Study the Publication de Faussenouvelle

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ABSRACT
Communication and news has a history in the same with human life that be an inseparable part of human life because of various reasons. But today regarding to appearance of new communication devices and development of communication networks, the communication has fundamental changes and in recent decades we had communication revolution. Therefore the change in communication devices has many effects in our life and it is impossible to ignoring them and it is necessary to study their results and their effects on our life. The rapid publication of news and reducing or removing the time and place distance is one of the results of new communication devices. The present study wants to organize the discussion of publication de faussenouvelle in new in Iran law. The data of present study were collected from valuable references of books-conferences-journals and so on and then they were analyzed by opinion of related experts and also the author of prent study.

INTRODUCTION
The protection of spiritual rights of human and fight against crimes that are related to identity of people is one of the most important factors that were emphasized during various ages. In this way the publication de faussenouvelle was used as an ethical factor as a weapon and also make some damages to human life. Indeed the crimes against personality and identity of people, especially the publication de faussenouvelle has a special importance regarding to provide changes. Before developing the activities of journals and visual and acoustic media, the range of these crimes was more limited and the laws about them were weaker but from early years of 19th century and especially after the indication of conditional environment in Iran, it get more importance.

Defamation is an illegal action and can be had some punishments because can destroy a person in a society. In publication de faussenouvelle despite to defamation there is a clear lie about someone and is one of the fundamental crimes in society. It seems that it is the abusing that the fake data are related to a special one. One other of necessary conditions to publication de faussenouvelle is that the fake data be in written form. Also the untruthful of data is one of the important factors of crimes. So if the correctness of the claim not be proved it can not be account as publication de faussenouvelle in other words, it is not necessary that the related factors be direct and clear but even if it be explicit form, it is crime too. One of the related defamation especially among journalists and reporters and maybe among political persons in our country, is publication de faussenouvelle To distress the common minds that unfortunately it has various methods and perspectives in criminal law of Iran, in a way that in some recommendations, the term of distress of common minds is considered an independent crime, while there is not any case in criminal law to this case and it is considered as a subversion of publication de faussenouvelle The author during some notes and various titles, analyzed the compsite factors of publication de faussenouvelle And indicate the concept of distress of common minds in journals, but the common criminal use of this crime is necessary of writing more essays and performs more studies. Especially in this way that in most of criminal law books, there is not enough explains about crime and its differences with other crime bases against identity and personality of persons such as defamation. So most of law students have difficulties in identifying the factors of publication de faussenouvelle.

1-1-research questions:
1-is the publication de faussenouvelle based on Feqhian principles, must take respect to others in field of news?

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2-is publication de faussenouvelle from popular media in an indirect form is illegal in view of law?
3-is publication de faussenouvelle from popular media in a direct form is illegal in view of law?

1-2-research hypotheses:
1- The publication de faussenouvelle based on Feqhian principles, must take respect to others in field of news
2- Publication de faussenouvelle from popular media in an indirect form is illegal in view of law
3- Publication de faussenouvelle from popular media in a direct form is illegal in view of law

2-research problem:
2-1 journal crimes:
2-1-1-journals- media:

Basically in contemporary society the term of media refers to some journals that published in a regular form of daily- monthly- weekly- annually or seasonal and one of their features is the ordinary publication.

Indeed a journal must have several characters as following:
1-regular publication 2-constant name 3-date, number and volume 4-the identified activity, Indeed each journal that ha these features can be considered as journal and if had any mistake, it must be confronted with media laws. And so if each journal be out of the medial law and make a crime, it is confronted with common law.

2-1-2-the concept of journal freedom:

Based on international basic of journals, the journals have freedom in nature and so this freedom must be related to range of laws to prevent from abusing of criminal persons.

2-1-3-the rigts of legislator to study the journal crimes:

If an error or a crime performed because of journal actions, the legislator considered some special points to study that crimes that some of them are councils- the opinion of experts and so on.

2-1-4 the bases of journal freedom in Iran:

The socialists indicate the main bases of journal freedom in verbal freedom. Verbal freedom is on of the cases that is in emphasize of Islam, but Islam prevent from abusing of it and confirm the verbal freedom in a range that not because of disordering in ethic and believes. Regarding to communication and equality of journal freedom and verbal freedom, the indicatin of this point is necessary that legislators in Iran must identify the legal limitations beside of accepting each of them. The professor, Mottahari in his book about Islamic republic and verbal freedom in Islam said: every person must have free thought, and it is only way that Islamic republic can be successful.

2-2-definitions of journal crimes:
a) The common definition of journal crime:

In general definition, journal crimes are including some crimes that occurred in all written publishes that is confront with all people, in other words, the journal crime is one that can be perfomed in all of deiveces of popular communication and so it can be including books and notebooks.

2-3-the knowing of crimes against identity and oersoality of people:
2-3-1-the crimes against persons:

In totally, in private criminal law, each crime is defined separately and its factors are studied that this is cause of separation of crimes in eachothers. The juries often pay attention to damaged results of crimes, some crimes that have common results and o on. For example the crimes of stealing, cheeting and so on that all are penetration to owner and assets were studied. [8].

2-3-2-the crimes against spiritual personality of people:

These crimes were divided to four major parts:
1-libel
2-defamation
3-the crimes against freedom in communication
4- Treatment

2-4-crime and its factors:

As it was referred in previous section, the crime of publication de faussenouvelle is one of the absoloute crimes and in this part, we yudy the concept of crime and all types of it and its optional factors:
2-4-1-cime and its various types:

Based on case 2of criminal law, each action that has punishment in law is considered as a crime.
5-2-absolute crime:
Crime in dictionary means sin and in Islamic criminal law, each act that has punishment in law. The crimes can divide in two groups: absolute crimes and dependent crimes. (Afrasiabi, 2011).

2-5 the crime of publication de faussenouvelle:
Publication de faussenouvelle is publication of fake data to abusing from persons and are not correct.

Conclusion:
Communication and news has a history in the same with human life that be an inseparable part of human life because of various reasons. But today regarding to appearance of new communication devices and development of communication networks, the communication has fundamental changes and in recent decades we had communication revolution. Therefore the change in communication devices has many effects in our life and it is impossible to ignoring them and it is necessary to study their results and their effects on our life. The rapid publication of news and reducing or removing the the time and place distance I one of the results of new communication devices. The present study wants to organize the discussion of publication de faussenouvelle In new in Iran law. The data of present study were collected from valuable references of books- conferences-journals and so on and that they were analyzed by opinion of related experts and also the author of present study. Indeed the crimes against personality and identity of people, especially the publication de faussenouvelle has a special importance regarding to provide changes. Before developing the activities of journals and visual and acoustic media, the range of these crimes was more limited and the laws about them were weaker but from early years of 19th century and especially after the indication of conditional environment in Iran, it get more importance.

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