

## **GOVERNMENT RESPONSIBILITY FOR COMPENSATE FOR LOSSES ARISING FROM THE DEVALUATION OF MONEY IN IRAN**

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### **Abstract**

The rights of a civil liability of the government is not absolute, but is responsible for losses Policies that result from the actions of state government that does not appear; Like buying and selling and so on, which the government has a legal personality as it does. Value of money over time is reduced.in the past years in different directions this has been a lot of research.Money is one of the most important pillars of the economy and government policy, after subsequently its devaluation has created many losses in various sectors of economic and political pose.Reduced purchasing power, reducing the incentive for transactions and contractual obligations, reduced credit obligations of uncertainty and security for businessmen and conducting the transactions and can even reduce the export and import and extend international agreements losses from currency devaluation can be investigated from different fields.

**Keywords: Iran, value, compensation**

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**Introduction:**

One of the current issues arises surrounding money is its devaluation over time. In this case that of a money exchange-value can be eased over time as the value of a deal this year with the exchange value of 100 RS ten years ago is not the same and the aforementioned gross value. The reduction of the legal time value of money in terms of the time in terms of juridical and economic terms are also in. In the case of acts of State is responsible for damages that casting enterprise to import people and such, there is no reason the Government disclaimer.

But, in the case of acts of sovereignty, the State is not responsible for the damages. In article 11 the law of civil liability: "If the actions by the necessity of providing social benefits according to law to act and pursuant to the detriment of the other, the Government will be forced to pay damages. The law of State responsibility, the doctrine of non-accepted rule actions; in fact, at this point the discussion of conflict of interest private interests with public people who in most cases, the private interest of individuals, due to the importance of the public interest can be ignored, according to article 8 of the law of the country, service management Bill unique in country governance and services and the underlying cultural and.

Those of monetary and fiscal policies that caused severe inflation, and the source of negative effects, except in emergencies never be accepted, and no jurist with regard to the economic goals of the Islamic system, in non-emergency situation does not permit such policies, that is why the authorities need to adopt policies that will lead to a sharp decline in the value of money, beware.

(1)Reduction guarantee the value of money decreases the value of money more than necessary, remedy and it seems more logical, what is it that in the critique of the view that we must first get the, one of the criteria for and boycotts it is clear that the compensation is equivalent to reducing the value of people, not. Because in such an Exchange is not achieved until the magnets as a benefit, though the number of banknotes.

(2)Where is respected in the case of financial waste and compensate pressure, it is necessary to compensate for damages on property, including respected respect the property. Are not the property of the difference by whom about infringement or destruction or waste is actually the situation warrants proved to certainty even if it may be a property of the State, to assume if

people your capital for a while, based on the usual deposit in Bank and Government monetary policy or inflation, the purchasing power of money in unconventional, somehow down the Mall about the infringement and thus reflect and put this According to eliminate the respect for the inalienable property.

Throughout history, the durability and s. on every political system to create the right economic conditions and further development of the land he has been backed. In Islamic Economics, economic growth, prosperity and extension of the primary purpose for the general welfare and the means to achieve it. Basically, the prerequisite for the acceptance of public welfare as the noble objective of the economy of the Islamic Republic, the acceptance of economic growth, as the primary target for it. Without economic growth, achieve optimal public welfare is impossible. This is the basis of creating an economic security must be one of the goals of the Islamic State economically.

Because the foundations of the Islamic Economics together with the perfect match, and also with regard to the solutions provided for in Islamic Economics and obtainable.

When swelling is severe, and the criteria in the calculation of the actual value of bank deposits that are not reduced, the volume of deposits; as a result, reduced capital investment, and the national production of garlic will be in descending order. In such a situation, investment and production, will decrease. Savings, investment and production is a major factor. When the savings increase, certain serious obstacles if there might not be another, investment and production increases. Now, if the reduction of the value of the money investors deposit refund and compensation criteria for the actual cash value of the deposit is, you can expect the implications of this, such as: An increase in savings and deposits, the real benefit of a cash deposit to become a positive investment, efficient use of cash deposits by the private sector for investment, increase production, control of the brokerage part of the increasing rate of inflation control, false, find a logical path of development, increase public welfare, and finally getting close to the implementation of the principle of social justice and economic utopian though factors affecting the reduction of value for money and inflation, but the Government sometimes to non-conventional manner by reducing the Worth the money cause of economic crises. Surely

one of the ways to create economic security, work permits "compensation" for the perpetrators of money devaluation created this type of loss is that the Islamic Republic should be on their agenda.

Irregularities in the financial affairs of the community are one of the factors of striking. Governments to provide social and economic justice system to pursue price stability and the price of goods and services and their quality supervision and care. Almost all of these things have earned their place in the set of rules and legislation by governments are doing these tasks. Therefore, the implementation of the rules of freedom of contract and trade, reduces the social face transactions. (3)

One of the most important reasons for the reduction of the value of money is considered as a national of countries inflation that unfortunately in recent years in order to increase the intensity has found that briefly to express that we are:

A-increase the liquidity or the same money in the pockets of the people rather than to invest in the manufacturing sector or service makes the figure of 60 thousand billion over seven years to reach more than 400 thousand billion Toman. This is the most important challenge of computational mistake and the wrong monetary policy – the Central Bank and Government financial originates.

