
Responsibility for the social harm not regarding of consumer rights

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Abstract

Take comprehensive and holistic social harm, risks and damage. Check the rights of consumers, from this perspective, a new look and dynamic, because the causes, effects and risk of non-compliance with consumer rights as a kind of social harm, discussed and examined. The first goal of manufacturers of goods and services in the economic cycle profitability. In fact, growers intend to sell their products and earn money in this regard, in some cases, consumer rights, the most important manufacturers of survival is to be applied. Disregard the social consequences of mistrust producers to consumers' rights, prosperity foreign goods, intangible victimization and lack of support from the government and bring the manufacturer. The authors of this paper shows that the foundations of Consumer Rights to the pathology violation of consumer rights and finally conclude that the population of consumers as a single entity, need to deal with the lawsuit group and institution building spontaneous, and finally, the request to amend the consumer protection Act, the community's social ills and dangers, is protected.

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1. Introduction

Protecting the rights of consumers, one of the most important issues in business dealings, which the international community after the Second World War, was a valuable place. As much as a true citizen, consumer applicable, will be. In fact, we are all consumers (Goldring and Partners, 1998, p: 1).

protect the rights of consumers in addition to the tyrants in the production of the interests of the one-sided in favor of the manufacturer, short track and make adjustments and studying the legitimate aspirations of both sides to be, in a consumer society, protection of their rights, ensures the manufacturer and preserve human dignity, especially in the large commercial organizations, possessiveness, overcharging and multinationals and so on. today, not be predictable some of the offenses and injuries at individual and one-dimensional and have the attitude that it is a collective damage as social damage, special attention was.

When a manufacturer to sell their goods low sales, perhaps partially or individual that the consequences of a lot with it, but in fact this practice, injuries and a detriment to the frequency of the consumer society as society unit is entered. Violation of consumer rights as social harm, this requires that the consumer be observed by looking at the broader community. In fact, the consumer society must be studied as a single community, the arrival of damage to any of its members, as damage to the entire community. Law on Protection of Consumers' Rights was adopted in 1388. This law, although it has shortcomings and deficiencies, and in most cases, warrant issue to the general laws referred to, but one hopes the context of this law in the future, to the comprehensive take to fully ensure consumers' rights. This paper seeks to social responsibility for damage caused by the violation of the rights of the consumers surveyed and explored. Have acknowledged the centrality of social harm resulting from the violation of the rights of the consumer article (Goldring and Partners, 1998).

2. literature Review

Social harm: Social harm is referred to as any individual or social deviation, which is said to be not within the framework of the ethical principles of society and is confronted with the repressive responses of the community (Abdullahi, 2000. p. 1). Social harm, which, according to some of the scholars, are the direct consequence of the industrial revolution, are present in most societies and their effects. But what different societies make in this regard, the kind of attitude of these societies to causes Causing damage and remedies.

Social harm is a dysfunctional disease. Deviation or deviation means a deliberate violation of the norm or set of certain norms that has been accepted in the community. Coding is not just about how the person works, but also about the activities of the groups. People who go beyond the accepted norms are called cramps. Individuals generally ignore the official and informal enforcement of norms. Coexistence is studied in sociology, psychology, psychiatry and criminology (Sarvestani, 2007, p. 23). One of the concepts that is now being considered by criminologists is the concept of geology. In fact, the zymology of the study is social harm. This word has received its name from the Greek word (ζημία zēmía) meaning "harm". This issue was raised as a critique of criminology and the concept of crime, against "personal injury" such as robbery. The concept of social harm or social harm involves the damage caused by national governments and companies (Hillyard, 2004. P: 64). The critique and discussion of the relationship between criminology and social harm has long focused on the minds of criminologists who are suffering from political issues and economic plans. (Van

Swaaningen, 1999. P:11) More criminology is related to the crime and prevention methods, while the geological survey examines the effects and risks of crime at the community level and its impact on society.

Zymology can be continued, in other words, the 21st century version of radical criminology, and since its founders believe in the study of all the harm and social perils that crime is just one example of them. They believed in changing the title of criminology as a prerequisite for zemiology, and because crime is a narrow and narrow concept, many behaviors that lead to harm and peril, do not have a criminal character or fall into the category of major crimes. Hence, criminology cannot, according to its title and mission, study and investigate social risks and harm. (Shams Nateri and Shahriari, 2015, p. 327). Therefore, it can be said that any behavior that causes the occurrence of injuries and socioeconomic damage is discussed below under the geological approach.

