

Speciesism of Obligation and Physician`s Responsibility in Reconstructive and Cosmetic Surgery

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Abstract

Cosmetic and reconstructive Surgery is a newly- developed medical field that has no records in Islamic jurisprudence. Some contemporary scholars have been skeptical; about the religious legitimacy of this field. While, considering the principles of tolerance, it is an action within the framework of law. Additionally, it seems that the civil responsibility of medical practioners, in such situations, is their obligation to the results of the action, unless proved the opposite. In the Iranian subject law, there is no regulation foreseen regarding cosmetic surgery. However doctor civil responsibility toward this type of surgery can be inferred or deduced by considering general public principle. In this type of surgery, the obligation to provision of information as well as the necessity of taking moderate and fair actions in surgery are among doctors responsibilities. Moreover, in case of any injuries or harms, inflicted on the patient, as the result of surgery, there may be based on personal and typical criteria.

Keywords:

Cosmetic Surgery; Islamic Jurisprudence; Civil Responsibility; obligation to Means; obligation to Results.

Ways of men's Sexual impotency proof and it Jurisprudence and legal study

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Abstract

To prove men's sexual impotency, more than ways mentioned in Jurisprudence, three other ways such as medical certificate, witnesses' testimony of medical certificate and testimony of former or present wives can be added on his impotency. Some legal and juridical effects of this illness can be criticized. It seems that in this illness if it occurs after intercourse, there exists the right of marriage revocation for wife for the damages due to no possible marital relations. And if diagnosed by specialized medical doctor that there exists no treatment of such illness and it is permanent, there will be no need for granting one year moratorium to the impotent man. Therefore if marriage is revoked without moratorium, wife is not entitled to half of dowry. Moreover, the impotency of man with respect to his wife alone will cause revocation of marriage and it will not be necessary to test man's sexual potency with other women.

Keywords:

Impotency, ways to prove impotency, Occurrence of impotency after intercourse, dowry, one year moratorium, total intercourse impotency

Juridical Meaning of Virginity

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Abstract

What is the meaning of virginity? This is a difficult question which different jurists have different view of points and different answers to it. Some jurists believe that only a girl who has tissue in her vagina is called virgin. On the other hand, some jurists believe unmarried women are virgins while others focus on penetration of virgin tissue by legal or illegal husband. Accepting any of these four conceptions has different results in practice.

Keywords:

Virginity, Marriage, Jurists, Penetration.

**The jurisprudence and legal research of maintenance of the fetus
arise surrogacy**

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Abstract

The grow of fetus that belong the infertile couple in the womb of other woman that her name is "surrogate mother" creating the special legal problems that one of them is the maintenance of fetus. In other words, who must pay the maintenance of fetus in the period of pregnancy of surrogate mother; the genetic parents or the husband of surrogate mother? Whatever there is not the legal sentence in this ground, but it seems that with unity of effective cause of the article of 1109 civil law in related to the pregnant irrevocable divorced woman that the legislator ordering the husband to pay the maintenance, legislate for fetus specific maintenance and the genetic parents must pay this money for our fetus. Of course, this sum separated from the maintenance of women that the husband of surrogate mother in the satisfaction of conclusion of the surrogacy agreement would pay to his mate.

Keywords:

Maintenance, fetus, pregnant woman, genetic parents

Keywords

Awareness, spiritual and legal precepts, midwifery

Midwifery student's knowledge about spiritual and legal of precepts in field's midwifery, Ahvaz medical science of university's 2013

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Abstract

Introduction: It is necessary to learning religion spiritual for Muslim. In medical science has introduced special orders for this subject that medical professional employers use them and inside of physical treatment patients, answer for spiritual precepts that related to patients and treatment, also themselves obey these.

Material & Method: This is a cross-sectional, descriptive study on 85 midwifery student BS Ahvaz medical science of university's that they was selected by simple sampling in 1392yr. Tool was a bi-partial questionnaire that included demographic data and 36 question with three item about spiritual and legal of precepts In field's midwifery. The data was analyzed using descriptive statistic and SPSS 17.

Results :The mean age of student was $23/34 \pm 3/38$ and the 74/11 percent of them were connectional BC in midwifery, 17/65 percent of them take apart in workshop with research project. The majority them (30/58 percent) accessed their spiritual precept from religion books. Total mean of awareness score in all of fields was $20/22 \pm 3/41$ (good awareness). maximum knowledge was about spiritual precepts related sexual problems (70/59 percent) and minimum it was about spiritual precepts' health education (48/23 percent).

Conclusion: Today the new developments in the field of midwifery and medicine in different field such as :medical education ,abortion ,family planning , reproductive technology procedures ,...has been. Particular conditions of the patients during receive services' obstetrics and gynecology and type of cares that presented to them, cause making questions about religious commandments these procedures .It show necessity awareness' physician and midwife as the main providers of health care about spiritual health.

**Medical staff's remuneration [Ojrat] from the standpoint of the
Islamic religions' jurisprudents**

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Abstract

The studying of permission and lack of permission for taking remuneration [Ojrat] in return for patient's treatment which is debated between Imamiyah and Sunnis jurisprudence possesses a difference of opinion between Imamiyah jurisprudence and Sunnis –in addition to its jurisprudent and juridical significance– is of high social importance, and needs comprehensive review since a lot of people are involved. Some jurisprudence believes in rejection of such remuneration because of the need for patient treatment, unknown benefits and losses. Some others accept correctness of this issue due to sufficiency of remuneration preliminaries and not losses while physicians ensure treatment of the patient.

In this research which has been carried out according to a descriptive – analytic method, it has been obtained that the execution of remuneration contract in return for treatment is correct and permitted.

Keywords:

Physician, remuneration [Ojrat], patient, treatment, permission

The task of the physician, when the patient refuses the treatment*A.Sarikhani**E.Aghababaei***Abstract**

To protect doctors and patients, according to law, obtaining the permission of patient is necessary where permission may be and no need to permission in emergency cases. When physician obey the regulations and technical standards, there is no civil and criminal liability, but where the patient refuse the treatment, is the doctor responsible for or not?

There are different opinions here and it appears that where there is no permission from patient, physicians not allowed to do some sing, because of patient's self-mastery and according to legal materials and some jurisprudential opinions. The reasons like prohibition of self-harming and exposing to destruction have no effects here.

Keywords:

Criminal liability of physician, treatment, patient permission, patient rights, self-mastery