



The Jurisprudential Challenges of Accessory and Complementary Punishments

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The Jurisprudential Challenges of Accessory and Complementary Punishments
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ABSTRACT

The terms, types, instances, and extent for exercise of accessory and complementary punishments have been provided in articles 23-26 of 2013 Islamic Penal Code of Iran. Unlike former provisions, the 2013 IPCI has extended the scope of exercise of complementary punishments to Hudud and Qisaas as well. Given that both Hudud and Qisaas have been fixed by Shariah law, the exercise of the accessory and complementary punishments over those who commit Hudud and Qisaas appears to have been inconsistent with the Shariah and Islamic jurisprudence. Since applicable punishments in Islamic law fall only within four categories namely Hudud, Qisaas, Diyat, and Ta'ziraat, the position of former punishments is necessary to be examined from the perspective of jurisprudential texts and Islamic law sources.

Keywords: Accessory Punishment, Complementary Punishment, Hudud, Qisaas, Ta'ziraat.



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Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

1. INTRODUCTION

The complementary and accessory punishments are the penalties which are applied after main punishment in legal and judicial system of Iran and other countries on criminals and sinners in criminal courts. The new Islamic penal code of Iran (2013/04/21) has determined all terms, types, instances, and extents of these punishments in articles 23- 26. It should be noted that the former Islamic penal code of Iran (article 19) applied the complementary punishment only for those who committed intentional crime and were sentenced to discretionary punishment or deterrent punishment; however, the new law (article 23) applies these punishments in cases of Hudud and Qisaas, too. It is, therefore, necessary to investigate their jurisprudential and Islamic fundamentals. So, since the lawyers and legislators believe that the main punishments are not enough for prevention of committing crime, these punishments are passed. It is worth to investigate the foundations of complementary and accessory punishments from the perspective of Islamic religion and Islamic law. Some people are unfamiliar with Islamic and jurisprudence issues and fundamentals. Therefore, they may propose these questions: what is the position of these punishments in religious and legal sources and foundations? Whether the application of these punishments is incompatible with Islam laws? What is the necessity that has changed the legislature's attitude in new penal code to extend such punishments to Hudud and Qisaas? First, therefore, the change in legislature's attitude to extend these punishments to Hudud and Qisaas will be investigated; then, their legal legitimacy and fundamentals including their compatibility with discretionary punishment will be discussed.

1. Scope of Extending Complementary and Accessory Punishments to Hudud and Qisaas
The Islamic Penal Code (2013, article 23) extends the complementary punishments to those who are sentenced to Hudud and Qisaas. Prior to investigating the scope of extending complementary punishments to those who are sentenced to Hudud and Qisaas, it should be noted that there is apparently no controversy in extension and application of accessory punishments to such people. In holy sharia, the accessory punishment is



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

determined for these people. For example, if someone drinks alcohol or commits deliberate murder, he/she will be punished with Hudud and Qisaas, respectively. However, since this person is unjust and unfaithful, therefore, he/she may not be qualified for being Imam Jama't, his/her testimony will not be accepted, and he/she cannot be judge or authority on matters of religion; all of these are types of accessory punishment. Therefore, there is no controversy on extension of accessory punishments along with discretionary punishments to those who are sentenced to Hudud and Qisaas. Nowadays, the disputes and disagreements are mostly about extension of complementary punishments to those who are sentenced to Hudud and Qisaas. The Islamic jurisprudence defined Hudud as: "a specific punishment which is applied on the body of the perpetrator of a specific crime or a sin; Share' has determined its extent for all of these people". The Islamic jurisprudence has determined the causes, types, extents, and application rules of Hudud; the ruler has no right to interfere in them. In this regard, the Islamic Penal Code (2013, article 15) states that: "The Hudud is a punishment that its causes, types, extents, and application rules are determined in holy shari'a". Also, the article 219 at this penal code mentions that: "The court cannot change the rules, types, and extents of religious Hudud and it cannot reduce punishments. These punishments can be reduced or transformed only through repentance and pardon according to rules which are stipulated in this law". However, Saheb Javaher Javaher defined Qisaas as: "demand to apply on criminal the crime that he/she has committed including murder, amputation of limbs and extremities, or deliberate battery; the one administering retaliation applies the same crime that the criminal has committed on him/her".

