

Conflict resolution Drug expediency with Article 36 of the constitution of Iran

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Abstract: Article 36 of the constitution, one of the important principles of criminal law, the principle of legality of crime and punishment in Iran's rights accepts. In terms of our constitution, the law, the rules said that Parliament had issued a formality which is prescribed in the constitution. Expediency of certain state institutions in the Islamic Republic of Iran, which is responsible for a variety of tasks. In the 1358 constitution, in any of its principles had been no mention of this institution, in February 1366, the Assembly of the orders of Imam Khomeini (ra) was formed Initially attempted to pass a law that is the most important anti - drug law. Now the question that arises is that according to Article 36 of the constitution of the Narcotics Act are in conflict with this principle. In Islam, the Islamic ruler has the right to itself in accordance with the public interest of Islam and Muslims, Adopt the necessary decisions. The decisions that " state laws " are caled, Sentences such as primary and secondary, will be the obligatory Alatah Republic of Iran's constitution the principles of the 5, 110 and 112 to explain it. The decisions of the Expediency Council as well, since the Assembly as an arm of the leadership, while providing an advisory opinion to the authority to The state government's orders, can be considered apart the leadership.

Keywords : keywords: The principle of legality of crime and punishment, crime, law, the Wxpediency Council, a government decree

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