Consumer: One of the concepts that is central to this subject is the concept of consumerism. In fact, if we look at the overall market look, then the market is composed of two main consumer and producer cores.

Before entering the common definitions, it is better to explain the concept from the point of view of economics because of the close connection between the concept of consumer and economics. In this definition, "the consumer is someone who is in a process of spending money and using other goods and services (Giri, 1987. P: 29). The consumer, in the sense of the word, is used against the producer, distributor, and seller or supplier. This concept includes those who buy and use goods and services to meet their personal needs. Their goal is not to buy a product and not to resell it and do not pursue commercial goals (Elva, 1999, p: 314-312). The French Consumer Revenue Revision Commission has also defined a consumer definition for consumers: "Consumers are real or legal individuals who are private individuals who, for non-proprietary use, make or use property or services for themselves." (Ghasemi, 1999. Pages: 246).

In the United States, the consumer is defined as a person who acquires goods or services for direct use or ownership, not for resale or use in the production cycle. (West Encyclopedia of American Law, p: 524)

It is not for re-sale or use in the production cycle that the consumer himself becomes a producer after this, and he will no longer be treated as a "consumer". In Iran's law, the consumer protection law (approved in 2009) in article 1, paragraph 1, is defined in the consumer definition: "Every person is a real or legal person who purchases a good or a service." In criticizing this definition, it must be acknowledged The person who buys the goods and turns himself into another commodity, in fact, because he intends to produce goods for the purpose and purpose of the goods, is beyond the name of the consumer, and the producer's title more applies to this individual. Hence, the consumer should be considered a person who buys a commodity to meet his or her own needs without having a business intention. In fact, the definition in Article 2 (e) of the e-commerce law, which states that "anyone who acts for business or professional purposes" is more precise than the Consumer Protection Act.

The Basics of Consumer Responsibility: Suppliers of goods can be confident in their profitability when they obtain consumer satisfaction or, in other words, customer satisfaction. Without the consumer's consent, the manufacturer will not have a place in the market cycle. After producing the goods or providing services, the manufacturer must provide the consumer with a guarantee and guarantee in relation to his goods and services in case of defective and inefficient so that the consumer, having observed the producer's goodwill, will purchase the goods. In general, the bases of consumer responsibility can be taken to include liability arising from fault and liability as well as liability for social damage, each of which will be examined below.

Responsibility for fault: One of the most widely used ideas in the compensation case is the theory of fault. According to the guideline, the fault of receiving damages is subject to the proving of injury, the causal relationship and the fault; that is, the claimant for damages must prove, in addition to the proof of the first two, that he has violated his injured duty towards the claimant and in the phrase, the legal standard has not complied with the precautionary principle; therefore, according to this rule, the key issue is to determine the guilty party for proving fault and lack of precaution. According to the standard Noni, the precautionary action is compared with the caution of a reasonable person in those circumstances, and in the event that the behavior is opposed to reasonable behavior then it is considered responsible (cooter, 2010.p: 425).

The responsibility of the fault is to defeat consumers in order to get their rights. As we have mentioned in the explanation above for liability arising from the fault, we find that the basic condition for the damages is to blame for the fault of the individual, and if he does not blame the consumer will not be liable. It must be acknowledged that manufacturers can lose responsibility by being involved in the production cycle and being better informed about the details. Citing a fault line can lead to consumer disadvantages. Consumers have made it easy for manufacturers to avoid losing responsibility due to lack of adequate information on compensation issues, as well as placing the manufacturer under the guilty principle of proof and proof of the consumer's fault. Therefore, the theory of liability arising from the fault cannot always be considered as a guarantee of consumer rights. Today consumers are increasingly seeking to ensure their rights on the part of manufacturers, and their tendency and tendency towards manufacturers who provide support services more for their consumers.

