

**THE STATEMENT OF DIGNITY IN FIGHTING CRIME IN THE CRIMINAL
POLICY OF ISLAM AND IRAN**

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ABSTRACT: In this study, the explanation of human dignity in criminal policy and the role of Islam and the dignity of internal consistency and coherence of criminal law is examined, After the recognition of the dignity and criminal policy, the relationship between human dignity and the fight against crime and criminal penalties for the criminal actions have been discussed And the relationship of those crimes and laws that interact with human dignity and human dignity because they have been fighting crime, has been analyzed. Crime prevention and precautionary measures, measures that are their main target effective action against the factors and processes that lead to delinquency. hese measures have played a decisive role and collective actions in the sense that the bulk of the community is to be done before committing the crime. Finally, a variety of non-criminal and criminal penalties of which is divided into statesIn non-criminal measures the impact of self-esteem and dignity in personal and social life, in order to prevent crime, the verses and hadiths examined. The purpose of imposing this punishment as a form of respect for human dignity and restore the lost dignity of the crime, has seen, has been introduced. Fit the crime and punishment (the offender shall be punished as a crime did not less no more) Another issue to consider when implementing a lot of punishment in Islam is derived from human dignity is given by Islam.

Keyword: Human dignity, inherent, Politics criminal offense.

INTRODUCTION

Fighting crime and its prevention in different systems based on different ideologies and principles are formed, Religion in the political systems of criminal law, they are influenced by religious and divine revelation, Prevention and combating of crime in the basic values of faith, meant nothing to go ahead, warning of the occurrence of something Or lowering your risk of injury and criminal legislation on crimes and punishments would be legal. Fighting crime in the Islamic Republic is based on divine principles, one of the bases, and the criminalization of Islam Human dignity which God in verse 70 of Sura Israa explicitly stated it. "Adam Krmna Lqd"

Dignity's literally been counting. It also means glory and honor to keep, and cherish the noble count has been taken. (Dehkhoda, 1998)

Criminal policy is the understanding, contemplation and community governance issues, Thus criminal policy on the one hand the analysis and understanding of a particular issue in society, the criminal phenomena and on the other hand, to implement a strategy (strategy) in order to respond to situations of delinquency "(Apostles, December, 2008)

In this paper (assuming the inherent dignity of the human role in the prevention and combating of crime in the criminal politics of Islam and Iran) to the position of human dignity criminal policy in the fight against crime in Islam and Iran.

**THE ROLE OF HUMAN DIGNITY IN FIGHTING
CRIME IN THE CRIMINAL POLICY OF ISLAM
AND IRAN**

First topic: Non-criminal measures

Their goal preventive measures that effective action against the factors and processes that lead to delinquency. These measures should be determining role and collective actions in the sense that much of the community involved, before the crime to be done The social pathology of the crime as the most important factor can be named Although some of the social ills may legally be considered a crime, but this is not true of most of them Criminologists believe that the phenomenon of delinquency due to various factors, biological, psychological and social environment and physical environment And many of the social pathologies that are destructive role of psychosocial and environmental factors as a favorable context that gradually delinquency are

the main causes of crime play a role. The role of disease prevention is more effective than treatment of the disease.

No social protection, norms gradually become malformed and expands the range of social ills. Looking to continue this trend, increasing crime statistics and the judicial system, which plays a major role in tackling crime and punishment through a set of safeguarding measures and training on tasks is inefficient. Because social pathology raging flood, the bed, the delinquency develops and the demands and unrealistic expectations of the judiciary and law enforcement agents to deal with crime increases.

DETERRENCE OF CRIME AND DELINQUENCY IN THE WORDS OF RELIGIOUS LEADERS:

According to Imam 'Ali (AS) "human dignity is the foundation of many of the upper levels; And the progress of human evolution is considered. " (Wisdom 449, Nahj al) "No one has the passions of the soul, his dignity would be worthless." Imam Hadi (PBUH) said: "I had the se Fela Providers Hunt sag» (Alhrany, 1404) who humiliated and debased his soul is in him, be not safe from his evil. No matter who your character is certainly not afraid to humiliate others. So to keep the community

The spirit of self-esteem and dignity in the society has grown and strengthened

Dignity is a theoretical value which can then practical aspect. But do not think that this place is worth comment Etebarian row. Of the holy angels and of the Holy Qur'an as well as the reality is that these are all manifestations of God's greatness .. In other words, Human dignity implies that he has superior quality and is the essence of things go. For this reason, the Lord of creation, the Essence of Excellence, the devil will be addressed. (Qur'an, p: 75) (because of what he had to his hand, did not prostrate?)

