

A Legal and Penological Evaluation of the Law on the Reduction of Ta'zir Imprisonment Sentences

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The geopolitical transformations following the September 11, 2001 attacks ushered the foreign policy of the United States in the Persian Gulf into a new phase. This phase was characterized by the expansion of military interventions, the redefinition of threats, and efforts to reconfigure the regional order. This redefinition pushed the logic of U.S. domination beyond the traditional framework of hard power and sought to consolidate hegemony through a combination of military, economic, and cultural instruments. In response to this multilayered dominance, regional and extra-regional actors increasingly turned to indirect strategies, commonly referred to in the international relations literature as “soft balancing,” rather than engaging in direct confrontation. This article, focusing on the concept of soft balancing, examines the emergence of non-military, diplomatic, and media-based forms of resistance to U.S. hegemony in the Persian Gulf. The theoretical framework integrates offensive realism, hegemonic stability theory, and soft power theory. The research method is qualitative and analytical, drawing on credible scholarly sources. The findings indicate that soft balancing, as an emerging strategy, has partially shifted the region’s geopolitical landscape away from unilateral domination and facilitated a transition toward a multipolar order. This transformation has not only generated challenges for the continuation of U.S. hegemony but has also created opportunities for independent regional actors.

Keywords: Soft balancing, U.S. hegemony, foreign policy, Persian Gulf, post-September 11, regional resistance, soft power

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1. Introduction

Imprisonment has long been regarded as the central and most visible response of criminal justice systems to crime; however, over the past decades, this dominant position has increasingly been questioned at both normative and practical levels. One of the most significant developments in contemporary criminal policy is the growing awareness of the global crisis of over-criminalization and prison overcrowding. Many

legal systems have experienced a steady expansion of criminalized behaviors, accompanied by an excessive reliance on custodial sanctions, particularly short-term imprisonment. This phenomenon has resulted in prisons operating beyond their capacity, generating serious humanitarian, financial, and criminological concerns. Scholars have emphasized that the expansion of imprisonment does not necessarily correlate with effective crime control and, in many cases, may exacerbate social harm rather than reduce it, especially



when incarceration is applied to low-risk offenders or minor offenses (Goldouzian, 2022). The recognition of these challenges has prompted policymakers and legal scholars to reconsider the traditional punitive paradigm and to explore alternatives that better align with principles of proportionality, efficiency, and social reintegration.

Within this broader context, modern criminal policy has witnessed a gradual yet discernible shift from custodial to non-custodial sanctions. This shift is grounded in the understanding that imprisonment, particularly when imposed for short durations, often fails to achieve its declared objectives of deterrence, rehabilitation, and crime prevention. Empirical and doctrinal analyses have shown that short-term imprisonment can have criminogenic effects, disrupting social ties, employment, and family structures, while exposing offenders to criminal subcultures within prisons (Noorpour & Ahmadi, 2012). As a result, many contemporary legal systems have expanded the use of alternative sanctions such as fines, community service, probation, suspended sentences, and electronic monitoring, aiming to reduce reliance on incarceration while maintaining social order. This trend reflects an evolving conception of punishment, in which deprivation of liberty is no longer viewed as the default response to criminal behavior but rather as a measure of last resort, to be employed only when less intrusive sanctions are insufficient.

International penological discourse increasingly emphasizes decarceration as a rational and humane response to the limitations of imprisonment. Decarceration policies seek not merely to reduce prison populations but to recalibrate the entire sentencing framework by promoting proportionality, individualized justice, and respect for human dignity. Comparative criminal law studies indicate that decarceration strategies are often driven by a combination of normative commitments to human rights and pragmatic considerations related to the economic and social costs of incarceration (Alavi, 2018). These developments have influenced legislative reforms across diverse legal traditions, including systems rooted in civil law, common law, and religious legal frameworks. In this sense, the global movement toward imprisonment reduction provides an important backdrop for understanding national reforms, including those adopted within the Iranian criminal justice system.

In Iranian criminal law, the discussion of imprisonment reduction must be situated within the distinctive structure of Islamic criminal jurisprudence and statutory law. Punishments in Iranian law are traditionally classified into hudud, qisas, diyat, and ta'zir, each category reflecting a different legal logic and normative foundation. Ta'zir punishments occupy a particularly significant place within this framework due to their flexible and discretionary nature. Unlike hudud and qisas, which are characterized by fixed and divinely prescribed sanctions, ta'zir punishments are not predetermined in Islamic sources and are instead left to the discretion of the ruler or judge within the bounds of public interest and justice (Gholami & Aghaei Midi, 2013). This flexibility has allowed ta'zir to function as a dynamic instrument through which the legal system can respond to evolving social conditions and policy priorities.