According to above, in Qisaas, the punishment should be consistent with crime; the criminal must not be sentenced to punishment beyond that. However, the question is: how the complementary punishments may be applied to criminals who are sentenced to Hudud and Qisaas? In this regard, some commentators of Islamic Penal Code states that: "The new law, contrary to previous law, explicitly mentions that the complementary punishments to be applied along with Hudud and Qisaas. This is practically and judicially



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

acceptable; the law has clearly mentioned it. But, it is doubtful religiously and scientifically. It is wondered that why Guardian Council has not criticized it. Hudud and Qisaas are fixed punishments in Shari'a which must be applied to some crimes. The article 15 at this law considers the Hudud as a punishment which its type, extent, and execution rules are determined in Shari'a. Apparently, this article shows that anyone who commits a crime can only be punished with Hudud, not any excess punishment. So, the application of complementary punishment is contrary to religious law. This challenge is also suggested about Qisaas. However, Qisaas is also a constant punishment for intentional crimes and it is not acceptable to apply a penalty other than Qisaas as an original or complementary punishment". And some others have expressed this challenge: "Given that (according to article 15 of this law, approved in 2013) the cause, type, extent, and punishment rules of Hudud are determined in holy Shari'a and the applicable punishment in Qisaas is determined considering the extent of crime, this question is suggested: Whether it is possible to punish the criminals with complementary punishments beyond the established punishments? In this case, the Hudud and discretionary punishments will be applied concurrently that its legitimacy is doubtful. Of course, there is no doubt that if the Qisaas is not executed, the Islamic ruler can punish the perpetrator for the sake of observing public order, or if the terms of application of Hudud do not accrue, he may punish the criminal. But, however, in cases that the Hudud and Qisaas are executed, the application of complementary punishments seems to be due to incomplete and inadequate religious punishments (Zareinejad et al., 2014). Moreover, according to original principle which does not allow the perpetrator to be punished more than Hudud and Qisaas, it seems that there is a serious hesitancy and religious doubt in extending complementary punishment to Hudud and Qisaas". The analysis of this issue requires reviewing each of them separately. First, the application of complementary punishments to Hudud conviction and then, the application of complementary punishments to Qisaas conviction will be discussed.



1.1 Applying complementary punishments to Hudud conviction

Is it possible to apply other punishments to Hudud convicts? In answering to this question, it may be said that there are cases in Islamic jurisprudence texts that other punishments may be executed on perpetrator in addition to Hudud. Sometimes, both of Hudud and discretionary punishments are executed on person who has committed a crime. Saheb Javaher stated: "A person who commits adultery in Ramadan, whether it is in the daytime or in the evening, he/she will be punished by both of Hudud and discretionary punishment, because he/she has dishonored the Ramadan. Also, if he/she performs this act in a holy place such as a mosque, he will be punished by both of Hudud and discretionary punishment, because he/she has dishonored the holy place; there is no objection in this matter and all agree. In a tradition, it is narrated that Najashi, the poet, was drunken in Ramadan. He was arrested. Imam Ali executed eighty whipping. He was captured for one night and again twenty whipping was executed on him in tomorrow day. Najashi asked: O Amir Al-Momenin, the eighteen whipping was not enough for drinking wine? Hazrat Ali said: No, because you dishonored the Ramadan, the holy month. Then, Saheb Javaher says that this judgment may also be used in other similar cases. The companions remark that if this case is happened at other sacred times such as Laylat al-Qadr or other sacred places such as near the holy graves and dishonor them, this judgment may be applied on them".

According to above, the adultery and drinking alcohol are punishable by Hudud, but excessive punishment is also executed in certain conditions. In above examples, the perpetrator is sentenced to Hudud, discretionary whipping, and even one night of imprisonment. In this regard, it is suggested that: "according to Imam Ali' judgment about Najashi, if anyone commits crimes in holy times such as Friday day and Friday night, day of Eid al-Ghadir, Eid al-Fitr, Eid al-Adha, Ramadan, Muhammad's first revelation, Dahw al-Ard (Dhu l-Qa'da 25, according to some hadiths, it is the day of spreading of Earth out of water at the time of creation), and Muharram, especially the night and day of Ashura, or in holy places such as Mosque of Al-Haram, Rassoul Mosque, Kufa Mosque, and Jama



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

Masjed, both of Hudud and discretionary punishments will be executed”.

