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The Philosophy of Punishment in Sexual Crimes at Islamic Penal law

By: Rahim Nobahar

This analytical article studies Islamic punishment Philosophy in three sexual crimes: adultery, lesbianism, pederasty. Probing into matters like, criminalization basis, ruling system on legal evidence and a survey on punishment abolition will clarify that although Islam has put a great emphasis on intrinsic indecency of these crimes and moral responsibility for its criminals, there has been also a great persistence on prevention and keeping them as a secret.

The main emphasis goes on rehabilitation of criminal and his/her repentance. however, purposes like public or private deterrence, justice, victim restoration has not

been ignored. The distinction between the two situations is that in the first case the development of the system is not dependent on the user's actions, while in the second case it is.