Children Legalization Obtained from Simulation

Puran Mamany [1] , Mahshid Sadat Tabaei [2]*

[1,2]*Electronic Branch, Islamic Azad University, Tehran, Iran*

ARTICLE INFO

ABSTRACT

Objective: Manufacture of human vision through technology, simulation, worry and concern among scholars widely religion, morality and law has created. **Methodology:** Simulation is the same as the original to the reproduction and creation of a non-sexual way. In fact, human one of the secrets of creation, discovered that the system complies with cause and effect. **Results:** Although the majority of jurists are marriage and closeness between couples is essential for the legitimacy genealogy, some jurists have regarded as legitimate reproduction through simulation. The simulation was based on the idea genealogy children deemed to be legitimate. **Conclusion:** An important issue that arises here is that single-parent children are simulation.

1. Introduction

Including issues that Azdyrbazjz' heart concerns thinkers sciences natural been and research medical very To cause goods issue and production Generation Human "simulation" and positive and negative positions followed. It should be noted landscape construction human Through Technology "simulation" Many concerns among legal scholars, legal and ethical thinkers have created otherwise. Has happened to us with news and information about children simulation the many questions that come to mind, such as, for example, can identify the real parents and genealogy the child with relatives and acquaintances named. Child That way simulation Born, from the first stage of life with legal rights and legal institutions inevitable connection: the right to identity, family, parents, etc. Among the issues that should result in Islamic jurisprudence and legal system and legal, necessary measures will be taken for it.

2. Materials and methods

2.1 genealogy

One of the most fundamental issues raised in the discussion of the legal status of the simulation, genealogy these people. If genealogy determines the legitimacy of these people with their parents, other topics will be the situation of these people. A genealogy credit that has real credibility, which is the origin of this credit (genealogy) of the source is credited. In this chapter, the concept of Sunni and Shiite genealogy view to check the genealogy of the concept of the literal and technical and legal nature it will be explored.

2.2 First topic: genealogy concept in Islam

It seems that in Islam there is not much sense genealogy and each of the four schools of Sunni and Shiite religious expression only to have satisfied the conditions to gain the Shiite sect and some of his contemporaries, such as lawyers common definition genealogy dealt with. In this context the concept of the genealogy of view and Shiite Sunni scholars and the literal and technical sense to consider it.

2.3 The first speech: the genealogy of the Sunni viewpoint

In none of the four Sunni schools genealogy not been addressed and none of the contemporary Sunni scholars have provided a definition of it. In this regard, the proposed definition, on Tunisia's laws, "El genealogy legal relationship constituted Ali and series our complex and Phi Phi between and

monitors child» (for the relationship between father and child), (Farhat, 2010) and elsewhere in genealogy definition reads: I Alaba' and polyphyletic distance. (Salari, 2002)

Second speech: the genealogy of Shiite point of view

In this article we will examine the literal and technical genealogy. Genealogy word to its English equivalent «Kinship» is, of German origin and means the affinity and interest in the relationship between Stu friendships race in Persian it is called.

Genealogy also literally meaning, origin, race, generation, family, dynasty, roots, and graft vessel, gem and mastics (Dehkhoda, 1978). The custom, child sex between men and women there, between His parents established the tradition of its relationship to «genealogy» his name. (Gorji et al., 2005) Some jurists and lawyers in the common definition genealogy said: «genealogy lead to birth of the person, such as father and son, or the birth of two third person, like two brothers, father." (Fuzzi, 1999)

In legal terms, genealogy two meanings: the general and specific concept. Genealogy relationship in general or the civil law in accordance with the provisions of this law in 1031 to the "proximity" has been called, the "interest and Blood and legal relationship between two people who are rigid or other heart or the birth of a third party even though both are made through ». Genealogy specific meaning is:" the interest of legal relationships, and blood between the two there is a rigid or another heart. "

Therefore, due to the lack of definition of the lawgiver or legislator genealogy nature may be claimed that the legislator with regard to the genealogy of following tradition and the sense that the common law gives genealogy, is detected.

2.4 Second topic: Types and Its Legal Nature genealogy

Among the issues that are within the scope of personal status, genealogy, and parent-child relationships that are not mentioned in the constitution. While the personal status of these cases can not be questioned. Perhaps the authors of the constitution of marriage and personal status are known, were of the opinion that the genealogy of marriage and to express their marriage. In the first speech of the legal nature genealogy genealogy and the second speech will be studied. (Jamal, 2001)

2.5 The first speech: Types genealogy

Genealogy may be caused by the marriage or without marriage. Genealogy genealogy common type of marriage is being discussed as a legitimate genealogy. Genealogy of sex without marriage, sometimes the result of uncertainty (error) is. May be any conventional sex between men and women exists and is emerging as a result of artificial insemination child. The family relationship can be described genealogy of artificial insemination. Finally, it may be a child born out of wedlock and women. So in this article we will explore a variety of genealogy. (Imami, 1995)

2.5.1 Part I: genealogy Legal

Other names for it genealogy legitimate law is created as a result of marriage. Iran's legitimate rights when genealogy consider that at the time of conception, child, marriage relationships that exist between parents genealogy complete this type is that all countries recognize it and to the legal effects such as guardianship and alimony and inheritance are considered of the Civil Code to define genealogy has not been confined just to mention examples of it.

