

Survey of Duty Age of Viewpoint of five Religions Views and Iranian Law

Mitra Rastgoo and Amir Hamzeh Salarzaei*

- 1- Department of Jurisprudence and Principles of Islamic Law , Faculty of Humanism, Islamic Azad University, Zahedan Branch, Zahedan, Iran
- 2- Department of Jurisprudence and Principles of Islamic Law , Faculty of Theology and Philosophy, University of Sistan & Bluchestan, Zahedan, Iran

Corresponding author: Amir Hamzeh Salarzaei

ABSTRACT: The aim of this thesis is to determine the age of the task from the perspective of five religions and Iranian law, the age of puberty is determined by the duty in Islam, when the sign of maturity is reached, the person reaches the age assignment. Developmental maturity is a natural state of human beings, both men and women arrive at some point in their lives. In Islam, the signs of normal, age criteria for adolescent boys and girls, have been considered. So if your son or daughter did not have signs of normal puberty and the age at which the judge is known for their assignment, they must, as a duty, in their religious duties act like that. Therefore, this study was conducted in four seasons. The analytical method has been conducted and the library. The main research question is the age of the assignment in each of the five religions and views of the old law specified. The hypothesis is that the old law of the task from the perspective of five religions and different. The results showed that, according to the age of puberty is determined by duty. Sunni and Shiite sects all agree on that guy as autoerotism and long-term if the girl reaches puberty, Other than these signs, some signs are also listed.

Keywords: Age duty, puberty, five religions, Iranian Law.

INTRODUCTION

Religious is one of the important dimensions of high goals in education. Duty issue and duty age are important that have been studied. Today nine for girls and fifteen for boys has been recognized as duty age. But in different religious especially Sunnite religion duty age is different for boys and girls. Duty age is puberty includes the end of twenty one A.D (Christian era). According to Iranian civil law based on the actual regulation, childhood is the opposite of puberty, and child adult. In the other words , in Iran law humans are divided into general classes: child and adult note1 article 49 of Islamic penal code and note 1 article 219 of procedure code of revolutionary and public courts in penal affairs considered duty age as “puberty” and it differs in boy and girl. In each two notes duty age is used in the opposite of child. In this study we seek to examine duty age from perspective of five religions and Iran law. In this regard first we express the view of noble Quran, hadith and jurisprudence about puberty and duty, and then compare duty age of boys and girls in Iran and other religions. Finally, the status of body growth in explanation of duty age is considered.

Research objectives

1. To gain duty age from perspective of five religions and Iran law.
2. To investigate legal competence, identification of puberty age and effect on duty from view of five religions and Iran law

Duty age

When a boy and a girl reach a certain age and they is full- grown. They considered as “having attained puberty”. Who one attains duty age he/she must perform religious precepts and avoid what God has forbidden (ie. Unlawful

things). According to treatise of religious jurists, duty age is 9 for girls and 15 for boys. In this age they reach to rational sexual and physical growth.

By reaching puberty fast prayer and other religious obligations are required and it is unlawful to violate this juridical opinion. In the other words when a boy or a girl reaches to duty age all social rules and regulations applied his/her as great age. But it seems these rules laws have rational and religious contradictions and faults (Quran context) that we can refer as follows:

1. If all the girls that become 9 years enter to adult world so why they cannot vote in parliamentary and presidential elections in a country and decide their fate?
2. Jurists declare puberty for girls in 9 and boys in 1, this rule cannot be because of more rational growth of girls than boys, if it is so, it insults to men and ignores society realities you look at 9 years boys and girls. Which one would be unfair to claim that 9 years old girl must be responsible for: all her work like a mature person? And who can tell that a fourteen years- old boy not understand like a 9 years- old girl?
3. According to rational scientific and logical view, it has been approved that man is stronger and more resistant than women by physical aspect against starvation and hard work and one one hand, in Quran, God about fast says in religious practices there is not difficulty for you. Then we can clued, if there is age differences between boy and girl this difference must be reverse it means that boys must reach to duty age earlier than girls because of stronger and more resistant body.
4. It seems that this rules affected by male domination has issued at the old times and there is not religious and logical origin and adapted from forgery narrations and hadiths that they contributed to prophet or Imams.

Puberty conceptualization

Puberty is given into two meaning verbally. It means to reach and obtain thing. Puberty means reaching to complete thing and sometimes in metaphorical use means going to reach it may not be reach there

The cause of age difference in boy and girl

A religious puberty is based on natural puberty. At all world regions, by viewing natural and social conditions, girls reach to the natural puberty earlier than boys and their activity of sexual glands begin before boys «there fore» the preference of religious puberty of girls than boys is according to the natural authority and means the coordination of developed legislation with genetic regulation. The maturity and growth of girls about nine years was not allocated to Arabic regions, but it is a genetic problem.

Basis of duty age in girl and boy

Duty age Islam is determined on the basis of puberty when the signs of puberty at least these signs (autoerotism for boys and menstruation for girls) is obtained the person reaches duty age. But in Islam, in addition to the natural signs the standard age is considered for puberty of boys and girls so, if girl and boy didn't have natural signs of puberty and reached to the age that judge is specified, they shall fulfill their religious duties. Therefore, it is not true that Sunni know puberty age of girls by start of natural puberty and Shia knows it from 9 years old, but of a girl sees menstruation or becomes pregnant, according all religious, she becomes puberty even if she can't reach to duty age that Sunni mentions as the start of duty age.