B-other economic problems that lead to swelling and increased liquidity, the oil economy. More than 80 percent of Iran's economy is dominated by oil revenues and under of the year 1974 SSI with an increase in fossil fuel prices in the Arab-Israeli war, the effect of oil sanctions as a chronic lesions, affect Iran's economy.

C. Excessive interference of the state in all spheres of the economy as a task accordingly. Iranian private sector as an investor, as a result of these policies has weakened national production due to excessive imports of consumer goods hit.

D. In recent years the plan objectively subsidies with pumping the money on account of its citizens to face indiscriminate bank Web account and thereby increasing the liquidity and the blow to national production. Because it is objectively in the production share stay subsidies that cause have reduced yields. 5-the State in the effect of the adoption of the budget and increase the current budget, the Government body has bigger from day to day where companies and organizations dependent on the State budget and two-thirds of the Executive.

E. in addition to the foregoing, the plight and problems of international economy caused between sanctions pursuant to soar too and expected inflation, inflation expectations are already and even caused by the economic downturn. As a result of these events the national economy, money is worthless and the dollar and other foreign currencies increased equality in compensation for damages against the Rials – to enter the national money.il sanctions as a chronic lesions, affect Iran's economy.

In this case a reference to some problems in economic relations between the people of the Islamic banking system cash and Dion's status of non-offset the drastic reduction of value for money and its prosperity in the form of compensation for the reduction of the value of money.

1-when the swelling is intense, and the criteria in the calculation of the actual value of bank deposits that are not reduced, the volume of deposits; as a result, reduced capital and in the wake of the national production, will be descending on garlic. When Loan to deposit I benevolence and for God to help the needy, all your cash investment opportunity cost that long she is, to be tolerant, expects capital cash principle he is not damaged, but when I predict that by this action, the principle of cash capital he will be facing a damages, in the appeal decision itself; hyperinflation, because in a significant part of the real value of cash deposit investment Loan recipients to obligation transferred to; therefore, Loan investor deposits having two types of fees: time to undergo the opportunity cost and the actual cash value of the part of your investment.

2-for the first problem is that the result of the expression in such a situation, investment in production, will decrease. Savings, investment and production is a major factor. When the reduced savings, other serious obstacles if certainty is, investment and production increases, so if

we accept that Loan deposits in cash, the repayment of the principal investment benchmark purchasing power is real, the amount of capital and deposits were Loan, and subsequently, investment and production will increase.

3-when reduced the value of money and the criteria in the deposit is refunded, the face value is money, promote wealth in society will be severely detrimental to investors to pay attention to this point is that in this situation, the Community average which have a slight savings and savings with it, cannot be set with the value of the buy low so is preserved, more damage. (4)

### **Discussion and conclusion**

Does the pattern of other juridical or other practical solutions within the framework of existing contracts will be offered to repay the purchasing power of cash money actual capital criterion be used? This section first and then the practical solutions based on and low patterns.

#### **A-Sale credit and its consequences**

Economic implications of the sale of Credit pattern and some Jurists buy and sell money to even consider it Credit syntax. (5)

People can make more Credit rates of inflation are also anticipated in terms of the rate of inflation, even without the two sides can agree on a specific Credit rates on the deal and the money. Based on this view of the owners of capital can cash your money to the Bank or manufacturers need the cash investment, with the rate of Credit identifies the Trustees. Banks and other buyers cash funds can also be purchased for cash investment for certain people with certain of the applicant's rate of Credit.

No one in the market norm does not say: I have ten dollars cash to you to eleven dollars a month, unless those who want it the illusion of escape from the Taliban; that is, in fact, want to usury loans and selling its name and this species does not have a credit. The only two exceptions in this case there is a problem: first, the buying and selling of various currencies such as the dollar amount with Exchange and bills can be seen there. Another, small and large cash transaction to

bills or new and old with the difference being due to the brief use of new bills or low volume it is in travel and other than that, the two bills, , could not be located.

### **B - Requirements of the terms of contract**

According to Islamic jurisprudence, if necessary conditional contract between the parties, be appointed, act on it if necessary and will be obligatory; (6)

So although in Loan deposits refunded cannot be the criterion for the real purchasing power of the money and compensate the devaluation of money necessary to compensate the reduction of the value of money, by the way, if is a condition of the marriage, the practice of the condition, it is necessary to reduce the value of money as a result, compensation will be obligatory;

No one in the market norm does not say: I have ten dollars cash to you to eleven dollars a month, unless those who want it the illusion of escape from the Taliban; that is, in fact, want to usury loans and selling its name and this species does not have a credit. The only two exceptions in the case of bank deposits, So that the marriage can be done in the form of can be damages resulting from devaluation of the money bet at the Loan; deposit can be used when the condition that repayment, reduce the value of money. This requirement based on the theory of "necessary compensation for reduced value for money" is correct, but it is not this benefits because without that that such reduced value for money, provided the necessary compensation. This requirement is based on the theory of "impermissibility of compensation for devaluation" is not correct and is contrary to Scripture and tradition, and public arguments referred to as stages all those that theory accepted, Offset the devaluation of money very much and usury, and getting it is getting there-think; so, contrary to the book, and the outside of the applicable reasons for public and trade licenses would be conditional on the basis of such "and the concept of non-compensated reduction of permit value for money" bet a lot and usury.

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