

Theory of right;

The modern theory of defining the right appeared under the leadership of the French jurist “Daban,” who believes that: “The right is a person’s monopolization of a certain value or a certain thing by dominating that value or thing.” Thus, the interest is the goal of the right, and the right is a means to achieve it. The law determines this interest.

Types of rights

It is not possible to limit and enumerate rights, as they develop and multiply with the development of societies, and for this reason we can only make a classification of these rights, and even the classifications we find differ depending on the angle from which the right is viewed. The prevailing perception in jurisprudence is to classify rights in general into political and civil rights, the latter of which They are divided into public rights and private rights, and private rights are divided into family rights and financial rights.

Section One: Non-financial rights

Non-financial rights are divided into two types: political and civil rights, and public and private rights, although the latter is a branch of civil rights, but because of its importance we have allocated a separate branch to it from civil rights.

First: political rights

Political rights correspond to civil rights. The first relates to a person’s connection to his homeland, while the second relates to the person being an individual in a particular society in relation to other individuals, and to being a

human being who enjoys what similar human beings enjoy.

Second: Civil rights

Civil rights are rights that differ from political rights in that they are rights that the individual enjoys as a human being, that is, they are affirmed to him as a member within a human society, regardless of his nationality and national allegiance, as it is equal to being a national or a foreigner, meaning that they are affirmed to any human being, regardless of his gender and color. Or his race, which are necessary rights for him, and even necessary for the exercise of political rights.

Civil rights are called natural rights, and they are guaranteed to every natural person regardless of his nationality, as he is a human being and is equal to the citizen, foreigner, and stateless person.

Civil rights are divided into general rights and private rights.

Public rights (personal rights or rights closely related to the human personality)

Public rights are the minimum rights that must be guaranteed to the individual by virtue of his being a human being so that he can participate in community activities and live an honest and dignified life. There are many jurists who used the term “public rights” to be synonymous with “natural rights” or “personal rights” or “public freedoms or licenses.

Special rights:

Special rights are those determined by the branches of a person’s private law, such as civil or commercial law, or

personal status law, or they are rights that are only established for those who have, under the law, a reason to gain them, such as the right to property.

-Family rights:

Family rights mean those rights arising from an individual being a member of a particular family due to marriage and kinship. They are mostly non-financial rights, and only part of them can be included within the framework of financial rights, such as alimony and the right to inheritance.

Financial rights

These rights result from financial transactions between individuals, and they are called financial rights because the subject of the right is based on money.

People of right:

The term personality was used for the first time in the era of the Roman Empire, where this word meant the mask that the actor wears when performing his acting role in the theater, and after that it became applied to ordinary individuals, because each individual plays a specific role in legal life.

the natural person:

From a legal standpoint, a person is a being who enjoys rights and responsibilities. If a person is recognized by the law, then this recognition has a beginning as well as an end, and this goes back to human nature.

The legal person:

A legal person is a group of people and funds that aim to achieve a specific purpose, and the law recognizes it as a

legal personality to the extent necessary to achieve that purpose. It is also defined as a group of people such as companies and institutions seeking to achieve a specific goal or purpose