This interpretation of the creation of man by the hand of God, that man represents a valuable gem, because these words are used when the job is done, a special honor to be in order One way to prevent crime in words of religious leaders about the essence of being human cognition and raising their self-esteem in a Is a great honor and esteem attached to their humans do not make it a sin humbled because he knows It is the gift of God-given dignity and self-esteem that can fertilize the meritorious deeds in their presence and the ability to actualize the divine, The world as he knows his own worth and dignity of the person who values

her for not It also ruined the banking Nkhvahdasht compared to humiliate others.

THE PERSON'S DIGNITY OR HUMILIATION:

1) Release of captive born or in its grip The essential characteristics of self-dignity arising from the release of the Ridding the world of all its ills. Human dignity in the eyes of the world are small and humble, After its humble human heart is not close to the world his great humility and comply captured it. Everyone enjoyed the dignity of the soul, the world is small eyes and whoever humbles his heart, the eyes of the world at large.

2)Sincerity is the most difficult and the most important social issues - political Islam. As the realization of the rule of Islam and revelations of hypocrisy and hypocrites of Medina Nabavi decline intensified. The Holy Quran is the emphasis on wonder and come forward in the history of the human, In such a way that one thinks of as his other show, his soul is rooted in humility. The emergence of human emotions and feelings in a direction that is opposite to the spiritual expression of his soul.

Hypocrisy and duplicity of mankind arising out of the contempt and Zlty that person feels in their presence. According to this hadith and Quranic verses in this field, we can conclude that someone with a different appearance and inner reality (in Goftar saying a word, which amounted to not abide) And to achieve spiritual goals Khvdv to eliminate Zlty within itself feels humiliation and shame of sin Ndardchvn honestly did not cultivate in himself.

3)Moral virtues and vices Imam Ali (AS) says: Character and integrity of those who are spiritual, carnal lusts and desires in terms of Posts and small. (Tamimi income, 2007) Society that is dignity, self-humiliation, whereas men in the spoiler section does not.(Ibid, vol 2, 203)

They are sensual and self-dignity to not pollute please post. They know they disobey their above right, break their dignity: Imam Ali (the urge to stay away from the world) said, urging people to turn away from the world and dropping it to the cost of human lives Jzbhsht that does not make it less cost to sell, The essence of the human being has inherent dignity and has a lot of talents in obedience to God's commands and avoiding non-religious statements And coming out from under despots and tyrants, for it is clear that the river does not become mere human wisdom And free

from the whims of the man who would abandon the post and condemned to eternal Paradise is not only the price of their souls And people who are humble, you can not expect a dignified manner.

SECOND TOPIC: CRIMINAL ACTIONS

A) decreed punishments in Islam and Iran

Islamic punishment has a set of attributes and features that are compatible with human dignity is more obvious.

In Islam, the punishment for committing crimes such as murder, theft, betrayal of trust, death, amputation, flogging or imprisonment, but his sentence is insulting and humiliating, ie, because of any act specified in the law and must be given the same punishment. applied yet to the personality of the offender, or the offender is to be disrespectful, insulting and degrading treatment.

92 Article 25 of the Penal Code declares:

Final conviction of intentional criminal offenses, including time of execution or at the time specified in this clause, sentence as punishment for consequential deprive them of civil rights:

A) seven years on conviction to a penalty of life imprisonment from the date of execution of the original negative.

B) Sentenced to three years in mutilation, death if the blood of more than half of imported crime victim compensation payments, the deportation and imprisonment of up to four.

C) two-year sentence to whip some extent, the condemnation of the crime and if the blood entered the victim shall be half or less of it or imprisonment of up to five

Eliminate the effect of this approach has two main characteristics: firstly consider only the offender's social rights and social rights that the offender has been denied, the fix works. Secondly, the elimination of work, time and time barred under the circle continues. While removing the effect of Islam, it is much more.

