

## INVESTIGATING THE NUMBNESS OF BODY PARTS WHILE AMPUTATION AS A PHYSICAL PUNISHMENT

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**ABSTRACT:** *About and implementation of Islamic punishments, the most important issues of criminal law Islamic holy legislator on it , and has stressed , in addition to sketch , the ramifications are also has a number of issues , but the ruling that explicitly stated that not one of them , the members in the implementation of corporal punishment is present in the document , various forms of this issue, verses and most likely to be related to the topic of discussion and scholars and practitioners comments on this matter, and in the end of each concept is also the author of the opinion on the basis of comments made more scientific consistency than other as the main view as In this paper percent certain that we did not rule out the possibility of apathy members in some cases of physical penalties ranging from about ( stealing the extent and warfare )and nemesis , if victim or authorities give their consent to him, there is also investigating the topic and challenges in this debate and correct guidelines in terms of the fundamentals of jurisprudence the salary . to examine the public verses and tradition and different views and around the concept of apathy and examine cases*

**Keywords:** Anesthesia, Member , hodoud , ghesas , tazirat

### INTRODUCTION

The purpose of financial reporting is providing useful information for business decisions. Profit reporting as a criterion of company's performance measurement is one of the outcome of financial reporting. Because of the importance of profit for consumers, managers try to manipulate amount and method of profit offering. In accrual accounting system, one of the ways that managers use to manipulate profit, is the accruals. This managers' One of the most important legal bodies every society, criminal system that criminal laws and regulations. Run the emergence of any society for those rights and privileges and predicted they abide by everyone knows that no one has the right to harm them , but not everyone has always been the rights of others and torture of protesting rights and privileges of others . If those not content with his rights and others rights violations and hamper the balance, be community reacted to punish the Intruders, such a question. Today, in light of the developments in medicine and surgery new techniques shows off stun members is when the physical punishment swith the progress of the medical and surgical new techniques that has been possible to stun the body or part of it, the pain of death and felt wound . The issue of Newly reclaimed issues and consequently to former scholars to scholars in case it must be said to discuss the issue at the gates about and tazirat and nemesis and since that the main sources of the Koran and decrees narratives imams, so the verses and stories that in the case of this kind is Penalties, we examine whether the pain and suffering during the implementation of the accused matters punishment or not? It is noteworthy because of the nature and measures taken by the two of criminal rulings (about , tazirat and nemesis ) is different in this paper, we first issue at tazirat and we say it and put an end to nemesis members and establishes the above issue decrees pointed out that the It is noteworthy because of the nature and measures taken by the two of criminal rulings (about , tazirat and nemesis ) is different in this paper, we first issue at tazirat and we say it and put an end to nemesis members and establishes the

above issue decrees .

Apathy members can be defined so :

technique apathy method consists of injecting local stun solution to the upper or lower body is due to its blood pressure vacant, apathy through direct emission of stun position of vessels (vessel into ) neighboring nerves is

1 .When executing convicted paralyze hodoud

to obtain the issue should be examined evidence about whether the evidence that used to be painful retribution Sizes which nature demanded punishment is necessary condition and is part of the penalty or not? if they didn't stand any evidence to be painful retribution in the implementation of some condition appurtenance by , numb out . but perhaps said that if convicted , wants to numb and the possibility that is provided on the implementation of him without numb him is haram because of hurting Muslim man Except in cases penalties prescribed Sharia , is taboo and assumed that the painful Kiefer and being created in pain , condemned the principle of retribution [1].

In this part of us to express all that exemplifications in verses from the Koran and been raised in each to prove it.

### Verses

In this part of the Koranic verses about there are about the wording interpret each one of them.