Strict Liability: Against the theory of fault, we can name the theory of Strict Liability. The sole responsibility is the responsibility that is based on the existence or proof of the fault in the cause of the harm or the harmful act, and the mere loss of responsibility for the cause of the cause. The Prophet cannot be exempted from the obligation, except by proving the lack of a causal relationship and the attribution of losses to the forces of Cairo. The sole responsibility, not requiring proof of fault in action, is not in the agent. In other words, it is not only necessary to act, it is not necessarily a violation of the standard of human behavior, but also the condition of the defect in the character, character or motive of the agent is not a condition. Therefore, the sole responsibility is the responsibility of the result, not the verb and the cause of the harm, cannot be ruled out by proving that his behavior is not blamed or that he has not violated the normal human behavior (Badini et al., 2012, P: 21). By the definition given above in relation to Strict Liability, it can be acknowledged that the proportion of responsibility for the fault, the sole responsibility, ensures the benefit of the consumer more because the consumer does not need to prove the producer's fault and in If the acceptance of this theory is in the relationship between the consumer and the manufacturer, the manufacturer, with the supply of his goods, gives the white check to the consumer in respect of the accuracy of his goods, in the event of a defect or damage previously it , The harm will be compensated.

The legal system of the European Union has given its legal system in relation to producer responsibility for the consumer, in which there is no need to prove the fault of the consumer (Delaney, 2001, p. 29). Article 2 of the Consumer Protection Act of 2009 provides: "All suppliers of goods and services, individually and jointly, are responsible for the health and safety of the goods and services supplied in accordance with the terms and conditions set forth in the laws and regulations of the relevant contract or custom. Are trades. " It can be said; in Iranian law, the manufacturer's liability towards the consumer is subject to the fault of the consumer. Although there were many expectations for the adoption of the Consumer Protection Act of 1388,

unfortunately, this law does not have a new achievement, as Article 2 of the same law as described above, instead of the assignment in relation to compensation, the referral refers to other laws, conventions and conventions, and has not defined a specific position in this regard.

Responsibility for Social harm: Responsibility for social harm is based on rational and rational basis and is based on a general rule. While the criminological test is carried out in the event of a crime, the material and moral damage caused by it is investigated, it is investigated in its earthly doctrines of crime and its effects, in society and as a harm, which spreads to all people in the community. One of the key issues that strengthens the link between producer and consumer is trust. Trust is one of the most important concepts in social and functional science for interaction between different generations in society. At the same time, trust can facilitate the relationships between individuals at the levels of wisdom and responsibility. Trust is one of the most important elements of social capital and one of the important aspects of human and social relations and an essential element for the continuation of the collective life of a modern, risky society. Failure to pay attention to trust leads to delays in the work and the cost of them, the lack of relationships and interactions, and causes problems in social participation, social order, social well-being and in general, the lack of comprehensive development (Moradi et al., 2015, P: 5).

When the manufacturer does not provide any guarantee for the correctness of his goods in support of the consumer, they cause abusive practices in the area of producers seeking profit, and this is a consequence of the problem that consumers of any mirror of the crime To be seen. Indeed, a manufacturer, when it does not use the necessary standards in the production of its goods and places it on the market, can overwhelm thousands of thousands of consumers, each of which purchases unqualified goods Have been. The need for action requires action to prevent this social damage and to create a sense of distrust that would spark a boom in the economic cycle. The theory of liability for social harm is to some extent a tendency to a pure responsibility theory. This theory, in addition to its intention to ensure consumer compensation in any event, in the event of a defective product, aims to generally maintain a healthy relationship between manufacturers and consumers in the community. When manufacturers, in addition to complying with the required quality standards, observe other consumer rights when they deliver the goods, will make consumers feel satisfied with their purchases and, as a result of this self-confidence, bring the interests of both the producer and the consumer It keeps together.

Understand the harm of consumer rights: As discussed in previous discussions, social harm is a science in which crime is considered as a total damage to the community and the violation of consumers' rights is a form of great social harm. In fact, one of the worst concerns in the global economy is the shakiness of the relationship between suppliers of goods and consumers. A massive mass of people in the supply and consumption cycle are components, consumers, and have no choice but to use the goods produced and supplied. Several issues can affect the relationship that exists between the parties in this cycle, including: the magnitude of produced goods, the riskiness of goods, their poor quality, and so on (Mir Mohammad Sadeghi and Daneshvar Sani, 2009, p. 52). The violation of consumers' rights, in addition to harming their individual rights, can seriously endanger the consumer society as a form of harm and social hazard. Hence, in the discussion below, the violation of consumer rights, pathology, and in separate speeches will be discussed.