Therefore, it is not arguable that in Hudud punishment, the perpetrator may be punished by complementary punishment, too. In the following, it will be discussed that complementary and accessory punishments may be executed to promote virtue and prevent vice. The relevant documentation will also be included. Therefore, it seems that there is no fault in application of complementary and accessory punishments. If the judge recognizes that the Hudud is not enough for punishing and reforming perpetrator, he can use them. In this regard, some lawyers have stated that: "the Hudud punishments such as amputation of limbs and extremities or whipping realize just one of the purposes of punishment (being painful and punishing). Therefore, if the judge recognizes that the perpetrator needs reformation or treatment, he must apply complementary punishment, too. This is not consistent with famous viewpoints of jurists and foundations of Hudud. But, it is significant as a new ijtehad of legislator; this shows that the Mujtahid can perform Ijtehad based on prevailing circumstances, contrary to traditional viewpoints”.

This belief that the Hudud may not be executed along with another punishment is incompatible with Saheb Javaher’s viewpoint; he stated that in some cases, the Hudud may be executed along with other penalties and there is no fault in it. Saheb Javaher states that the dishonoring is one reason for execution of other punishments. So, according to expediency, it is possible to apply discretionary punishments or promoting virtue and preventing vice as complementary punishments for Hudud conviction.

1.2 Applying complementary punishments to Qisaas convicts

There are two situation in Qisaas punishment: 1) the perpetrator is sentenced to Qisaas (death or amputation of limbs and extremities) and the sentence is executed, 2) the Qisaas conviction is not executed or issued due to remission or other reasons. It seems that in both cases, the judge may condemn the perpetrator to discretionary punishment or complementary punishment. Because according to Ta’ziraat and promotion of virtue and preventing vice, the complementary punishment may be applied to reform and prevent from repetition of crimes by criminals and it is correct in religious terms. In this regard,



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

some scholars states that: "Deprivation of social rights is a type of "discretionary punishment". The Islamic judge has the power to determine and execute Ta'ziraat. The discretionary punishment is executed in the case of committing crime. One who commits a haram act, the Islamic judge has the right to determine and execute appropriate discretionary punishment on him/her. Therefore, "deprivation of social rights" is a type of discretionary punishment which is executed by Islamic judge on the basis of rules on committer of crime (haram act)".

Some are in doubt that whether the complementary punishments may be executed on those who are sentenced to Qisaas. However, the answer is yes. For example, if a person commits a intentional murder, the court, having considered perpetrator's morale and condition, may sentenced him/her to Qisaas and as well as learn and study; in this way, the court wants the perpetrator will not die without modification and repentance and will not always be in the fire of hell. In this regard, a number of contemporary jurists allow the execution of deprivation of social rights on those who are sentenced to Qisaas and Hudud. First, the frequently asked questions are proposed and then, the answers of maraji' taqlid are provided to determine that the execution of complementary punishments for promoting virtue and preventing vice is allowed religiously:

Question:

When a person commit one of crimes which are sentenced to Hudud and it is possible that he/she commits it again in future due to engaging in certain occupation and profession or residence in certain place, is it possible that in addition to punishing by Hudud, he/she will be sentenced to preventive measures such as compulsory stay at a certain place, prohibition of residence in certain places, prohibition of engaging in a certain job or profession, and etc. to prevent him/her from recommitting the crime, eliminate crime grounds, and reform the perpetrator?

Answer of Ayatullah Fazel Lankarani:

If the conditions of preventing vice exist, the Shari'ah and highly qualified judge may execute these measures to prevent from vice.



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

Answer of Ayatollah Hossein Nouri Hamedani:

In cases where it is assured that he or she will recommit the crime, the Shari'ah and highly qualified judge may execute these measures.

Question:

Is it allowed to sentence a person who has committed one of crimes which are sentenced to Hudud or Qisaas to preventive and complementary measures to prevent from recommitting a crime and eliminate the grounds for corruption? For example, a person due to his job, such as a photographer or seller, deals with a lot of women and this has led him to commit prostitution. Is it possible that in addition to sentencing him to Hudud to prevent him from recommitting crime and eliminating the grounds for corruption, prohibit him from having a job or certain work?

Answer of Ayatollah Naser Makarem Shirazi:

It is allowed if the likelihood of his recommitting is significant.

Of course, this issue, like most jurisprudential issues, also has opponents who do not allow excessive punishment.

