



## Valuation of Factors Affecting Weaknesses Insufficiency of the Legal Rules Tourism in Iran

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### Abstract

Tourism industry is emerging as a new era, one of the main pillars of the economy, the business world. Many planners and policy makers in the development of the tourism industry as the main pillars of sustainable development are mentioned. In this direction, this research inspired by these changes and therefore Social indicators such as social capital, Sense of place, and so on programming using survey techniques And documentary studies and tools SWOT model quantitative and analytical approach but according to research, Customer has a shortcoming that needs to be revised and improved. These flaws are influenced by many factors come into existence This paper is concerned with the discovery of these factors and to measure their effectiveness Because of their final grade was determined by both the matrix is less than average results show that the average level was determined The management structure factors, the most effect on the tourism laws of failure, and then the content of the law enforcement agents are most effective. Therefore, if adopted and implemented strategies, especially efforts to achieve integrated management of tourism Laws can be achieved good results.

**Keywords:**, S.W.O.T. Laws Legal, Tourism

### INTRODUCTION

Sustainable economic development is one of the most fundamental issues in today's world, among the nations of the world, in this way, attract tourism is one of the pillars of sustainable development (Wall, G., and C. Badke.1994). Tourism as a new industry in today's world has become one of the main pillars of the World Trade Economics. Today, tourism is referred to as the smokeless industry that the reasons and consequences of the globalization process. Such a way that many planners and policymakers referred to the tourist industry as the linchpin of development. Many countries lack of adequate domestic resources for investment Attempt to attract foreign investment in the tourism industry. Thus, FDI (foreign investment) has played an important role in the economy. What seems the most important in this regard, The role of governments in economic development in various regimes, creating an appropriate structure of the legal order, According to the organizations and institutions in order to ensure the most favorable conditions to move economic Finally lead to the development of society and This, it was possible to Designing and carrying suitable laws. Attempt developed government of the economy has been in the same direction to overcome the legal and structural obstacles until suitable circumstances to provide legal and juridical facilities (.Saarinen, J. (2006). Right to security, the most important right should be recognized for Tourists. The admission and entry into the country, it is Right to on the charge of government and the Muslim nation. It is worth noting that the geopolitics of Islam in first, All the

Muslims organize under the rule of a government, And despite, Non-Muslims living in Islamic countries could learn from them titled Folks edema, Islamic government to coexist with conventional contemporaries In which, in exchange for the rights that they were Duties, The rights and obligations is similar to rights and obligations of Muslim. Other non-Muslims, some who lived in countries with Islamic countries have a treaty, they are called Friend Infidels with these people was treated according with the Convention and some other live in enemy countries of Islam(Eickleman and Pisatori, 1990). They that individually or collectively, if not co-exist with the Muslim thus Hostility and wars was between them and the Muslims And they called warring infidels. All Muslims obey a government, so today was compatriot and don't need allowed to go to the other Muslim areas. on-Muslims were also closed Contract of coexistence But non-Muslims who do not contract with an Islamic government, Islamic countries have to obtain allow to enter from of governors or one of Muslims and Islamic sources have permission to enter the Islamic country were required for non-Muslims, In other words, permit is security paper And the obtaining of any person is immune from invasion. Muslim leaders denied deception or violation of this permit. So we can say that in the past, some non-Muslim tourists according to the Islamic government had the right to enter the country under an agreement with the Islamic government and some, with the permission of one of the Muslims could to enter Safety and security into the Islamic country. But since the seventeenth century with the modern boundaries has changed concept of country And the sovereignty of each country is only responsible for providing security to the people living in that country And any person without permission of the government of the Islamic to cross the nation's borders of country, Security of person is not the government charge But will treated as an offender of national laws Obviously Aggression against life, property and dignity of individuals is prohibited without legitimate reason or justification in Islam(Pickthall MW. 1976). Islam religion may include 30% of the world population in the world by 2025. In Muslim countries, Tourism is a major market, however less than 10% of global tourism revenue goes to this market. Four countries including Morocco, Egypt, Turkey and Malaysia domain other Muslim countries in tourism with 17.5 million guests in 2004 countries, particularly Western tourist. In December 2006, the UNWTO nominated ten Muslim countries such as Algeria, Iran, Malaysia, Turkey, Oman, Syria, UAE, Bahrain, Lebanon and Egypt among 38 countries as the world top destination ([www.world-tourism/facts/menu.html](http://www.world-tourism/facts/menu.html)). There are approximately one and a half billion followers of Islam, making it one of the leading religions globally. Most Muslims reside in the 57 member countries of the Organization of the Islamic Conference (OIC), where it is the dominant and often formal or informal state religion (OIC, 2008). These are located mainly in the Middle East, the birthplace of the religion, which subsequently spread to parts of Africa and South and Southeast Asia (Esposito, 1999). Several of the former Soviet Republics of Central Asia are Islamic and there are sizeable Muslim populations in other nations around the world. Muslim life is directed by the holy book of the Quran and the Sunnah or Hadith, containing the sayings and deeds of the Prophet Muhammad recalled by his companions and family. The verses of the Quran cited below from the chapters named in brackets endorse travelling with a view to achieving spiritual, physical and social goals. Al-Imran (The Amramites): 137; Al-An'am (Livestock): 11; Al-Nahl (The Bee): 36; Al-Naml (The Ant): 69; Al-'Ankaboot (The Spider): 20; Al-Room (The Romans): 42/9; Saba' (Sheba): 18; Yousuf (Joseph): 109; Al-Hajj (The Pilgrimage): 46; Faater (Initiator): 44; Ghafer (Forgiver): 82/21; Muhammad: 10; Younus (Jonah): 22; and Al-Mulk (Kingship): 15' (Yusuf Ali, 2005). The lessons are that more complete submission to God is possible through seeing firsthand the beauty and bounty of His creation; grasping the smallness of man reinforces the greatness of God. Travel can enhance health and well being, reducing stress and enabling Muslims to serve God better. It leads to the acquisition of knowledge and is a test of patience and perseverance. Family and wider religious fellowship ties are affirmed, Muslims also having a duty when at home to offer hospitality to visitors from abroad. Guidance is additionally obtained from the Qiyas that extend Islamic, or Shariah, law to 'new situations by analogy' and Ijma, or 'scholarly consensus'. It should also be made clear that religion is an individual matter in Islamic belief with no scope for coercion (Quran: 2: 256).