The Islamic approach, punishment, atonement for sin and crime counts. Atonement, religious doctrine, has a prominent role and, in fact, refers to the purpose of punishment, because the basic principle is enacted to punish the guilty conscience and the conscience of man Myalayd him from the stage of humanity's lapses and Kramtsh destroys. Then the refinement of man and gain his lost dignity, we must ponder choice. Atonement and punishment in religious teachings, a step toward restoring polluted soul, mind agitated Vhysyt missing. This attitude is so much bigger and superior viewing angle of a lawyer, the

question is, scholars of criminal law, criminal infested Soul never lost dignity back Rfthash, do not think about their efforts towards offenders returning to the community he is missed. While religion over social rights to its size, the lost dignity of the victim, according In fact, punishment and atonement cover, pollution, crime, and therefore he is accused of carrying out the punishment, regained their lost dignity and forgiveness of God is. Thus, in the Islamic tradition states who suffer temporal punishments in the hereafter for committing the act, shall be punished. In some traditions it is stated that:

God Krymtr that person to do an act, a double punishment

Impose sanctions as Islam rules, goals, protect society from corruption and protection of moral values and human dignity, general deterrence (punishment of lashes in the presence of a group of believers reinforce the need to indicate the status of the objectives of the punishment, deterrence public.), private deterrence (for someone who will endure punishment), correct the offender, if the sentence contains some sort of pain, suffering, discomfort and deprivation can not meet the expectations of punishment goes. But Drdavrdrn tons of punishing offenders (like a hundred stripes) is not the main goal; But this is also a kind of respect, justice and reform offenders and establishing the basis for achieving the goals of deterrence mode for him and others Therefore, the purpose of God Azmjazat, reforming the education community and correctional offenders and criminals and protect the dignity and honor of him (which they do stop and try to restore their lost dignity) and others (if you want to do Radarnd) But the punishment or form of its implementation, Nbaydmvjb affronts to human dignity and in conflict with accepted principles and moral values in a society.

B) the reasons for the prohibition of torture and regulations of Islamic Republic of Iran Islamic Aqrardr

Charged with the obligation of preserving human dignity, which states that the prohibition of torture. Reasons designated jurisprudence - the verses and traditions - and the reason is clear on the prohibition of torture and harassment charges implies that the ways of denoting each sanctioned torture separately examined it. (SM ex, 2011)

1.yat: In Islamic teachings, a human being who God created him in the best possible way, and their soul is breathed into him (Qur'an, p: 79) and after his creation, has its admirers, (Qur'an, , Moumnon: 14) because of the excellent location

and pleasant and regardless of any adverbial such as faith, Islam, and he has the respect and dignity. (Qur'an, Israa: 70, II, 30) and even more of his dignity and the sanctity of divine knowledge is the most important. (Alhlby, 1403)

2 Narrative: In addition to the above verses, the traditions of the Infallibles (AS) is quoted in the book of Shia and Sunni, and put an end to the punishment of blaming others and prohibiting it, at this point, to mention a few examples will suffice we will: H-5158), the inertia of Imam Sadiq (as) narrated that the Prophet said: "Most people in the sight of Allah is he who is behind Muslim Mbghvz to unduly disturb the nude." (Shaykh al, 1409 AH: C-10, Page 148, H-588)

3.qvanyn:

Persecution and torture to discover guilty to a single charge and the plea of the accused, is unjust and unlawful. So not only bad reason and conscience on such acts is death, verses and sayings and deeds of the Prophet and his Ahlul also believe rational judgment is affirmed.