Alzanyh Valzany Fajldva whole province Mnhma Mitt Jldh Takhzkm Bhma mercy of God Tvmmvn Kntm per religion of Allah, surely I Tayfh Valium Alyakhr Vlyshhd Zabhma Commander of the believers,(noor, Verse 2) That's mean : men and women adulterous every one hundred whip , and religion in the implementation of God's mercy towards them not to God , if haply ye have faith, and a group of believers have witnessed their suffering

The two of you Aotianha Viazoheme the tapa and repaired Voaradwa them that God was returning, Most Merciful (nesa, Verse 16) that's mean: the two of you who were committed sodomy and adultery, harassment, so if you repent reform with them, and they do not repent, God and kind

Those who accuse chaste women Algaflat believing women are cursed in this life and Aliakharh and have a great punishment ,(noor, Verse 23) That's mean: Married women who are unaware of faith, malice, they are cursed in this world and the Hereafter an awful doom are More verses which speak about their Mtrz, implies that annoying painful punishment and condemnation, punishment prescribed conditions and the concept is

#### **Narratives**

To illustrate to better narratives in this case also noted for many cases in the quality of the implementation of a tradition of sentences:

Minimum punishment is easier than punishment of the Hereafter [2] that's mean: Suffering the punishment of the Hereafter is easier life

It is narrated that Abu'l Shyhh your Brshdt evidence that the implementation of punishment and the pain inflicted on the guilty.

The man was it a slip Fanny Mezrh and either another addicted Fanny're exhausted penalty for that intimate with the whole taboo even let people in order to Vsdoar That's mean: who slip of him , but I'm zeer on the practice , he hardly penalty , because he is halal all prohibitions , if the people in this work , will be ruined , It was also discussed in intensity is expressed in the implementation of the penalty

I asked him about a drunkard and adulterer, he said: Egildan whips deprived between the shoulders, either Alhaddvy ejaculation Vegild what struck him between Aldharben That's mean: Imam (RA ) about drunk and adulterous , I asked them naked , and between their shoulders with the whip , but at the ghazf , a total of a medium intensity in the importance of the implementation is Volume

Wine drinking had stripped and on his shoulder, and on the face and he had lived whip does not limit on Wine drinking can only be made after awareness. a dispute on this issue is not on the current drunk to be vigilant when to limit the use of the arrest of committing a crime to be again ( Same,512) in the use of the term ? Only one answer to this question can be , and that is that the guilty party in the feeling the pain The intensity feels the indictment and hence function , which is the extent of its inhibition is because as we know, a human interest and comparator if strict punishment is more than pleasure to be a crime never go back to it , fitness drunken man due to the impact of the intensity and pain The wine penalty doesn't feel right now in this comparison results and still sin and enjoy it continues and about (punishments ) are worthless , and that this axiom that does not trouble legislator in Conflict .

Without doubt that the motive of personal committing adultery prostitution upfans of sexual pleasures and prosperity of psychologists impulse which could distinguish him from studying the demon joys and counterproductive and pleasures of ruinous and as a result of the crime in front of him , opposed to every pleasure , i. e. the creation of the pain and suffering in his body , the pain and suffering and pain in the body with a hundred to whip up all the members except and lived as a body which

is due to the satisfaction of evil passions in joy and nakedness has enjoyed must be naked and eating the whip with a pang to him in the sin of deterrence force .

#### **The theft of the extent and warfare**

About the theft of the extent and warfare to correct the arguments and should be between the theft of the extent and warfare and other about to detail. He said evidence in this case:

#### **Verses**

The robber and thief Vaqtawa hands penalty including kasaba Nekala of God and God Aziz Hakim (maede, Verse 38) that's mean: Man and woman who are stealing disconnect, this is because their work and punishment from God and God is Mighty, Wise.

kasaba including criminal us ... , pointing out that the penalty , as a result of their work , and that's what bought for himself . also , for the purpose of prevention and return to right and justice because nekala is suffering , but in principle , nekal bond and rein and rein to fear and prevent the diversion , said here is also means punishment aimed at the prevention and deterrence and is guilty(Tabatabai , bita, 199 )

of the term nekala the present article is understood what ? Do nekal implementation of much pain and suffering ? the first scholars in this case, we would then to explain its rulings

Penalty but who are fighting Allah and His Messenger and mischief on earth to be killed or crucified or their hands and feet cut off from the dispute or deny them from the ground Zl disgrace for them in this world and in great agony Aliakharh That's mean: Der Haqiqat non - of those with the Prophet of God and his war and warfare , and are trying to create on the ground in the corruption of society , and God Ghvn personal security and peace , to reward them to kill or Crucify or cut on their hands and feet or exile, and the sanctions will mark the scandal and seal a thorn in abjectness and on the forehead of them in the world and in the Hereafter great suffering is expected in their(maede, Verse 33)

In the Holy legislator arrives with bringing the word furs , is a disgrace stating that the aim of the punishment of pain and suffering , but not the activation of the punishment of scandal and the result was that symmetry The last verse is also strengthening .