## Methodology

In this study, analytical methods to collect data needed to track the style library is done. And also interviews with local people using Cochran formula 50 questionnaire was considered as a sample preparation. Finally, data extracted from a list of internal and external factors used to identify weakness and Laws of tourism in Iran For analysis, solutions and proposed the model (swot) to identify internal strengths and weaknesses and external opportunities and threats used SWOT model series model of deciding which model to determine the long-term or short-term strategy and make major decisions On several key issues, is designed.

## Results and Discussions

Analysis of the findings of the research. To this end, various methods as appropriate to the type of issues and research findings can be found. The SWOT analysis method is used, this method is called from 4 keyword: (Strengths), (weaknesses), (Opportunities) (Threats) has been established. The purpose of this method in the diagnosis of weakness and Planning Laws of tourism that Display the current system of planning and management of the current situation, how and which must be crossed paths in the future. The main application of this method in the study of this method in the preparation of 4-parameter matrix above And the coefficient of each parameter and assessment scores to analyze the feasibility of the rights of the tourist action. Prioritization, scoring and weighting Finally, the four factors on the basis of questionnaires and other research documents - is a field. Table (1, 2) a set of factors (internal and external) have been considered and evaluated. As shown in Table (1 and 2) is observed, In the present study, 4 vs. 4 strength as a weakness of internal factors and external factors as significant threats 4 vs. 4 opportunities and investigated. Thus it could be said about the number 8 as the internal strengths and weaknesses and external opportunities and threats in the weakness and 8 Laws of tourism in Iran.

**Table 1: Prioritization, domestic agents to detect weakness and Tourism Laws in Iran**

Analytical model swot (analysis of strengths, weaknesses, opportunities and threats)	
Table 1: Matrix examine internal factors (if strengths) (engths str)	Ro ws
There are cultural attractions	1
Follow-up and continuation of the policy of détente	2
Develop friendly relations with other countries	3
Peaceful relations with neighboring Muslim countries.	4
(weaknesses)	
Multiplicity of decision centers and overlapping functions related organizations	1
Recurrent dislocation of tourism managers	2
The lack of participation of the private sector and the public sector and lack of cooperation between the two parts of the legislative Tourism	3
Lack of planning and thinking about the future of tourism legislation	4

**Table 2: Prioritization, external agents to detect weakness and Tourism Laws in Iran**

Table2:Evaluation Matrix external factors (efe) (opportunities)	Rows
There is a tendency towards tourism development in the public and private sectors	1
Laws based on religious tourism in Iran	2
Diversity of laws related to tourism	3
Gain a greater incentive for travel and leisure in Iran	4
(thaeats)	
Corruption in the implementation of laws and regulations on tourism.	1
The lack of an organization responsible for implementing the laws.	2
Being vague laws and regulations related to tourism, such as visas and work slowly ....	3
The cost of implementing rules and regulations on tourism	4