Shia scholars admit no legal effects resulting from torture to know. (Makarem Shirazi, 1384: 80) Because of physical or mental torture in respect of the disposal of cases and realization of duress and in severe cases deprive deprive him going, and fulfill the obligation Did you mean: In such cases the origin may be issued confession of torture in criminal law therefore not only unlawful and forbidden in Islam

But if the person applying for the torture and confession or witness, the confession or the testimony of no positive value. In Iranian law, according to the principles of the constitution in this context. Article 22 of the constitution states: "The dignity, life, property, rights, residence and occupation of the individual are inviolate, except in cases where the law." Consequences of human dignity is to prove the guilt of an accused before the evidence is credible, He is presumed innocent even if previously convicted of another crime is committed a crime and now is the ruling principle. Q.a Article 37 states the principle thus described: "the principle of presumption of innocence, and no one is to be held guilty unless proven guilty in court." Thus it is clear that Iran sanctions law enforcement, criminal and civil, serious enough to Shknjkhkndgan there. In fact, the rights of torture two main performances are guaranteed. Recognition of any confession discredited as a result of anticipated punishment for the perpetrators of torture is torture else actually matter. (Hosni Leader, 1383: 65) According to

what was mentioned briefly, we can conclude that Iran's rights, whether civil or litigation of any Dvayy- Kyfry- in courts of justice, it is necessary to proof. So typically in the form of laws or some substantive laws, the Bhsay on "evidence fights" discussed. One of the main reasons for disputing the proof in civil and criminal matters "confess" is. Acknowledging differences with the other evidence in this normally fights actually confession is more indicative of a certain value, and sometimes enjoys it, "Syed Aldlah", "Throne Aldlayl" and so they say.

Among the reasons confession from a legal perspective considers null and void, when the confession (the seat of) the necessary legal conditions, which often include the maturity of reason, the authority and the do not intend to. What are the conditions of the torture debate is concerned, if it is available. If a person is forced to admit the threat of imposing pressure, the headquarters of the Mkrh (or even having) has not authorized, based on tortured confessions are therefore often based on material constraints - physical or mental - mental HQ comes to action, the law is invalid In this regard, the legislature enacted a law prohibiting torture on 18 May 1381 as well as within the definition of psychological torture tortured..

Rule of Law, "as specified in this Act shall torture and ban it is 1) any harassment or physical harassment to extort confessions, etc. 2) keeping prisoners individually or keep more than one person in solitary confinement, 3) eye imprisonment or detention in prison garter4) interrogation at night 5) Insomnia to imprison 6) measures that traditionally apply psychological pressure on prisoners considered to be 7 (profanity, the use of vulgar words, insult or humiliate prisoners during interrogations or Ghyran 8 (use of psychotropic medication low-and high on drugs, prisoners, the sick 9 (exclude-starved and 10) kept prisoner in areas with a noise annoying 11 (of prisoner access to essential services Bhdashtyradasht, or thirsty, the imprisoned and the failure to comply with health standards 12 (depriving a prisoner of use)According to Iran's Penal Code, the confession of duress and intimidation (of torture) in the initial report, officers and agents of Justice or The preliminary investigation by the prosecutor or deputy district attorney or prosecutor's office or at the sentencing phase of the trial judge me Countertops Hakam (Judge sitting), no effect and shall be void.

Summarize and conclude:

As stewards of God's human creatures and land A very honorable and decent status and , A very honorable and decent status and And God has him as a creature of dignity and decency Therefore, after his creation, while their congratulates the angels are commanded to count him as a great and mighty. The dignity and lofty, which means that all human characteristics inherent in any situation that they are worthy of respect. Would be a better place with God. God in verse 3 Surah cells suggests and says: "It Atqakm Akrmkm Nd God, you are indeed the most mighty God, Kateryna avoid you." Of course, this statement does not mean that all humans are either good or bad, God Hmanndand, but also the good and avoid the inherent dignity of workers and the public that everyone enjoyed Thus, despite the inherent dignity of all human beings Amrghyr is optional and is included in the dignity and worth acquiring, it is intentional and voluntary, and people can try their level of benefit .

If one of your free will and choice, and committed acts contrary to the dignity, honor and respect other people enter the pores and flaws, will be responsible for their actions, and in fact, he self-outcome of the punished accepted; that punishment is pre-determined and specified. This would undermine the dignity of the person is not entered, Criminal penalties should he be breaking the norm and should be offensive to any inhuman punishment such as torture and .. Which is contrary to the dignity and the dignity of man, - that religious teachings and national and international law is strictly prohibited - should be avoided.

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