#### **Narratives**

Campo hand on wood or non - he made fast and easy to be cut off. and it is given to the line , with a sharp knife and blow it up as fast as possible . should not be repeated cut to torment limited , because prejudice allege torture is not limited to a greater extent on him , and if we know each other with a decisive object off as soon as possible, is easier to use [3]

Imprint the robber and opened his fingers and fingers to Ben clearly apparent. Then on Ben Brown's fingers and on it only once to rip without torture as soon as possible. If any other method that much earlier, method to take action [4].

On how to implement the decree comprehensive theft conditions before a question as the Supreme Council of the

judicial commission from Astftaat came as follows whether it can be used to prevent the contagion with stun stance and surgery cut off the fingers thief? Or feel pain and property without surgery?

in connection with the question : Astftaat high commission in the history of the Supreme Council of the former legal 05 / 03 / 1986 such responded : The issue of Islamic jurisprudence in books available , but not as we refer to the general principle Originality Al Bahah... assumed a ban in question does not seem to matter and furs and nekal in verse in related to the example of others , and disdain for the thief that has nothing to do with the pain and not without surgery in general, it can be said to be in the implementation of about possible , but the members about the theft and warfare that allows the philosophy of the punishment .

#### **After a few named arguments used :**

First - the arguments about adultery, ranging from deserving volumes of Rajm Khalf , ghazf , or mosaheghe , ghovadi , drinking alcohol and sodomy punishable by killing with a sword, throw from ( the ) , tearing down the wall is convicted or burning applies especially in two recent cases and collection of punishment and painful punishment is understood as well .

But enough about the theft and warfare and fesad Al - Arz these arguments is not useful , and went on to discuss their sentences .

Second - out of a total of the reasons to conclude that the execution of noise in the cases of the highway and said that one of the aims of the sanctions imposed on has been convicted of pain and using stun themselves with a penalty goal .

and as evidence about and practical Sira Versed in law implied that Bob around, and is part of the resulting penalty and also the torments of And punishment legislator .

out of a total of verses and the tradition of stealing the extent and warfare that is used in verse : First 40 sura Maida indicates ( nekala ) , the intensity is not punishment but represents the stigma and disdain for is committed to implementing much off a few fingers seems interesting :

First, cut philosophy fingers right ? seemed 2 is mainly because of the first hand cut off the best option to prevent repeat the theft of the individuals because the most important means for theft .

Second, indeed, why my fingers right? Response that most people in various communities are handed and most of his right hand and left power, much less than the right hand and thieves are no exception to this issue and the holy legislator also [5].

in general, said at the theft of non - goal of pain and suffering is convicted . Legislator Accused goal of taking power theft of robbers fingers and conspicuous in society in order to reproach himself and warning others , in conformity with regard to the discussions and summing up in this case, it can be said :

First - with regard to the public , Sharifa , the pain and suffering is carrying out much considered sacred legislator .

Second - tradition and scholars as well as this is the case.

Third - according to the principle of (Asalth Alabahh)also

condemned the pain and suffering imposed on purpose is not legislator .

So it can be concluded that the possibility of applying apathy and resorting to surgery for the implementation of Sharia as theft lacks the ban .

