Mechanisms of punishment in the punitive and marginal punishments in the criminal law of Iran and the criminal law of Islam (Imamieh)

Reza Amirian*,Dr. Atefe Lorkjoori,

Abstract: Punishment in its broad sense is criminal policy measures which includes the reduction of punishment to the elimination of its implementation, is based on the thought of inability to punish and the reforming the offender and crime prevention.This approach, as a fundamental strategy in the country's criminal policy, has been taken into consideration more than other policies of the retreat of the criminal system;because by maintaining a criminal character for a behavior that the criminal response has only been removed it, there are fewer restrictions and restrictions than other policies. In the legal policy of the Islamic Republic of Iran, a deliberate punishment strategy to reduce the burden of the criminal system. In the laws of the Third, Fourth and Fifth Development Plans, macro-judicial law, the leadership as well as the proposed laws of the judiciary to the Islamic Consultative Assembly has been considered. At present, examples can be found in the Islamic Penal law of 2013. On the other hand, Islam's Basic emphasis on reducing crime opportunities, to criminal repressive reactions have given a secondary position. This tendency is a particular policy that is referred to as the extent of punishment. Invented in the Islamic jurisprudence of Islam, according to which maintaining criminal responses in legal texts, Possibility to abandon the execution of punishment with the prediction of multiple opportunities, and persuading you to take measures that fewer qualified criminal attributes are provided. This research also examines Iran's criminal law policy and Islamic Criminal Jurisprudence Against Punishment, Its most important effects are the Islamic Penal law of 2013.

Keywords : Key words: criminal policy, punishment, limits, ta'zir