In Iran, the Islamic Republic dates from 1979 when the monarchy was overthrown and Aya- tollah Khomeini installed a form of political Islam. Currently, there is a complex political framework with a dual power structure involving the supreme religious leader and an elected president. A Guardian Council exists to ensure that president and parliament abide by Islamic principles and the judicial system is based on Sharia law. The population is mainly Muslim (Shia), but there are small communities of Christians and Zoroastrians as well as Jews. Iran has a longer history of tourism planning that is characterized by a high degree of state intervention. A series of five-year socio-cultural and economic development plans have been in operation since 1978, fifth running until 2015. Among wider objectives, the intentions are to disseminate awareness of the culture and civilization of Islamic Iran, increase foreign exchange earnings, stimulate local commerce and industry and generate a favorable image of the country worldwide. A 20 Year Outlook Tourism Plan of Iran was introduced in 2005, consisting of a 10-year plan and two subsequent five-year plans to address existing challenges. The target is 20 million tourist arrivals by 2025 with projected investment of over US\$32 billion, US\$5 billion from the government and the remainder from private enterprise. In fact Iran has a great ancient tradition but it is as yet little known in the West and there is much to be learnt both from it and the building techniques which are integral with it. Rituals, festivals, ceremonial events and religious buildings are fundamental tourist attractions for devout followers of the particular systems of beliefs as well as for those with a casual interest. To visit Iran is a unique experience, the experience of being in the cradle of a civilization and culture that has had and continues to have its impact on the world for more than 2500 years of written history – antiquity versus modernization. Iran is a highly diverse country from every point of view, not least in topography and climate. The country has many specific features of its own in its landscapes, caves, inhabitants, arts and customs. On the tourism industry, a series of reforms to combat what are judged activities contrary to Islam have already impinged. Gaming establishments and pubs and unisex hair salons were officially closed after Iran Islamic Revolution and the awarding of licenses to sell alcohol at liquor shops is extremely restricted. The government has said that it desires to earn revenue only from halal sources and not to depend on the sale of any Haram sources. Besides, after revolution Muslim women are being urged to wear the headscarf to maintain their modesty. Many signs in parks warn against irreligious behavior and roadside signs of verses from the Koran have been erected and those Plans to amend the state

constitution to impose Shariah law were proclaimed in 1980. Moreover, that female images would no longer be showed in tourism promotion because the use of sex and women as well as other hedonistic influences are against Islamic rules. After Islamic Revolution, the State Tourism Committee Chairman reported about devising a new dress code to avoid tourists from wearing revealing outfits such as bikinis. Also, there was a warning about stricter alcohol prohibition. According to officials, this was 'part of an educational programmer to ensure tourists respected the local tradition and culture necessary in the interests of Muslims' and 'required of Islam' (Straits Times, 2002).

## CONCLUSION

This paper has investigated aspects of the relationship between Islam and tourism, focusing on the religion's implications for tourism policy and development in the theocratic states of Iran. The Islamic religion has been shown to have profound consequences for destination conditions and inbound and outbound tourists and be influential in determining the content, direction and implementation of tourism policy. The impacts on tourism of Islam as the state religion do, however, vary across diverse Muslim societies, and Iran perhaps among the countries where it has the greatest effects while Malaysia is a more liberalized country not having tourists rules as strict as Iran country. finally it is shown that Islamic government power is very strong in the two theocracies and religion dictates the conduct of political affairs as well as the functioning of societies and economies .Nevertheless, there is awareness of the economic value of these markets, and tensions therefore arise among religious, political and commercial imperatives. Foreigners are legally considered one of the best tourist summary schedule was incomplete legal system for all of their rights and obligations are considered. But the rights and duties vary in different lands. Article 5 of the Civil Code provides: "All the inhabitants of both the interior and foreign nationals will be obedient to the laws of the country unless the law has exceptions. "And Article 22 of the Iranian constitution provides:" The dignity, life, property, rights, residence, and occupation of persons are inviolable, except in cases where the law. "The Iranian and foreign persons. Territorial principle of law, especially criminal law has been adopted by all countries. So all those who live in Iran, even temporarily, must follow the rules and regulations of the country. On the one hand we have the principle of legality of crime and punishment in our legal system have accepted. An alien who is not aware of the rules of law to what extent we can Brbyngangan (foreign tourists) are the rule.? Due to the extreme differences between legal systems in some instances the crime or not, It is the responsibility of the host country before the arrival of tourists set of guidelines and regulations should be available to tourists. The former should review the laws and new regulations are also drawing tourists to provide a balanced manner to bring and public order and protect our own cultural heritage. To this must be seen to what extent the provisions of the Declaration on Tourism Human rights compliance and conflicts. We then necessary to mention Generalities To analyze important issues we have discussed and finally recommendations regarding unionization and tourist alike insurance regulations have provided for the convenience of tourists. This paper explores the factors that determine their effectiveness with regard to the final score of both the matrix below The results show that the average level was determined The management structure factors, the most effect on the tourism laws of failure, and then the content of the law enforcement agents are most effective. Therefore, if adopted and implemented strategies, especially efforts to achieve integrated management of tourism Laws can be achieved good results.

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