Warfare in from the above - mentioned reasons , according to the principle of (Asalth Alabahh), it can be concluded in implementing much warfare ( meaning off his right hand and foot ) can be left without feeling the members and even surgery for use of this kind of retribution legislator invalidate commit such acts and not to impose pain and suffering from a combination of sanctions on the other hand, the issue is achieved because his judge in giving the penalty of rigid to exile again , and this is a point states that if a judge , who was found guilty could reform capability has sentenced him to exile if guilty and capable of reform and not punishable not to interrupt the death sentence and heavy penalty if he is sentenced to death ; So holy legislator target not imposing penalties on human suffering is aimed at creating conditions , but that did not rule out the possibility of re - committing the crime of condemnation of the use of the ways to reduce the amount of pain while they seem to punish with no legislator .

#### **2- paralyze condemned the execution of tazirat**

The goal of our plan that tazirat is punishable by flogging to hit 74 is a sort of physical punishment . to obtain the issue should be examined tazirat evidence that if the evidence is used to be painful punishment , as well as the nature of the penalty is appropriate and necessary condition was part of a penalty or not? if they didn't stand any evidence to be painful retribution in the implementation of the tazirat condition , appurtenance by , numb out .

##### **2-1 Traditions and opinions of jurists**

what is evident in the implementation of the pain and suffering tazirat objection to consider the sentence , but it has been legislator explicitly about tazirat from certain legislator is now we must and jurisprudential opinion narratives about about is this derive the verdict .

Ali said, percussive Asia and Middle scourge When one is Whip to beat on the face and he lived to avoid [6]Of course, this is a narrative against it in our laws , whip in the case of a man and a woman is hard and sometimes with the bloodshed . (Same,69)

2-2) did not permit the use of more severe punishment in the field , the late penalties for periods varying from the jewel of the allasam discovery saying that if the guilty with other species of retribution discipline , turning to whip and corporal punishment ; there is no reason why in special cases in which The reason criminal punishment to come. [7]

Given this issue in such punishments, including that entered the special case The reason or not if correctional guilty milder punishment with as much as possible, if we can get tougher punishment used? in the word Ta ' zeer to ban rejection , discipline rebuke has been meaning , and that some books word on or severe stroke adapted from Bob is determined to qualify for the concept of the ban , discipline and the like .

In the respective narratives of the whip and also usually spoke ; and so most scholars ' zeer Apart from whip on

criminals, but not permissible whip above mentioned in the tradition of the whip in those days was the most popular and the easiest and perhaps the most effective means to prevent repeat offenders crime, not a feature in it in language tradition of some tazirat and many will be achieved their legislation to reform the individual and society and to deter people from a repeat of the offending and criminals, crime and discipline them, not a mysterious secrets are understandable tradition and intellectuals and education reform and societies and things that people affected by the conditions of their time and place, and this is to deal with various crimes criminals and need to be careful think - tank

On the other hand, such as imposing penalties of involvement in the range of authority is another; and the first based on the principle of the discomfiture of wisdom and Sharia, occupation authority without his consent is not permissible except in cases where the prescription legislator and a province and dominate the legitimacy of the non - would be like gives; and az monker, as well as the implementation of the divine about complied with the terms and conditions of each of them. But in the case of tazirat assured life as it is eligible to sharia ruling on criminals has sovereignty and may be able to in the way of discipline and reform.

So if by relevant experts detected punishment can be slightly modified discipline and criminals, reason and wisdom dictates on sanction severe punishment. and basically feature of the ruling Justice eligible to that of the basic conditions apply domination by allowing sanction is more than the size and the needed quantity does not to him [8].

It is clear that the purpose of the strike is nothing but more pain and harassment 'zeer after he also with a kind of pain and suffering, but it is hard to be far less than the fitness value can be; this analysis that the implementation of the should be less severe than that, though, and that in any way, there should be applied to the holy legislator. About and tazirat narratives of language is understood that the aim of legislator important reform legislation they Fred and society and discipline and is violating and criminals, in addition to abide by the interests of individual zeer and society and the protection of the rights of God and the people.

### **PARALYZE CONDEMNED THE GHESAS**

What the evidence legislation nemesis to achieve this, which is undoubtedly a special rights for retaliation victim on casualties. as well as in some jurists forms in retaliation for not self - similarity and equality in the quantity and quality of the crime and punishment. Given this two Introduction It has been argued that about nemesis victim or but he is right when implementing nemesis, to perform apathy is open for her crime and without any sense [1].

in the definitions of expressed to nemesis, the only issue in which there was no doubt; equality between life and in the act of self - esteem and members, as well as equality among its members and is where it is, in essence, emphasized the holy legislator has been the only issue that remains is about

whether nemesis can be applied to numb member or he performed surgery? If it is necessary nemesis the intensity of this pain to what extent?