2.5.2 Part II: genealogy of doubt

Means a wrong question and it is a false sense of what is human, when a man with a woman to trust that exists between the relationship of parity, if this is not such a close proximity to doubt or (intercourse) in doubt and her genealogy genealogy of doubt that the jurisprudence is called. In civil law and jurisprudence of doubt genealogy genealogy ruling is legitimate and son near the doubt to someone when you are wrong, that Article 1165 of the Civil Code attached to this specification should jurisprudence, but in jurisprudence, the public against the genealogy confession to make. (Karam, 1998)

2.5.3 Part III: genealogy of artificial insemination

(Islami, 2007) Literally means fertilization insemination pregnant and being pregnant means, in so-called artificial insemination means that women made pregnant by artificial means and without their proximity.

2.5.4 Part IV: genealogy of adultery (genealogy gravy)

If the child born out of wedlock woman and man genealogy him of adultery and other words and child's illegitimate son called adultery. Iran is not recognized in law genealogy illegitimate child is not joined to the parent.

2.6 Second speech: legal nature genealogy

The idea that marriage between a man and a woman near the right leads to the conception and birth of a child together, and finally followed by the genealogy cause is not no opposition, but in the history of the exceptions, has been entered. Based on the teachings of the Quran believe Mary (R) partner without being married and had a child. Another exception is children who are due to close in doubt, scholars also doubt bring a close to annexation son, who had been a mistake to believe that "inasmuch coma midst of wife son".

In today's world of artificial reproductive techniques are used, as in many of these methods will not be a rapprochement between men and women, but the medical procedures used for this work.

Therefore, with regard to the genealogy of the credit for that is not religious truth despite genealogy parents are closely together, so that the legitimacy of each other genealogy related to legitimacy, but because of that it has exceptions (son of doubt) and, as mentioned, artificial insemination legitimate scholars and the Quran also the story of the birth of Jesus of Maryam without a father also endorsed it so it can be said: if a person for any reason unable

to marry or get married in spite of disable through the normal process (by proximity) have children and yet through non-sexual cells (simulation) may be His children, genealogy legitimacy of the child with its parent deliberation and can not be easily seen these children of adultery.

3. Discussion and results

3.1 simulation

Simulation of problems arising due to its easy and impossible ideas and different perspectives predispose been sent. In this season after child described the history and concept of simulation and simulation will be compared with embryo donation.

3.2 First topic: the concept of child

The word child is a child who has the singular form is the literal and technical sense. Whether certain provisions of law for the child and its various times and according to its type, underlying responsibility or irresponsibility. In this section, the word of the child discusses the legal and literal.

3.3 First Speech: The literal definition of child

Young human child or children (boys and girls) said. The child is the child's sense of Persian words. Children from the root word Pahlavi word meant to be short and short-term and small families. The term also refers to the great lack of purity and simplicity. (Rezania, 2004)

3.4 Second speech: the definition of the term child

In Iranian law, like most legal systems, period period period of clean and Iranian law, the legal definition
The second topic: the history and concept of simulation
Like any social phenomenon and political simulation with a series of preparations by a group of scholars in the field of human or powered to a record or record it is said. In conjunction with the simulation of human history can be referred to these cases:
In 1938, Hans Seaman theorized. On this basis, the core of a young or old cells after fetal stage and putting it into an egg, in fact, he raised the first simulation. In 1952, the first simulation, or perhaps better first experience happened simulated frog.
Simulation of the word is transcribed in Arabic literature. In addition to the simulation language of terms such as cloning, into the, synchronization and replication is used. For the first time, who used the term in this sense it is said, "In 1903 Hubert Weber cloned term to describe the set of selected species that are asexual derived from a living." Against The conventional method of reproductive human cloning, reproductive done through non-sexual way. That is one of the male or female sex cells within the female egg where the nucleus is removed and is outside of the uterus or in the uterus of the female is bred.

3.5 The first speech process simulation

(Riyaz, 2003) Although this study on the non-medical aspects and in particular the conditions genealogy simulation, but it is clear that the analysis of religion, morality, and rights of every subject must recognize that topic. In this article, we will introduce the simulation. The simulation consists of five basic steps are:
In the first stage using a syringe suction force nucleus containing genetic material (DNA) of the egg cells inside will be asexual, they are out.
In the second stage, a non-sexual cells of animal or human body which is supposed to simulate it, separated, put into grown within a few days of third, at this stage, using low-current electricity from between positive and negative electrodes is passed, the egg membrane of the host cell membrane between two electrodes that are implanted and then asexual cell nucleus surrounded by egg embryos to have that name. In the fourth stage of embryo culture incubated fifth stage consist of 8 to 64 cell stage embryo cloned in the uterus, which hosts the same way that the simulation will be transferred.