Social distrust: One of the issues that can be considered as the basis of the relationship between producer and consumer is the concept of trust. If the consumer fails to establish a positive relationship with the manufacturer, the market cycle will stop. Trusting the Conceptual Concept Theories of Socialism and

Modern Theories of Social Capital is the basis of social interactions and relationships. The results of many recent studies at the state level suggest that the relative level of this variable is equal to the disparate social strata (Ermaki & Kamali, 2004, p. 100).

The notion of collusion is from the concepts defined in the consumer protection law in number five of the first part. In the law, collusion is: "Any compromise between the suppliers of goods and services in order to raise prices or reduce the quality, or restrict the production or supply of goods and services or impose unjust conditions on the basis of the custom in transactions." Indeed, it can be said Collusion by producers discourages the consumer society from self-confidence, in other words, it is a collusion against trust.

The violation of consumer rights can be assessed by inappropriate three factors, prices, quality and services. Indeed, if these three cases occur from the producer's area without intention, the consumer can only exercise his right to extradite and if the above acts are carried out intentionally, it can be the case of constraint or Above all, there is fraud in transactions, which could lead to the right to extradition, along with compensation for consumer rights. The Civil Code, in Article 438, defines: "An operation that deceives a party to a transaction." Which, in the definition of this definition, is the result of deconstruction, not the self-defining and defining of the deconstruction, can be made to decorate a poorly-crafted object so that it looks good. Defined. The acts can sometimes be described as criminal offenses and in the form of scams under Article 1 of the law on the intensification of the punishment of perpetrators of bribery, embezzlement, and the manipulation of government transactions under article 599 of the Islamic Penal Code.

At the same time, the abusive consumer rights, consumerism and macroeconomics make the consumer society less trustworthy than producers, and this social distrust causes market disturbance and the gradual growth of the economic cycle of the open movement Stands Trust is the main factor that connects the consumer to the manufacturer, and in the event of degeneration this cannot be expected of the market and the economy of flourishing from society, and this is considered a threat to the community.

lack of support for domestic goods: Another major harm to consumer rights is their discouragement of domestic goods due to the lack of factors of a good commodity such as (price, quality standards, after-sales service, etc.). The quality issue is one of the most important issues in the field of commodity tags. It is natural that when the goods are not of the required standards and their quality is such that the customer during the purchase constantly worries that due to the poor quality and poor quality of the goods, in a short time, forced She bought the same sex again and paid for it, preferred to choose the product from its external type and even pay a higher price, but instead, it was easy to reap the benefits of quality and efficiency. In the absence of consumer rights and the shortcomings of the shortcomings, as well as the quality of manufactured goods, consumers should be expected to use the slogan that we are not rich enough to buy cheap sex, perhaps buying foreign goods though at a price of more than two and a half dollars, it would be preferable to buy consumer goods that are uncertain about their durability and quality.

Subtle Judgment: One of the main attributes of injury and social hazards is to conceal its harm and harm and its intangibility in the community. The perpetrators try to do the crime they want to covertly and for a long time to repeat it continuously (Sadegh Nejad Naiini, 2015, p. 54). Sometimes, some manufacturers are genuinely crafty in terms of the quality or quantity of goods that appear to be very small, small and intangible at the individual level, and even follow up, through consumer rights organizations, it may not be effective; however, at the community level, this can be seen as a kind of social harm. For example, in the quality sector; some automobile manufacturers have recently removed some of the vehicle items due to expensive

equipment, so that consumers will even have this issue a long time later, due to sharpening and the accuracy of others of consumers. In the discussion of quantity, the subject matter of the attention of the author of the mind itself is that it is that the producers of small items, such as tissue paper, matches, toothpicks and ... Given that there is a certain number of goods in the case of counting, the quantity of goods varies by the amount indicated on it, for example, there are ninety-nine items instead of hundreds, and in fact there are fewer people who are bored and Count the number of stickers in the box or the number of sheets of sanitary paper napkins. This causes serious damage to consumers and a huge profit for manufacturers.

The debate starts with the fact that the perpetrators are not only abusive in this case, but also in fact exploit consumers' neglect and trust. Article 3 of the Law on the Organization of Public Succession, Commerce and Fraud has defined as the supply of goods or services less than the quantities and quantities purchased in quantitative or qualitative terms, which are the basis for determining the rate of official authority. Victims may have been affected for years by harmful behaviors, but the damage and damage do not appear tangibly and evidently, and they will not at all be aware of their delinquency or long after the occurrence of the behavior (Mitt Trance di and others, 2014, p. 71).