Is retaliation for the nemesis in implementing nemesis, this year? Is import depending on the arrogance Johnny pain or suffering resulting from the conventional way is enough? to consider the issue is the most important, we examine utterances.

### **A study of the words**

Overall for stun members before nemesis promise: promised to pass and promised to ban.

One of the questions can plan is whether, in addition to the condition in a member of the Mmaslt and other conditions for equality in religion, Hurriyet and to conduct nemesis must be accompanied with pain or the same amount nemesis and criminal case victim for a nemesis suffices?

to enter the discussion is to be noted that in jurisprudence First and contemporary jurisprudence in Iran's rights after the victory of the Islamic Revolution, the issues that caused by different perceptions about why the nemesis is whether nemesis member or gasp.

The issue here begins that progress of science, including the experimental sciences, stun types, equip Criminal Science in a variety of means and forensic experts on the one hand, and on the other hand, respecting the rights of the accused and ultimately to conduct criminal acts and even during the punishment of Drury torture and abuse of art that responding to the doubt that enters the jurisprudence when nemesis breath slain tail killer parents have no right to rule him or like?

In the same question assumed to convict, unconscious design. so that it may be said against the pain and suffering had suffered in the implementation of the nemesis should also be the same suffering imposed on Johnny Relief to consider that lawmaker and legislator was in retaliation in response can be achieved, but said: Because crime Johnny suddenly and unexpectedly previous and given before the murder, victim, but where Johnny nemesis inform before nemesis psychologically under pressure for a long time, and to encourage until nemesis implemented Hence if with stun members to nemesis, we're going to get a peculiarly vivid sense of direction, and he suffered before nemesis, can be sort of equal to the crime, in addition to Relief blamed for the implementation of the nemesis comes not with the sort of its implementation.

### **promised to pass**

Some of the scholars with stun members before nemesis agreed and each for his opinion argue that we are here to try to said, referring to the arguments of this group, so the present study and raised.

### **dominance on people's self**

because people have the right to seize their members and landowner license to the occupation, then it can be said dominance on human nature, pass stun of members and should not prevent such possession. In other words, the principle is the first pass possession, and there is no need for some reason, naturally tend to be taken in the event of Johnny allowed him to stun the nemesis prior to the implementation of the project [10].

### **Pass stun members to the principle of innocence**

in Sharia punishments sometimes suffer convicts target is much like the implementation of adultery, but in some cases, a member of the goal of cutting and flawed is a criminal as much theft, in this case occurs question whether suffer penalties but punishment or not?

Such innocence principle here say that with regard to our involvement in doubt there pain in the implementation of the principle of non - punishment is in need, and as a result of the pain is not to impose on Johnny can be stun members before nemesis

### **Jurists fatwa to persuade cut loose right hand in front of his right hand**

If he demands that fatwa jurists if thief must be loosened his left hand, is another confirms that the stun prior to the implementation of theft is permissible limit because sometimes it is the right - hand side of the robber Shell stopped and in this case, interrupted feels the pain. If hurt goal should be limited to cut off his left hand fatwa, though such a fatwa [11]

### **Mslyt, and the self - similarity between crime and punishment in all the characteristics and Ausaf, and much pain, he is not.**

fourth reason is proof that ) Mslyt and self - similarity between crime and punishment in all the characteristics and Ausaf, and the size of the condition of pain. what it has brought only condition in a member of the Mmaslh and Diego and also in the price of it is, for example, if a man and a woman she wished him nemesis, the amount of different man Diego pays his nemesis. But the reason for more than the size of the Mmaslh like Mmaslh in the size of pain or Mmaslh in time (e. g. in the cold winter or summer heat, or Mmaslh) will be in place, does not exist. The sacred month and the Holy month of privacy punishment is assaulted Alikm Vaatdoa him as much as they assaulted Alikm and fear Allah and know that Allah is with those That's mean: Everyone has his aggression as you use his aggression(baghare, Verse 94)

### **Like ban and torturing**

Because of the fifth and the group adhering to stories like that and torturing prohibit or, in other words, this is also emphasized that the Mmaslt is not condition in pain and every few casualties to the crime to torture and abuse.