3.6 Second speech: a variety of simulation and comparison with Embryo Donation

In this speech to a variety of simulation in general and from a legal perspective, there are two types of simulation and then we compared it with embryo donation.
1- Simulation that in order to survive generation reproductive and child having parental counterpart (in terms of genetic content) takes place. In this method, somatic cell nuclear transfer used for or body.
2- Simulation treatment is the main goal of obtaining embryonic stem cells that can be used in the treatment of disabilities and diseases (especially degenerative diseases) can be used.
In Iran, there is no law about the simulation. In order to assist the couples in impaired reproduction and embryo donation to infertile couples, the problem of how the law was approved on 08/05/82. "The way the law approved embryo donation to infertile couples eighty-two the first step to solve the problem of those who can not have normal fertility, but this law has not been able to explain these aspects and effects of legal action and has added to the confusion. " mention a few points about the law, it is necessary to: (a) contrary to simulate embryo donation, sperm and ovule religious couples outside the uterus insemination into the womb of women with infertility or both he and his wife have been confirmed, transfer There is in fact an embryo belonging to another person, only the embryos wife grows, whereas in the simulation may be a person other than the couple involved. The mechanism used in embryo donation, infertile couples are using this technique are planning to have children, the least role in the formation of the embryo.
(B) With respect to the child born is attributed to his real parents «child born from the womb, and the husband has no relationship with the owner of the genealogy of the recipient woman's uterus but also a favorable environment for the growing fetus and the woman has no role in the creation evidence fetus

" It seems that the legislator with embryo donation, legislation intended to eliminate the problem of infertile couples, the rules for avoiding evils of mixing genealogy keep it inviolable.

(C) Another difference between the two methods of embryo donation and embryo cloning is the creation of sperm and ovule (germ cells) is. Jurists believe, if it is legitimate for the insemination of the female ovule man (husband) was formed and has been tried in the law there is no conflict with the idea.

3.7 Simulation human in Islamic jurisprudence

In the Muslim world, followers of most religions, especially Muslims, Sunnis turned against it. Sheikh Al-Azhar, Muhammad Sayyed Tantawi and doctor Yusuf al-Qaradawi and other Sunni scholars firm stance against this practice and it is considered contrary to religion and religion, but on the other hand and the opposition has refused to permit the total vote. (Mesbah, 2002)

3.8 Sentence simulation Sunni human perspective

Sunni scholars unanimously, simulation human condemn the action it wrong, illegal, immoral and against Islam knows. Sunni scholars in independent discussion on the sanctity of simulation the human stressed: doctor Mohammed Sayed Tantawi, Sheikh of Al-Azhar, Sheikh Mukhtar al-Mufti of the Republic of Tunisia, many reasons against simulation to bring human and opinions doctor Abd al Bayoumi professor of religion at Al-Zahra University as well as simulation human is considered unlawful. Thus, the Sunni simulation absolutely human in any way is prohibited.

3.9 The reasons for the prohibition of simulation human of the Sunni viewpoint

The most natural and normal way of reproduction human of, sexual contact. Islamic law also called on Muslims to be the only way to give birth. Hence, any attempt to reproduce that, this mechanism is not considered or even eliminated, by Islam is prohibited.

3.10 The global impact simulation

Publication of simulation had different reactions in the world, many world leaders and international personalities immediately after the issue of human cloning sharp rhetoric on this issue stated that the position adopted national regulations in some cases regional international the ban led simulation.

4. Conclusion

The right of attribution child to his parents, one of the most basic human rights is that with the arrival of new technologies such as the production has been seriously challenged. Child will be born with the simulation process, from the first stages of life its inevitable legal rights and legal institutions: the right to identity, family, parents, charity, child custody, inheritance, confidentiality, and marriage among the topics.

Many efforts in the field of simulation in plants, animals, and even human have been done decades ago. Simulation should systematically be reviewed and compared with other areas of science. Adopted by the jurists on the issue of religious duty of procedural scientists who work in this field specifies.

Among Shia clerics on the sentence simulation there is no consensus human and different opinions on this subject is provided.

It should be noted that the genealogy of the rights that belong to God and to the child and his parents. So, genealogy of children's rights is: it promotes the excretion of stigma and shame the child, and to prove it, many rights such as child custody, alimony, custody and inheritance proves to him. So, first right after the separation of the child from the mother, genealogy is.

However, genealogy denies children can have various motives, such as to deprive the children of the inheritance or shirk other obligations and father.

However, the work of the founder of Islam offensive and reprehensible practice is: In the legal literature, the question of proof and denial genealogy genealogy child to father children is very serious

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How to Cite this Article:

Mamany P., Sadat Tabaei M., Children Legalization Obtained from Simulation, Uct Journal of Social Sciences and Humanities Research 04 (2015) 26–30.