Question:

If drinking wine which is sentenced to Hudud is performed among the public, is it allowed to execute discretionary punishment in addition to Hudud?

Answer of Ayatullah Seyyed Mohammad Reza Golpayegani:

The discretionary punishment is not allowed and the Hudud is enough.

2. COMPLEMENTARY, ACCESSORY, AND DISCRETIONARY PUNISHMENTS

To determine whether the complementary and accessory punishments may be discretionary punishment for main religious punishment, the nature and concept of discretionary punishment should first be determined and then, the comments on compatibility should be considered and concluded.

2-1. Discretionary from the perspective of meaning and jurisprudence

First, the comments in this regard are investigated and then, the compatibility of



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

discretionary punishment definition with complementary and accessory punishments are examined and various perceptions are mentioned:

First definition: Some contemporary jurists define discretionary punishment as: "discretionary punishment means correction. In shari'a, it is a punishment which does not have a certain extent and amount. It is determined by judge regarding the expediency".

Second definition: Saheb Riyaz in his book titled (al-Hudud va Al-Ta'ziraat) states that: "Hudud means prohibition. In shari'ah, it is a specific punishment which is executed on body of perpetrator for committing a specific sin. Its extent and amount is determined by Shari'a. It prevent the perpetrator from recommitting the crime. If the extent of punishment is not determined, it is discretionary punishment; it means correction".

Third definition: Abo-salah Halabi states that: "Discretionary is a corrective measures that God has forged in order to deter the oppressor and other criminals. This sentence is executed in cases where the divine obligations are interrupted or a wrongdoing is committed for which there is no specific punishment. It is executed where the religion or religious duties such as prayer, zakat, Hajj, and etc. are disrupted. In this case, the judge in Islamic society should punish criminals and offenders by right measures to prevent them from recommitting crime and forcing them to perform their duties'.

Fourth definition: Saheb Jvaher says that: "Hudud and discretionary means prohibiting and correcting. In Masalek, it is stated that: Hudud causes people to avoid from sin for fear of tolerating Hudud. In Shari'a, it is a specific punishment which is executed on the body of perpetrator of a specific sin. The judge determines its extent. The discretionary is a punishment that its extent is not specified by Shari'a".

Fifth definition: Some contemporary jurists examine the meaning of discretionary and states that: "According to theologians and terminologists, the following are inferred:

A) The theologians are divided into three categories in interpretation of discretionary: First, those who believe that the main meaning of discretionary is one thing (Nusrat, prohibition, correction, or something else) and refer other meaning to same origin.

Second, others who believe that this word has a comprehensive meaning which includes



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

all other meanings. The third group believes that this term has many meanings. B) Different meanings are proposed for discretionary which are divided into two categories: first, positive meanings such as bow, respect, help, and so on. Second, negative meanings such as prohibiting, banning, correcting, whipping, and blaming. C) The negative meanings of discretionary are considered in these discussions. In other words, the negative meanings are used by jurists, not the positive meanings. Therefore, the positive meanings are not considered. D) According to theologians, the discretionary includes any punishment which prevents the criminal from committing crime and it is not limited to whipping. Then, considering the meaning of discretionary among Fuqaha of Islam and Shi'a, it is concluded that: "the jurists of Islam believe that the discretionary not only includes physical punishment, but also includes any action and statement that prevents the perpetrator from recommitting the crime. However, some of jurists have interpreted it as physical punishment, but definitely they do not mean that it is limited to it.

However, it is concluded that the discretionary in "sharia of Islam" includes physical punishment and any action or deed which prevents the perpetrator from recommitting the crime".

2-2. Extracted points from above mentioned definitions and adapting them with complementary and accessory punishments

According to definitions of discretionary among Fuqaha, the following points may be deduced: 1- The discretionary is correction. It is a punishment which corrects and reforms the perpetrator. 2- Discretionary is punishment. The punishment is the penalty of human action which human beings are reluctant to tolerate it; it bothers human being and restricts his/her freedom. 3- The physical harassment in definition of discretionary does not mean that the punishment to be executed directly on body; it means that the perpetrator to be offended by discretionary punishment and this harassment impacts on his/her spirit. In this regard, Saheb Javaher states that the punishment should include both physical and spiritual punishment. 4) Discretionary as an unspecified punishment: As it was seen, the



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

above definitions agreed that the discretionary is an unspecified punishment; that is, the Shari'a has not determined the punishment and has delegated it to judge. 5) Discretionary includes both actions and statements; that is, any action or statement that causes the perpetrator to be reformed and avoid from crime and sin. According to above, as some contemporary jurists stated (in seventh definition), the discretionary involves any type of punishment that would modify the perpetrator and prevent him/her from committing the crime. The complementary and accessory punishments are among the discretionary punishments. The discretionary is a general and common spiritual concept and sense which may have multiple instances such as abovementioned punishments.