The concept of ta'zir encompasses a broad range of offenses and sanctions, making it the most expansive category of punishment in Iranian criminal law. Ta'zir crimes are typically defined by statutory law rather than religious texts, and their sanctions may include imprisonment, fines, corporal punishment, or alternative measures. The legal nature of ta'zir thus combines elements of Islamic jurisprudence with modern legislative techniques, creating a hybrid system in which discretion plays a central role (Mir Khalili, 2014). This discretionary character distinguishes ta'zir from hudud and qisas, where judicial authority is significantly constrained by fixed rules. At the same time, ta'zir differs from diyat, which primarily concerns financial compensation for bodily harm and homicide and is governed by specific principles of restitution rather than punishment.

The flexibility inherent in ta'zir sanctions has made this category particularly susceptible to policy-driven reforms, including efforts to reduce imprisonment. Because ta'zir punishments are not divinely fixed, legislators possess greater latitude to modify their scope, severity, and modes of enforcement in response to social needs and criminological insights. Legal scholars have noted that this adaptability positions ta'zir as the primary arena for implementing modern criminal policy objectives within an Islamic legal framework (Karizaki, 2020). Consequently, any meaningful attempt to reform sentencing practices in Iran must inevitably focus on

ta'zir crimes and punishments, especially given their numerical dominance within the criminal justice system. The Law on the Reduction of Ta'zir Imprisonment Sentences emerged against this doctrinal and policy background as a significant legislative intervention aimed at addressing the perceived excesses of custodial punishment. Adopted in 2020, the law sought to recalibrate the sentencing framework for ta'zir crimes by reducing imprisonment ranges, expanding the scope of alternative sanctions, and increasing the number of compoundable offenses. Commentators have observed that the legislative history of this law reflects a convergence of multiple motivations, including concerns over prison overcrowding, critiques of punitive excess, and a broader commitment to rationalizing criminal policy (Ferasat, 2025). These motivations were reinforced by growing awareness of the financial burden imposed by mass incarceration on the state, as well as the social costs borne by offenders and their families. Social and economic pressures played a decisive role in shaping the adoption of the law. Iran, like many other countries, has faced persistent challenges related to the management of its prison population, including limited resources, infrastructural constraints, and the difficulty of providing effective rehabilitative programs within overcrowded facilities. Studies focusing on the sociological dimensions of imprisonment have highlighted that excessive reliance on incarceration disproportionately affects marginalized groups and contributes to cycles of exclusion and recidivism (Ali Nasab & Bani Na'eimeh, 2022). These concerns intensified calls for legislative reform, particularly with respect to minor and non-violent ta'zir offenses, for which imprisonment appeared neither necessary nor effective.

Criminological considerations also informed the enactment of the law, as scholars and practitioners increasingly questioned the deterrent value of imprisonment in its prevailing form. Research within the Iranian context has suggested that the expansion of custodial sanctions has not produced a corresponding decline in crime rates, especially in relation to economic and property crimes (Koushki & Zandi, 2023). This gap between punitive severity and practical effectiveness underscored the need for a more nuanced approach to sentencing, one that balances crime control with rehabilitative and preventive strategies. The law on

reducing ta'zir imprisonment can thus be understood as part of a broader attempt to align Iranian criminal policy with contemporary penological insights while remaining faithful to the principles of Islamic jurisprudence. Despite its reform-oriented objectives, the law has generated significant debate regarding its coherence, implementation, and normative implications. One of the central research problems concerns the presence of ambiguities and inconsistencies within the legal text itself. Critics have pointed out that certain provisions lack clarity regarding their scope of application, leading to divergent interpretations by courts and legal practitioners (Gerami, 2023). These interpretive challenges raise questions about the principle of legal certainty, which is particularly important in criminal law, where individuals' liberty is at stake. Moreover, the interaction between the new law and existing provisions of the Islamic Penal Code has not always been clearly delineated, resulting in potential conflicts and overlaps. Another dimension of the problem relates to the tension between crime control and the humanization of punishment. While the reduction of imprisonment is often justified on humanitarian and rehabilitative grounds, concerns persist that excessive leniency may undermine public confidence in the criminal justice system or weaken deterrence. Some scholars argue that without adequate institutional support for alternative sanctions, reducing imprisonment may amount to a symbolic reform that fails to deliver substantive improvements in justice outcomes (Alizadeh et al., 2022). Others emphasize that the expansion of compoundable crimes, introduced by the law, may inadvertently privilege private settlement over public interest considerations, thereby altering the balance between individual reconciliation and societal protection (Ghamsari & Dehkani, 2024).

