

Legal and juridical study of enjoy capacity importance in Non-Muslims with looking at international documents

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Abstract: Legal and juridical study of enjoy capacity importance in non-muslims with looking at international documents. The most important civil rights issues are discussions of individuals and property. Very fundamental relationship exists between capacity and parties and ownership of assets and a sign of person status in the history of law is the ability of the acquisition. The research is based on a basic and fundamental question was whether or not the capacity to enjoy of person is history of religion or not? Is it essentially the rules of Islamic Jurisprudence and internal codified law and Iran for non-muslims minorities reserves the right to enjoy equal rights with muslims and respecting their property or not. Is there any difference between the followers of different religions or not? However, in today's world due to the increasing rate of human communication and migration in various international documents emphasized the equality rights of religious minorities. This study seeks to show that non-muslims whether by books or nonbook whether the perspective of islamic and Jurisprudence law and codified law and judicial approach of state as muslims have the capacity to enjoy and due to religion, the right to the enjoyment of rights, including property rights and respect of property has not been deprived. As we shall see, some limited and exceptional cases to certain rights, including religious equality is necessary or on non-Muslims who are fighting the Islamic State, this right may be restricted. Due to the importance of this issue to determine the legal, non-legal capacity issue will be discussed with respect to international documents. **Keywords:** enjoyment capacity, international documents, Islamic jurisprudence, national legislation ,book non-muslims, non-nonbook non-muslims.

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