3. SPECIFIC DISCRETIONARY FOR ABSOLUTE PUNISHMENTS

One of the questions which is proposed in relation to extension of religious discretionary to complementary and accessory punishments is: whether the discretionary is determined for the punishment which is specified in Shari'ah such as whipping? In other words, whether the discretionary is specific for whipping and other punishments which are specified in Shari'a or it extends to all other punishments which are not specified in Shari'a? In this regard, there are two major viewpoints which are briefly described. It should be noted that if we believe in first viewpoint, then the religious discretionary will not include other punishments which are specified in current laws such as complementary and accessory punishments, deterrents, deprivation of social rights, and preventive and educational measures; the legitimacy of these punishments should be determined in other ways.

3.1 Discretionary punishment limited to whipping and the like

As mentioned, some jurists, according to discretionary lexical root, have said that the discretionary is limited to whipping.

Some contemporary jurists have argued that the discretionary is limited to whipping; it is not doubtful that the discretionary is permissible in whipping and this is faultless; this is implied in definitions. However, the discretionary other than whipping such as imprisonment and taking possession of property is inadmissible (i.e., the



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

imprisonment and taking possession of property without the consent of owner is forbidden). The other reason for not premising discretionary other than whipping is the fact that only the whipping is allowed in Sha'ria and the imprisonment and taking possession of property require determining the crime. Therefore, the whipping is enough.

3.2 Discretionary includes any types of unspecified punishments including whipping and the like

In contrast to this statement that the discretionary is limited to whipping, some consider the discretionary to include any types of unspecified punishments such as whipping and the like.

First viewpoint: Some scholars have expressed the viewpoint of Allameh Khoyi regarding "discretionary is determined by judge" as following: in issue 282 at (Takallama Al-Manhaj), Khoyi said that anyone who commits a sin intentionally or does not observe divine obligatory, the judge may punish him/her according to his expediency. He argues that this sentence is due to following reason: First, Imam Ali has done so at numerous occasions; this appears in some traditions and clearly implies the legitimacy of discretionary. Second, Islam tries to maintain its material and spiritual system and enforce punishments; it is natural that this requires the application of discretionary on who violates this system. Third, the traditions imply that the judge has the right to correct and apply discretionary. Fourth, some traditions indicate that Allah has determined limitations. For example, Imam Sadegh states that: (everything has a limit and anyone who goes beyond that limit will deserve to be punished).

Second viewpoint: Some contemporary jurists have stated that the application of discretionary depends on expediency of judge: anyone who commits a haram act or does not observe divine obligatory will be punished according to expediency of judge".

Third viewpoint: All punishments and corrections are considered to be Shari'a discretionary: Some contemporary jurists contend that the punishments, corrections, and penalties are all religious discretionary: "The decrees which are not forbidden by Shari'a, rather they are forbidden by government rules for maintenance of



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

expediency and public order. This includes the laws of driving and all government regulations such as imprisonment, confiscation of property, whipping, and so on. Whether these types of punishments may be forgiven and suspended, depending on judge's opinion? Whether Hudud and discretionary may be extended to these punishments? There are two opinions and perspectives. Some believe that the penal laws which are passed in accordance with requirements of public expediency are the punishments that the Hudud and discretionary are not extended to them. However, the Hudud and discretionary are special for the criminals who did not observe religious laws. While, the public expediency decrees are governmental punishments; although violations of these decrees are also punishable, the Hudud and discretionary are not extended to them. They have their own rules. It can be said strongly and truly that these types of punishments are not an alternative and are considered to be a discretionary. The discretionary is a corrective punishment for someone who does what he should not commit; it does not matter whether this is a religious sin or violation of rules and laws”.

