

Critical Review of Models of Determining Real Multiplicity Punishment of *T'azir* Crimes in Egyptian, German, British & Iranian Law

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DOI: 10.22096/LAW.2021.106666.1439

[Received Date: 30/04/2019 Acceptance Date: 20/09/2020]

Abstract

The punishment of multiple offenses, due to the need to strike a balance between the two main principles of punishment, justice and correction, faces fundamental challenges to justification. By leaving aside the comparison of multiplicity of *T'azir* crimes with the *Hudud* and the amendments to Article 134 of the Islamic Penal Code, the rational justification of this kind of punishment has become necessary.

Therefore, this article by using a descriptive-analytical method, in an attempt to reconcile the institution of crime multiplicity with the philosophy of punishment and in the light of a comparative study of this issue in the three legal systems of Egypt, Germany and the United Kingdom, intends to ask the question that "what are the desirable principles and models for determining the punishment of real multiplicity of *T'azir* crimes?"

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The British legal system, striking a balance between the two goals of justice and correction, has proposed a model of the relative aggregation of punishments, which is a combination of the model of the real and judicial aggregation of punishments. German and Egyptian law follow the real aggregation model and have limited this model.

The punishment of multiple crimes in Iranian law due to ambiguity in purpose has followed all models and this has caused in some cases, the severity of the penalty for multiple offenses and sometimes less than other legal systems. This hesitation has been against both apparent and real justice and against the correctional purpose of punishments.

Keywords: Unite Punishment; Real Multiplicity of Crimes; Relative Collection of Crime; Objective Responsibility of Punishment; Most Severe Punishment.

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