The significance of examining the Law on the Reduction of Ta'zir Imprisonment Sentences lies in its potential long-term impact on the structure and orientation of Iranian criminal justice. As a legislative instrument, the law represents a deliberate attempt to reshape sentencing policy within the most flexible domain of Islamic criminal law. Its success or failure will influence future reform initiatives and inform debates on the appropriate role of imprisonment in a system that seeks to harmonize religious principles with modern legal standards. Furthermore, the law serves as a case study

for understanding how decarceration strategies can be adapted to non-Western legal traditions, particularly those grounded in Islamic jurisprudence ([Saeedi Abueshaghi et al., 2024](#)).

Against this background, the primary objective of the present study is to provide a comprehensive legal and penological evaluation of the Law on the Reduction of Ta'zir Imprisonment Sentences. The analysis seeks to assess the extent to which the law achieves coherence within the existing legal framework, promotes effective and proportionate punishment, and advances the broader goals of justice and social welfare. Central research questions guiding this inquiry include whether the law succeeds in reducing unwarranted reliance on imprisonment without compromising crime control, how it affects judicial discretion and sentencing practices, and to what extent it contributes to the humanization and rationalization of punishment in Iranian criminal law.

2. Conceptual and Theoretical Framework

Any legal evaluation of sentencing reform requires a clear conceptual and theoretical foundation, particularly when the reform concerns the scope and legitimacy of imprisonment. Theories of punishment provide the normative lens through which criminal sanctions are justified and assessed, and they play a decisive role in shaping legislative choices and judicial practices. In classical criminal law theory, retribution occupies a foundational position, emphasizing moral blameworthiness and proportional response to wrongdoing. Retributive theory conceives punishment as a deserved response to crime, grounded in the offender's culpability rather than in instrumental goals such as deterrence or rehabilitation. Within Iranian criminal law, retributive elements are most clearly reflected in hudud and qisas punishments, where the logic of desert and moral balance is particularly strong ([Gholami & Aghaei Midi, 2013](#)). However, even within the domain of ta'zir, retributive considerations continue to influence sentencing practices, especially in judicial assessments of blame and proportionality ([Mir Khalili, 2014](#)). From this perspective, any reduction of imprisonment must confront the concern that diminished custodial sanctions could undermine the perceived moral response of the legal system to wrongdoing.

Alongside retribution, deterrence has historically functioned as a central justification for punishment in both classical and modern criminal law. Deterrence theory assumes that the threat or imposition of punishment discourages individuals from committing crimes, either by deterring the general population or by preventing the punished offender from reoffending. In Iranian legal scholarship, deterrence has often been invoked to justify the expansion of ta'zir punishments, including imprisonment, particularly for offenses threatening public order and economic security ([Goldouzian, 2022](#)). General deterrence emphasizes the communicative function of punishment, whereby the legal system signals the consequences of criminal behavior to society at large, while special deterrence focuses on influencing the future behavior of the individual offender. Critics of imprisonment reduction frequently argue that decreasing custodial sanctions may weaken both forms of deterrence, especially in relation to economic and property crimes ([Koushki & Zandi, 2023](#)). Nonetheless, empirical and doctrinal critiques have increasingly questioned whether imprisonment, particularly of short duration, actually fulfills its deterrent promise in practice.

In contrast to retributive and deterrent approaches, rehabilitative theories of punishment shift the focus from moral blame and fear-based prevention to the transformation of the offender. Rehabilitation conceives punishment as a means of addressing the underlying causes of criminal behavior and facilitating the offender's reintegration into society. Within Islamic jurisprudence, the notion of reform and moral correction occupies an important place, particularly in discussions of ta'zir punishments, which are explicitly designed to promote discipline and social order rather than mere retribution ([Eimani et al., 2022](#)). Contemporary Iranian legal scholars have emphasized that ta'zir sanctions should be tailored to the offender's personal circumstances and social context, allowing judges to prioritize educational and corrective measures over incarceration ([Imani et al., 2022](#)). From this perspective, reducing imprisonment is not a departure from the aims of punishment but rather a return to the rehabilitative spirit underlying discretionary sanctions.

Closely related to rehabilitation is the broader objective of social reintegration, which highlights the importance of maintaining offenders' social ties and functional roles

within the community. Short-term imprisonment has been widely criticized for disrupting employment, family relationships, and social identity, often producing long-term marginalization disproportionate to the severity of the offense (Noorpour & Ahmadi, 2012). Alternative sanctions, such as probation and electronic monitoring, are frequently justified on the grounds that they allow offenders to remain embedded in society while still being subject to legal control. Iranian studies examining alternative punishments have argued that such measures are more consistent with the goals of *ta'zir*, as they preserve judicial authority while minimizing social harm (Abolhasani & Alipour, 2021). In this sense, the move away from imprisonment reflects a theoretical commitment to reintegration rather than exclusion. Restorative justice approaches offer a further theoretical dimension relevant to imprisonment reduction policies. Restorative justice shifts the focus of criminal law from punishment to the repair of harm, emphasizing dialogue, accountability, and reconciliation between offenders, victims, and the community. While restorative justice is not explicitly codified as a comprehensive framework in Iranian criminal law, elements of restorative thinking can be identified in the expansion of compoundable crimes and the encouragement of reconciliation between parties (Ghamsari & Dehkani, 2024). These mechanisms reflect an understanding of crime as a social conflict rather than solely a violation of state authority. From a restorative perspective, imprisonment is often viewed as a last resort, appropriate only when other forms of accountability and reparation are insufficient. The growing influence of restorative ideas thus provides additional theoretical support for limiting custodial sanctions within the *ta'zir* framework.