Age puberty:

Sunni and Shia have differences in puberty age, as these differences are clearly seen in the religious of Sunni. The famous citation of Shia jurists about puberty age of girls is 9 lunar years and for boys is 15 lunar age

The reasons for female puberty at nine years old:

1. Mohammad Ibn Abi Amir Queir vahed An Abi Abdullah says: girl puberty is 9 years old. Ibn Abi umayr cites from Imam Sadiq that he said: puberty age of girl is 9 years old. Narration document is true, because Ibn Abi Amir narrates documented hadith from the reliable people, even if we deny this basis it is still possible to prove the authenticity of this story: because he has narrated this story of the "other one" and the meaning is more than three. If we accept that there is a particular version on more reliability of the narrations that Ibn Abi umayr has cited narrative the ratio of un- reliable people among them is few. Accordingly, the correctness of this story is ensured.

2. Abdullah Ibn sinan An Abi Abdollah

Imam Sadiq says: when a boy reaches to thirteen years old his goodness and evil is recorded in deed book and he is punished according to his evils and when a girl reaches to nine years old is due to menstruation at the age of nine.

Meaning of the girl of nine years old is to complete nine years old because puberty means. Up to the sense of time or place or the destination.

The view of Shiite jurists about duty age:

Shiite jurists consider duty age of girls as 9 lunar years and duty age of boys as 15 lunar years.

First group: they have considered three signs for girl and boy puberty growing coarse hair under belly above the genitals. Second: coming out semen third: all of the fifteen lunar years in males and nine lunar years for women of course according to this group each sign that is obtained is puberty sign and some expressed that sleep and wake and voluntary or involuntary don't have the difference in this subject. After the late sheikh Al- taefeh tusi most jurists are on this view.

The second group considered the only sign of puberty all nine lunar years in girls and considered one of three sign in boys. Of course some of this group like Ayatollah Sistani mentioned fifteen years in boys.

Third group: jurists in this group considered nine or ten years for girl that last Allameh Helli in Al- motoallemin not is part of this group.

Fourth group: the great persons considered ten years the duty age in girl like sheikh Al- Taefeh Tusi in the book Al- mabsoot.

Fifth group: they mentioned thirteen years for girl about puberty age, that in addition to the mentioned contemporary jurist in question according to Ayatollah Jenayati the famous jurist of eleventh jurist namely Mollah Mohsen Qheiz Kashani was in the same view.

Sixth group: they ignored age and just expressed other signs like sheikh Sodouq in "Al- moqhna" book sayyed Morteza in "Jamal Al-elm and Al- Amal".

Sunni view on the duty age:

Hanafiyah: they know 15 lunar years the duty age of girl and boy although Abo- Hanifeh knows 18 for boy and 17 for girl.

Malekiyah: the end of 18 lunar years for boy and girl

Hanbaliyah: the end of 15 lunar years for boy and girl.

Hanafieyah: the end of 15 lunar years for boy and girl.

The condition of "duty age" is one of the most important religious issues

Legal ways to prove the fulfillment of maturity and duty age legal ways to prove the fulfillment of puberty is also one of juridical discussions. According to Shiite jurists can be ensured only in autoerotism by child speak without the need of clear proof and swear according to Malkyan can generally be accepted child claim about the fulfillment of puberty when his speak is not questionable.

Duty age in Iran law:

In state law in different countries it is a long time that legislator determines special age as puberty age that it is considered as legal capacity there is no difference between girl and boy. Perhaps the determined age is according to custom tradition and regional condition or the social situation. According to legislator boys and girls at this age reach to a status by rational aspect that can have legal rights and usually at this special age natural changes of autoerotism and menstruation emerge but however legislator determine this special age as a legal capacity.

Perhaps in the laws of many countries legal age of majority has been set 18 years. However in some rules 20 and 21 is also determined child law convention is also international treaty and has been approved by general Assembly of United Nations organization in 1989 it determined puberty age and the end of childhood as 18 years old it allowed the member states to determine less the puberty age according to their domestic rules. Article 1 convention appoints.

CONCLUSION

Other sign of puberty is to reach a special age. Boy with the end of fifteen lunar years comes out childhood and joins the men and girl by the end of nine lunar years comes out of orphan and childhood and joins the women.

The end of this age shows that before this person has attained puberty it is not true that person reaches puberty in this age because men and women reaches to sexual maturity and can marry.

Considering that duty age has been based on puberty all Sunni and shia religions have same opinions. If a girl become menstruations and boy become autoerotism they reach to puberty. Apart from these sign some other sign have been mentioned. Therefore it is not true that Sunni in all religions considered duty age by start of the natural puberty if we say that Shiite just knows 9 years for girls (of course in some environment girls reach to natural puberty at the same age 9 years), but if girl sees menstruation or becomes pregnant according to all religions. She become puberty even if she can't reach to an age that Sunni mentioned for the start of girl duty. The only difference between Shia and Sunnite is about the puberty age of girls.

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