No government support: The main sponsor of the media is the government. The government will play a major role in shaping and promoting a powerful domestic economy and exporting it to various parts of the world. With the proper functioning and proper management of the state, it is organized by the state, its economic infrastructure is strengthened, and a suitable space for economic activities. It is healthy, and the path to economic disruptions is blocking, and the market and prices system are in the right direction. It is also compatible with the balance between the interests of various classes of society, which includes peace and tolerance of society (Mir Jalili and Yousefi, Ali, Somayeh, 2013, p. 35).

The government supports small and medium-sized enterprises with subsidies, exemptions and reductions in tax receipts, the control and management of foreign imports, the provision of government resources and ... domestic producers. If we consider father, government, and producers as children in the family, we must acknowledge that the father puts the children in the best of his support to find out that the children perform their duties well and if they do not do so The situation and the deeds leave little or no support for the children. With this allegory, governments sometimes protect and protect their own producers, which they respect and protect consumers' rights, and not only that the government discontinues its support from producers, but also The form of a violation is punishable by the government of the state, which is a state-owned organization itself.

The government is in the field of protecting producers, including the Law on the Establishment of the Organization for the Protection of Producers and Consumers of 22/4/1978, the Law on the Continual Improvement of the Business Environment, dated 27/12/2001, the Law on Maximum Use of Production Capacity and Services in Supply The needs of the country and their strengthening on 1/5/2001, the law of eliminating barriers to competitive production and the promotion of the financial system of the country, adopted on 1/2/2015. All of these laws are being implemented more and more and more attention is paid to which major manufacturers comply with their obligations to consumers as well as their rights. The dismantling of consumers' rights and the protests of the consumer community will lead the government to shield its support from the manufacturers. Elimination of consumer rights harms: Protecting consumers' rights is one of the important issues that can lead to a lot of social harm if they fail to comply with the law. By the adoption of the Consumer Protection Law on 13/7/2007, adding new titles of damages, in accordance

with the requirements of society, the necessity of compensation in cases 2, 18, 19, as well as the Office for the Investigation of Violations, in Articles 14 and 24 of the Law The foregoing is stated.

It's a fact that consumers are weaker than specialists and the duty of the law is to protect the poor, and it should be noted that laws do not function well over time and need to be updated. As the offenses and other offenses do not seem to be the same (Lumber, 1377, p. 251).

According to some of the fundamental human rights tests, consumer rights are recognized as human rights. These tests, although not conclusive, provide sufficient guidance in defining the main characteristics of human rights. The above analysis suggests that consumer rights fulfill an important part of human rights tests. Hence, in the case of non-compliance with consumer rights, the title could be called "Human Rights Abuse" (Deutch, 1994, p. 554). In this context, we are going to discuss collective solutions to prevent harm and the risks of consumer rights violations in separate speeches.

Collective claims: "Collective claims" is one of the ways in which consumer rights are enforced. As the social harm and social hazards of the whole society are involved and confused, in order to go to the war of harm, the entire society must be mobilized against it and its desires and concerns must be sought and resolved. The "collective lawsuit" to achieve consumer rights is not the same as the use of the "one hand voice" proverb. In fact, the government responds to collective litigation and protests against individual claims better and faster, because in the absence of accountability it sees its authority and legitimacy deprived of the people.

A collective claims has many advantages over consumer rights. One of the main advantages of this is that collective litigation is a deterrent effect. Recourse to collective litigation, which allows all consumers who are suffering to come together in a litigation, make a big litigation against the offender, violate their rights Economically unprotected, and cause potential offenders to expose themselves to such claims in a manner that is more in keeping with consumer rights. Collective lawsuits against a supplier in a competitive open environment (Mohseni et al., 2011, p. 161)

One of the important issues in collective litigation is the awareness of some buyers of their neglect of the goods, with the explanation that some goods have defects and defects, and only some of the loyal buyers, with care and attention, they find that the received item is defective. These people will raise awareness of other buyers through the lawsuit, and they will help them not be harmed. However, in Iranian law, there is no general and explicit law in this regard, and the design of such claims is not usual and theoretically the authors consider it to be constrained, but others regard collective claims as requiring any conditions. . These groups of authors believe that there is no reason why the damage caused by the non-enclosure of the affected individuals should disappear when the population of the population agrees to claim damages. (Parvin, 2004, p. 27). It should be acknowledged that the recent opinion is more in line with the current situation. Consumers constitute a huge stratum of society in front of manufacturers, and therefore it is necessary to ensure their rights are fully ensured. A collective lawsuit against the perpetrator creates the possibility for the victim to prove the accuracy of their claim easily. Because this plurality of protesters is a sign of consumer litigation. The Consumer Protection Act does not refer to the rights of those who have suffered damage through collective litigation, and concludes by concluding that such a law is not clear by explaining its solutions to the consumer protection law.