Victim when nemesis could not against her and must act normally and without any additional persecution of their right to Bob nemesis, and also in Mmaslt and self - similarity in the amount of pain and suffering is not. some of the most likely to be Bob nemesis implies that nemesis murderer, he is not only the killing and torture stabbing him, even if she had such a crime [10]

He said: We asked him about a man beating a man with a stick did not give it up until he died beating Aidf to Crown murdered and killed? He said: Yes, but for Aitrk tampered with, but permits by sword [2]

That's mean: Imam Sadeq (RA) we asked, a man carrying another man with a stick, and so he to man, whether the killer of slain deposits, but to kill him? Imam (RA): Yes, but the murderer, not to play with him with his torture, but can kill him with the sword

Although this entered about nemesis, but they can be cases nemesis members and nemesis Wounds generalized because of the absence of Mmaslh condition of all the characteristics of Islamic jurisprudence and conventional the possibility of the difference between nemesis and nemesis members support [12]

It's like the story of Moses Ben Becker from Imam Sadiq (as) has narrated: The man hit a man with a stick did not raise stick with him until he died, he said: pays to preliminary slain Aitrk but to enjoy it, but sanctioned by sword That's mean: Imam Kadhim (RA) about a man that another man with a stick, and the rod away from her to man, he was the murderer of slain deposits to parents, but will be allowed to him and enjoy him with a sword, but can kill him (Previous, 96)

Al - Sadr, this taboo stabbing of torture and killing of the killer's nemesis official and the emergence of stabbing taboo in that respect the sanctity of its own, other evidence has proven following the tradition, but in that nemesis - except that the murderer with the right to draw it wouldn't change him as he had slain with his stick to die.

So if Mmaslh in the type of murder and the amount of pain and suffering from it must be punished for the event, the question in the narrative, it was necessary for him while Zahir response Imam (RA), but it is not permit the slain in nemesis except that the killer with the sword right not to kill the other might kill him with a sword of conventional way or the easiest way of killing in those days, in the narrative.

### **promised to ban**

Advocates in front to pass and others with adhering to the competing narratives Koranic verses related to Bob nemesis said about nemesis, Mmaslh, in principle, be painful and in pain, who wants to be painful punishment, and it cannot be would refuse to some verses and stories grip on the group, as follows:

Bad bad penalty like it is outdated and reconciliation, his reward to God that he does not like the oppressors. That's mean: and punishment is another bad, like that, and who punish and thereby to amend the side of his reward to God that he does not love oppressors(shoura, Verse 40)

In arguing verse said verse implies that the size of the Mmaslh have the same rights victim and no doubt feel pain and suffering in front of pain and suffering due to apathy inside in the amount of Mmaslh.

From other verses in the field can be invoked the following revelations.

If Aaqpttm Faqbwa such as afflicted While were patient is a good for the patient That's mean: And if someone has wronged you brought forth and so you have to take revenge against(nahl, Verse 126)

Do not kill the soul which Allah has forbidden except the right and kill oppressed has made us Loulé authority is not extravagant in the killings that he was Mansora That's mean: and meek blood to the spill, but we have the right to rule and dominate the murderer, then we in a position in revenge murder and bloodshed squander that she will be on our behalf Mansour(asra, Verse 33)

Out of these verses and also stories about nemesis into three point is used .

A - nemesis of equality between crime and punishment that condition .

B - the first in the principle of equality and Mmaslh deliberate crime with crime punishment unless the barrier between , for example , must be punished for fear of Doom member .

c -victim or but he has a right to deal with Johnny .

So should was committed in the implementation of the nemesis members to stun members cannot be considered nemesis action this right Advocated and the nemesis that without sense , a member of the full realization of their right to take action.