4. GENERAL CONCEPT OF OBLIGATORY AND FORBIDDEN IN DISCRETIONARY

Considering the perspectives on discretionary, most of them argued that it is determined by expediency of Imam of Muslims and most jurists extended it for committing forbidden actions and ignoring divine obligations. However, it should be clarified that whether the obligatory and forbidden are those which are mentioned in Islamic laws and religion, or they are general concepts which include all religious, intellectual, governmental, and social aspects? According to Abo Salah Halabi, the discretionary should also be applied to rational obligations. It seems that the concepts of obligatory and haram are two generic, common, and spiritual terms that can have many instances such as religious obligations and forbidden things, rational obligations and forbidden things, and social and governmental obligations and forbidden things. When the rules are established by the government to maintain the order of society, the observance of these laws preserves the rights of Muslims and violation of them violates the rights of other people (Marcial



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

Limache Sandoval, 2017). On the other hand, preserving and respecting the rights of Muslims is in accordance with sharia and wisdom, and violating their rights is prohibited in Sharia and reason. Therefore, when the observance of social and religious laws is obligatory and violation of them is forbidden, the social and governmental perpetrators such as driving criminals, environmental criminals, computer criminals, and etc., may be punished by discretionary such as complementary and accessory punishments. So, firstly, the discretionary relies on opinion of judge and includes any non-whipping punishments. Secondly, the discretionary extends to all violations of religious, rational, governmental, and social rules. Therefore, considering these two perceptions, the complementary and accessory punishments are discretionary.

5. COMPLEMENTARY AND ACCESSORY AS DISCRETIONARY PUNISHMENTS OTHER THAN WHIPPING

In Islamic tradition and jurisprudence, there are a number of different discretionary other than whipping. Studying them, it is deduced that the discretionary aims to punish, reform, and prevent from occurring crime. It includes any action which prevents the perpetrator from committing crime and sin. Depending on temporal and spatial terms, characteristics of guilty and offense, and the personality of perpetrator, the judge can choose the proper punishment including complementary and accessory punishments. Here are some examples of these discretionary to make it clear that the above inference is correct.

Prison and imprisonment

Several cases of imprisonment of sinners and criminals are mentioned in Islamic tradition and jurisprudence:

- A) Imam Ali imprisoned three people: a man who exploits orphans, usurps their property, and betrays the trusts.
- B) In "Kafi" and "Tahzib", Imam-bagher stated that Amir-al-Momenin whipped and imprisoned someone who had robbed the earrings of a girl.
- C) Imam Ali imprisoned for several days the person who had falsely testified.
- D) Imprisonment for not observing divine obligations: The person who ignores the



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

obligation is imprisoned. Allameh in Tazkareh states that: If one believes that Zakat is obligatory, but does not pay it, he must obligatorily pay it. And if he hides his property, he will be imprisoned until he shows his property. Whenever he shows that, Imam will take the Zakat. According to Abu Hanifa and Malek, the man who does not say prayer will be imprisoned until to say prayer.

Eviction from mosque

Amir Al-Momenin punished the storyteller and evicted from mosque.

Correcting the pork eater

The person who eats pork will be applied discretionary in spoken, blame, rebuke, and etc. ways.

Pay twice the price

Imam Sadeq stated that: "The Prophet (pbuh) ruled that in the case of someone who stole the fruit in his shirt, he must pay twice the price of what he had taken with him.

Destruction of Zarar Mosque

One of the actions of judge of Islam may be the destruction of mosque to destroy the root of sin. According to traditions, the Prophet (pbuh) not only did not pray at Zahar, but also commanded Muslims to burn and destroy that mosque.

6. CONCLUSION

According to above, the following conclusions are provided:

A) The extension of complementary and accessory punishments to perpetrators who are sentenced to Hudud and Qisaas is correct and the court may execute them to prevent from reoccurrence of crime.

B) Discretionary means punishment, correction, and modification; these include physical, mental, and spoken punishments. They are unspecified punishments which are determined by judge according to expediency of community and perpetrator of crime and sin. These punishments are applied to correct, modify, and prevent from committing crime. The complementary and accessory punishments are discretionary.

C) Considering the instances and diversity of discretionary punishments, the



The Jurisprudential Challenges of Accessory and Complementary Punishments

Revista Publicando, 5 No 15. (2). 2018, 876-892. ISSN 1390-9304

complementary and accessory punishments are not limited to cases which are determined at Islamic Penal Code (2013). The legislator may modify these punishments into appropriate punishments for reforming and correction of perpetrators.

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The Jurisprudential Challenges of Accessory and Complementary Punishments

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