Government support: One of the most important issues in regulating relations between consumers and producers is government intervention and protection of consumer rights. In the theory of classical liberalism, the main thrust of thought was that the government should have a short economy and that the policy of

"lacerating" governed the economic community. The main proponents of Lasse far believed that the government should focus more on the issues of governance and security of individuals, rather than as a factor that prevented the progress of capitalists in the economy; they believed in absolute economic freedom and, in this sense, In a free and competitive market, it was considered a corruptive factor and prevented economic progress and prosperity; such thinking was, over time, a great deal of distance between the bourgeois and my class By the community and in some way over time, the power of the class of capitalists was placed on the middle class of the society and created the sovereignty of the bourgeoisie. (Shapiro, 1391, p. 27) In fact, the government, with the power granted to the people and its sovereignty, must take into account the protection of consumers and try to play an active role in this regard, and the losses will be paid to the government itself.

One of the important elements in the consumer protection law can be found in Article 14. The article states: "In order to facilitate and expedite the investigation of infringements and in order to uphold the rights of consumers, associations of consumer rights protection can file complaints from individuals and legal entities in the cases referred to in paragraphs (2) , (3) and (4) of Article 12 of this Act, and if the parties (the plaintiff and the consignee) have not agreed to do so, or refer the government to the organization for legal review. The organization is required to issue and enforce the lawsuits of the class system in cases that do not have criminal offenses, according to the relevant laws and regulations. "

The organization of government sanctions, which is government-owned and operates under the supervision of the government, is one of the things that can be considered as a protection aspect of consumer rights. Of course, with the approval of the law of the guild system on 12/6/2013, Article 14 of the Consumer Protection Law was subject to allotments that we will discuss in the next speech.

If we look at the comparative view, the state's support for consumer rights in Iran should be acknowledged, the government's support of the consumer society in Iran's law is very weak, while in French law, the government's support through recognition It is very strong to know the organization of consumers. There are a lot of laws in place to prevent and suppress crime, in line with the protection of consumer dictatorship in French law (Farhadi, 2005, p. 220). An examination of the responsibility for the production of 1985 of the European Community and the responsibility of the production of France in 1998 and its application to the Consumer Protection Law of Iran shows that Iran's rights in this area entail serious shortcomings. The recent law defines the buyer's responsibility to the buyer on the contractual liability of the consumer, while the producer's responsibility towards third parties is considered to be civil liability; such a distinction has not been valid and has caused the consumer not to be protected by law Necessary.

Promotion of (NGO): One of the important things that can be considered as one of the ways to prevent social damage caused by the violation of consumer rights is the widespread use of volunteer organizations to protect consumers' rights. The idea of the formation of these organizations from the developed countries was modeled, but in practice, these organizations were not created by the government and were created by the state itself. The problem today posed by Liberal economists is not a new debate in the world. The consumer and his rights since the creation of the International Organization for Standardization (ISO) in 1947 have been raised as a global concern. After World War II, government spending on consumer protection and salaries in some countries is estimated at over 4% of GNP. Also, unnecessary government interference caused additional production costs and disrupted the market system. Therefore, in order to create market equilibrium, defend consumers' rights and support them in the market, spontaneous consumer movements were formed in the form of non-governmental organizations supporting consumer rights.

Non-governmental organizations that have such components as non-governmental, nonprofit, voluntary membership, legal personality, etc. have many goals. Looking at these organizations around the world, the most important tasks of NGOs that protect consumers' rights can be: 1) providing information on consumer product quality; 2) criticizing the quality of goods; 3) litigation in consumer judiciary; 4. Resolving disputes between consumers and manufacturers; 5. Increasing consumer awareness through educational programs; 6. Participating in determining the quality of goods; Determining the criteria for observing the quality certificate. 7. Efforts to approve consumer rights laws and regulations; 8. Communicating with non-governmental organizations of other countries and international organizations protecting consumer rights (Sadeghi and Mehdi, 2007, p. 10).