## REVIEW

So that passed in the implementation of the nemesis , a member of the overall promise : promised to pass and promised to ban and each according to his argument seems to have provided evidence to prevent Believers from more strength , as evidence hexagonal Believers to pass from Critical is under way .

The first reason is in control on people 's self - cited here Johnny was due to a crime that has done it does not have the right and the implementation of the nemesis could also to prevent , and that cannot stop the principle , he also feature of the dominance of Advocated . In other words, as long as people are not committed a crime of composure and when due to the legitimate right, cannot be prevented by adhering to the principle to him the right to stun.

Interpretation of criminal laws in his favor, where there is true and lack of law does not translate to favor the accused, or his loss.

Article 3 in accordance with the law courts civil procedure: Shall claims laws to agree, ruled in the season that if the country's laws or explicit or not completely contradictory legal or not named in the case there must agree the courts and the provisions of laws and statutes and the PML - N) . So in judicial affairs in cases of ambiguity , short , a court rulings , silent and conflict of holding fast to the spirit of the rule of law and refer to custom is evident.

interpretation of the method and settlement of the facts in criminal courts, this is not here, in addition to about the verdicts legal issue argue that the principle of performance in the debate .

Because she has not delivered a fifth of evidence nemesis that the principle of painful or not , of which Similar is in the official nemesis , condition . This feature , i. e. the principle of anguish and pain and suffering from wounds or or murder, it is very important to the people of these crimes and equipment , such as sub - characteristics and casual casual as a crime in the summer or winter, in the night or day is located , or that wound or murder in official nemesis , Johnny painful or not, of which is definitely the Contribution tradition and intellectuals .

And finally prohibition of torture and abuse in the place where he wants to his right to the full realization of waste , but that amount to his right to be satisfied , and that it is Arfa suffered and legal does not apply to torture , as a pre -

existing tools apathy and development of medical science never do nemesis tantamount to torture is unaccounted for , however, so that it can be said the full realization of the rights of retaliation victim or the Advocated is the quality of their rights and this is something that explicitly and tradition of verses that came in retaliation .

Kalam result : about nemesis , should be retribution from the direction of the amount of pain and suffering that usually and Arfa natural owing to the crime, with the principle of self - similar crime, it can be realized the necessity of the self - similarity of his nemesis with regard to the common relations and rational verdict and the issue , and through some evidence that a decree nemesis expressed , including :

1- Bad penalty like it is outdated and reconciliation, his reward to God that he does not like the oppressors, That's mean: Reward bad, bad as it is, and who has the right to forgive and reconcile themselves with God's bounty, for Allah does not love the unjust (shoura, Verse 40)

Thus, the verse implies that the rights of the victim Mmaslh size is beyond doubt, pain and suffering, pain and suffering due to the lack of anesthesia, the amount is Mmaslh

2- If Aaqpettm Faqbwa such as afflicted While were patient is a good for the patient, That's mean: If you want to punish me, as I saw Kiefer Kiefer and if you wait for the country, it is better for the steadfast argument in this verse, as argued in the previous verse.

3- Do not kill the soul which Allah has forbidden except the right and kill oppressed has made us Loulé authority is not extravagant in the killings that he was Mansora, That's mean: For the victim, to put domination, then we should kill her extravagance, certainly He is helping. (asra , Verse 33)

Zahir verse , however, is that the extent sovereignty , but for the slain so that there is not involved in the killing of excesses , i. e. more than the killer or killers instead of getting the killer or killers when killing does not like [2]. The literal meaning of the verse, commentators have interpreted this verse also, in some traditions, including Yitzhak Ben Ammar narrates from Imam Sadiq (as) has the same interpretation Azayh:

What are these extravagant which God forbade him? He said: Allah forbade A-ſn kill non-lethal or pose a killer, The Imam Sadiq (AS) asked the wasteful that God has forbidden it in verse mean? Imam (AS) said: It is forbidden to kill the murderer or murderers mutilated someone other than the

Therefore , Sharifa implies that in nemesis , punish Johnny his crime in the quantity and quality of the indulgence for the rights of the victim is not against the legal authority under the place of his mind that the principle of pain and suffering that their crime , is also in the area .

