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The Study and Critique of the Fight Evidences of Panderism as a Prescribed Punishment(Had)

Rahim Nowbahar

Abstract:

According to well-know opinion of Shiite jurisprudence panderism is among Prescribed Punishments (hodood). All Iranian Legislations regarding the issue after the Islamic Revolution followed this idea.

In this article I will argue in a fiqhi way that there are no strong and sufficient reason which prove that panderism is among hodood and consequently it should be considered as a crime which occurs in the category of Discretionary Punishments (Taazirat). So, Islamic Criminal Justices can respond proportionately to the different degrees of this crime by providing useful punishments and in harmony with similar crimes such as trafficking on women for prostitution. The article also deals with implicitly some ambiguous legal aspects of the crime whether it would be among Hodood or Tazirat.