In Iran's law, by enacting the Consumer Protection Act of 2008 in Article 14, it has allowed associations to protect consumer's rights explicitly granted to these associations and according to Article 7 of the Articles of Association of the Provincial Consumer Protection Association / 12/24 There are many tasks for this category of forums. The consumer protection organization in modern countries has two active sub-groups, including the standard organization and consumer rights protection associations. Trade associations and professional communities have begun to set up standard organizations to reduce industrial waste and increase productivity. Consumer libraries modeled their trade unions in an attempt to improve the market with sanctions in the same way that trade unions sought to improve the working conditions of strike actions (Rao, 1998, p: 941).

Unfortunately, associations in the field of protecting consumers' rights have been faced with inadequacies and inadequacies. A senior member of the Consumer Protection and Producers' Rights Association said about the legality of the Consumer Protection Association: The association, which identified itself as a consumer advocate in the community, has no intellectual or affiliate relationship with the law on the protection of rights Consumers do not have the legal authority to pursue consumer rights and are not known by the Consumer and Producers Protection Organization, although the name is similar in appearance to "consumer rights associations", which has led to News centers imagine that these are a set. The senior member added that the activities of NGOs supporting consumer rights should be approved by the Ministry of Industry, Mine and Trade, the Association for Consumer Rights Protection has not been approved. Consumers' rights associations, as they originate from people and these people are typically consumers, consumer problems are more tangible for them, and people can easily communicate with these associations. To make It seems that as the social damage caused by the violation of consumer rights, the complications of which are discussed in detail in the preceding section, people of the society are involved, the subject of the unity of the same people, in the form of associations protecting consumer rights cannot be solved. And effective.

3. Discussion

Defamation of consumer rights can be a type of social harm. The main attribute of social harm and harm is that it affects and afflicts the entire community, so that the only community with the help of the same can also mobilize and eradicate it. Consumer rights are subjects that, if not followed, show themselves as a social harm with malicious consequences. Among the views expressed in relation to the principles of liability for consumers, the theory of liability for social harm can be considered. This theory, which is rooted in trust, is a good idea to make the connection between consumers and manufacturers more powerful. Consumers have

the right to purchase sex from a manufacturer that does not cut off even after purchasing their services to ensure the health of the goods.

The violation of the rights of consumers from the area of producers can, over time, have adverse effects as social harm. These include social mistrust, intangible delinquency, lack of government support and lack of support for domestic goods. All of this, in the event of continuity, would weaken the relationship between consumers and producers, as a result of the market slump and the stability of the economic cycle. It should be borne in mind that government support and producers have many benefits to consumers, which preserves the interests of all three.

Protection of consumers' rights should be studied in three cases. These three cases include the possibility of collective action by consumers against producers, so that they can come to a faster conclusion; the second is the government's protection of the rights of consumers who are the producers. The third is the activation of consumer rights associations that play a significant role in providing consumer rights.

It is therefore proposed to: 1- The abusive consumer rights should be taken seriously and viewed as a kind of social harm. The use of social harm theory can improve and deepen the relationships between producer and consumer and provide confidence building between the parties. 2. The government, as the main pillar along with other components, must come to the aid of consumers and use its authority and sovereignty. Consumers are weaker and weaker than producers, and they are not well acquainted with the market, so the government must try to apply all aspects of consumer protection. 3. The Consumer Protection Act of October 2009 has many deficiencies and it is necessary to make a lot of revisions and amendments in this law. The violation of consumer rights as a social harm should be considered by the legislator and, by activating preventive institutions, combat this damage. Among the protections that can be considered, support for consumer associations is protecting consumer rights, which has a significant impact on this.

