3.Cultural and specialized education for children in urban areas and neighborhoods should be planned and held by cultural organizations in the country
4. Specialized conferences on children's cultural rights by education are held for parents with the presence of experts and top professors in the country so that parents can get acquainted with children's cultural rights.
5. Support organizations such as welfare, etc. should take action in relation to codified planning and activities to support children with incompetent and unsupervised guardians and to ensure their cultural rights.
6. Conducting separate researches under the title of identifying more details of the factors affecting cultural rights in Iran and the world.
7. Conducting comparative research in relation to countries that have been successful in the field of children's cultural rights.
8. Conducting research by reviewing international human rights instruments, how did they view cultural rights (especially children's cultural rights)?
9. What is the research and study of the challenges and obstacles to the evolving movement of children's cultural rights in the global arena?
10. Do research and study in developing countries to address the challenges of children's cultural rights need to know what facts, innovations and activities?

11. 11- Conducting research by examining the effects of applying the achievements of cultural rights.

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