4- of verses and traditions that come on like death: O ye who believe books Alikm retribution in the dead heat-free and slave slave and female, a female (baghare , Verse 178)

And verse : Self-esteem and eye for an eye, nose and ear nose self (maede , Verse 45)

three points is used .

A - nemesis , equality and self - similarity of equality and

(Mmaslh) between crime and punishment , it is valid .

B - victim or but he has a right to deal with Johnny .

c - the first in a deliberate crime , the principle of equality and Mmaslh penalty Crime from this principle, and should not be violations, except in cases where without implementation of low - and high barrier of equality and Mmaslh , like that in case of equality and Mmaslh perish fear among the casualties , or in addition to the crime , or accurate measurement Mmaslh members and Wounds in retaliation . But these cases, Mmaslh and equality , victim . All these tips emphasized that are nemesis , Mmaslh in quantity and the wound and fracture , including in the principle of pain and suffering arising from wounds and cut off from all sides , is considered to be important rational [12]

He said: to raise Amiralamomenin (p) man das belly Even the newest man in his clothes, and he judged him to be trodden under his stomach until he happens in his clothes as higher, or a fine one-third of parents [2].

Imam Sadiq (AS) said to Ali (AS) said that the man who rubbed his belly to his own clothing contaminated. Imam (AS) ruled that its belly rubbed man to beat as he had infected his clothes, his clothes dirty, or as much as a third of the money to pay him

The reality is that despite the law in a society, crimes against people to be minimum, is not necessarily be subject to the implementation of the nemesis in society, but the law isn't legislate, and the existence of such a right alone can this important goal is to provide in society, it is important that such a right in society and any human murder will be to know that his life is lost, and hurt the feelings of slain parents can be slain with him to the fate of its attention to the fact , as well as his own life will maintain and John who want to kill him , of course, is the decree, as if there is a possibility of its implementation and the possibility of implementing the decree conditions after the realization of the murder of volition authorities is at the moment , or pardon or choose nemesis in the first case , although John killer Mahfouz 's life and to find him , but the vital of legislation and the implementation of the nemesis , but that is vital to pardon depends on the moment , but if the nemesis the killer , in this case , though his life , this will ensure life for all Potential criminals , which is expected to have the law of talion can act, and if at least one of the implementation of the nemesis lesson and murder of his life , the life and one of his murder will have the will , and it is vital that lies in the implementation of talion and guarantee is vital to the nemesis of legislation .

So on the basis of the current laws , and what is that it must be said that not only stun committed member in retaliation to cite these materials is not accepted as though in conflict with the philosophy is the two Exception rule : First, if there is a criminal act in a state of apathy victim, he has the right to do it for himself and Second if victim the family of murdered or happy that nemesis in a state of apathy it will be possible.

## DISCUSSION AND CONCLUSIONS

Generally, should be pointed out that the Holy legislator about other than theft and warfare suffering from the implementation of the extent of its Therefore, the possibility of benefiting from condemned anesthetic and did not recognise the ruling verses , most likely to be involved and scholars in this is as , in addition to all and with regard to the arguments in this paper reason as well as the verdict . Of course , the tazirat case , in conformity with regard to the discussions that can be accepted sector is attached to the analysis that the implementation of the should be less severe than that , though, and that in any way , there should be applied to the holy legislator from language tradition and tazirat about is understood that the aim of legislator important reform legislation they Fred and society and discipline and train people accused and criminals. ' tazir , in addition to abide by the interests of individual and society and the protection of the rights of God and the people , it is clear that purpose with shock is nothing but more pain and harassment ' tazir after he also with a kind of pain and suffering , but it is hard to less than . also in retaliation by we proved that suffer at the legitimate and asked for relief holy legislator has been damaged so as their victim or the moment passed the right to life and to allow stun devices, a member of the time nemesis , due to the right of the populace issue , there is no objection , it can be concluded that : stun in retaliation or members of victim, and if he can consent in retaliation to stun member nemesis act and no curfew there is no legal and legitimate .

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