References

- Abdollahi Mohammad. (2002). "Social damage and its evolution in Iran, articles of the first national conference on social harm in Iran," Iranian Society of Sociologists, Volume I.
- Badini Hassan. (2012). "Pure responsibility, foundations and examples", Journal of Comparative Law Studies, Vol. 3, No. 1, Spring, Summer.
- Cooter Robert D. (2010). Thames, Ulen."Law and Economics". Dadgar, Yadollah; Akhavan Hazave, Hamedeh, Economic Research of Tarbiat Modares University Press, Fourth Edition.
- Delaney Helen, Rene van de Zande. (2001). " A Guide to the EU Directive Concerning Liability for Defective Products, Product Liability Directive", vol: 1, National Institute of Standards and Technology.
- Deutch, Sinai. (1994). "Are Consumer Rights Human Rights?" Osgoode Hall Law Journal 32.3.
- Deutch, Sinai. (1994). "Are Consumer Rights Human Rights?" Osgoode Hall Law Journal 32.3.
- Farhadi Maryam. (2005). "The Review of the Compliance of Consumer Protection Laws with the Laws of the Country of France", Journal of the University of Social and Economic Sciences, University of Isfahan, Year 19, No. 4.
- Free Amarak, Kamali, Taghi, Myth. (2004). "Confidence, community and gender Comparative study of mutual trust between the two sexes" Journal of Sociology of Iran, Volume 5, Issue 2.
- Ghasemi Hamed Abbas. (1998). "Introduction of Consumer Rights" Legal Journal of the Office of International Affairs of the Presidential Office, No. 23.
- Giri H N. (1984). "Consumers' Crimes and Laws", New Delhi: Ashish Publishing House.
- Goldring John, Maher Laurence, McKeough Jill, (1998). "Consumer Protection Law, Sydney", The Federation Press.
- Hillyard, P. (with C. Pantazis, S. Tombs and D. Gordon). (2004). "Taking Harm Seriously", the journal Beyond Criminology, London: Pluto Press.
- Lumber Jean-Claude.(1998). "Introduction of Consumer Rights" with an introduction by the translator; translation by Abbas Ghasemi Hamed, Journal of International Legal Research "No. 23.
- Mattil Peter, Desoutter Vanessa. (2008). " Class Action in Europe: Comparative Law and EC Law Considerations ", Butterworth's Journal of International Banking and Financial Law.
- Mike Terence D. (2014). "Criminality profiles" Translators: Ali Najafi Tavana and Ayoub Melikhi, First edition, Education and Measurement.
- Sadeghi Mir Mohammad, Hossein, Daneshvar San Reza. (2009). "Subversion of goods in Imamieh jurisprudence, Iranian law and community law", Journal of Criminal Law, No. 57.
- Mirjalili, Yousefi, Ali Mohammad Somayeh. (2012). "Effective Factors in Protecting Work, Production and Capital of Muslims from the Point of View of the Quran and Hadith" Two scientific research papers of Qim's book, No. 9, Third Year.
- Mohseni, Ghaffari Farsani, Shooshine Parsian; Hasan, Behnam and Nafiseh. (2011). "Collective Demand and Their Role in Consumers' Rights" Quarterly Journal of Private Law Research, No. 1.
- Moradi Payam, Farshid; Neda Hadizadeh and Fatemeh Younesi. (2014). "The Pathology of Social Mistrust in the Society and Providing Solutions to It". The First Scientific Congress on the Development and Promotion of Educational Sciences and Psychology, Sociology and Social Cultural Sciences of Iran, Tehran, Scientific Society for the Development and Promotion of Basic Sciences and Techniques.
- Parvin, Farhad. (2003). "Intellectual Damage in Iranian Law", Second Edition, Phoenix Publishing.
- Rao, Hayagreeva. (1998). "Caveat emptor: The construction of nonprofit consumer watchdog organizations" *The American Journal of Sociology*. 103 (4)
- Sadegh Nejad Nayeni, Majid. (2014). "Criminal Investigation of Legal Persons - Private Law; From Aesthetics to Prevention," Doctoral dissertation, Shahid Beheshti University.
- Sadeghi, Mehdi, Mohseni, Forough. (2007). "The Role of NGO in Protecting Consumer Rights", Legal Letter, 61, No. 1, 2007.
- Sarvestani, Mercy. (2007). "Social Pathology, Sociology of Social Deviations", Tehran Post.
- Shams Natari, Shahriari. (2015). Mohammad Ibrahim and Bahman. "The Criminal Nature of Behaviors Consequential to Risks in the Emerging Zoology School", Chapter 2 of Risk Knowledge, Volume 2, Issue 3.
- Shapiro, John. (2012). "Liberalism," Its Meaning and History ", translated by Mohammad Kashani, Tehran, Center Publishing.
- van Swaaningen, R. (1999). "Reclaiming critical criminology: social justice and the European tradition". The Journal Theoretical Criminology, 3,1.
- West Encyclopedia of American Law. Consumer. Answers.com. n.d. Retrieved on January 31, 2010.