Beyond normative theories of punishment, penological analysis plays a critical role in evaluating the practical consequences of imprisonment. Modern penology has increasingly highlighted the criminogenic effects of incarceration, particularly when imprisonment is imposed for short periods. Research in Iranian criminal law has echoed international findings that short-term imprisonment often fails to rehabilitate offenders and may instead increase the likelihood of recidivism by exposing individuals to criminal environments and weakening pro-social bonds (Alizadeh et al., 2022). These criminogenic effects challenge the assumption that imprisonment is an effective tool for crime

prevention and raise serious questions about its routine use for minor *ta'zir* offenses.

Labeling theory provides a powerful explanatory framework for understanding these adverse effects. According to labeling theory, the process of criminalization and punishment can itself contribute to continued deviance by stigmatizing individuals and shaping their social identity. Imprisonment, as the most stigmatizing sanction, reinforces the offender's status as a criminal and may limit future opportunities for lawful participation in society (Ali Nasab & Bani Na'eimeh, 2022). In the Iranian context, scholars have noted that even brief periods of incarceration can carry lasting social consequences, particularly in smaller communities where criminal records are difficult to escape. This dynamic undermines the rehabilitative aims of punishment and supports arguments for replacing imprisonment with less stigmatizing alternatives.

Closely related to labeling is the concept of prisonization, which refers to the process by which inmates internalize the norms and values of prison subculture. Penological studies emphasize that prisonization can occur even during short periods of confinement, leading offenders to adopt attitudes and behaviors that are incompatible with lawful social life (Goldouzian, 2022). In overcrowded prison environments, these effects are often intensified, as limited resources and supervision create conditions conducive to violence and informal power structures. Iranian legal scholars have drawn attention to these realities in critiques of expansive imprisonment policies, arguing that the prison environment itself may function as a school of crime rather than a site of reform (Gerami, 2023).

Economic and social costs further complicate the justification of imprisonment as a routine sanction. From a fiscal perspective, maintaining large prison populations imposes substantial burdens on the state, diverting resources from preventive and rehabilitative programs. Analyses of the Iranian criminal justice system have highlighted the high costs associated with incarceration, particularly in light of budgetary constraints and competing social priorities (Ferasat, 2025). These economic considerations intersect with social costs borne by offenders' families, including loss of income, social stigma, and psychological harm. When imprisonment is imposed for minor *ta'zir* offenses, these costs often appear disproportionate to the social harm

caused by the crime, reinforcing calls for penal moderation.

The critique of imprisonment has significantly influenced contemporary criminal policy debates, giving rise to the principle of minimal criminal law, often expressed through the concept of *ultima ratio*. According to this principle, criminal law—and especially imprisonment—should be used only as a last resort, when other regulatory or social responses are insufficient. Iranian legal scholarship has increasingly invoked *ultima ratio* to argue for restraint in criminalization and sentencing, particularly within the flexible domain of *ta'zir* ([Karizaki, 2020](#)). This approach does not deny the necessity of punishment but insists on its careful and proportionate application, consistent with broader social objectives.

At the policy level, the principle of penal moderation stands in tension with the phenomenon of penal populism, which refers to the tendency of legislators to adopt harsh punitive measures in response to public fear or political pressure rather than empirical evidence. Penal populism often manifests in the expansion of imprisonment and the symbolic use of severity to signal toughness on crime. Iranian commentators have warned that excessive reliance on imprisonment for *ta'zir* offenses may reflect populist impulses rather than rational criminal policy, particularly when such measures fail to produce meaningful reductions in crime ([Koushki & Zandi, 2023](#)). The Law on the Reduction of *Ta'zir* Imprisonment Sentences can thus be interpreted as an attempt to resist penal populism by grounding sentencing reform in criminological and penological reasoning.

Rational criminal policy, by contrast, emphasizes evidence-based decision-making, coherence, and proportionality. It seeks to align legal norms with empirical knowledge about crime and punishment, while also respecting cultural and religious values. In the Iranian context, this approach requires integrating insights from modern criminology with principles derived from Islamic jurisprudence, particularly the emphasis on justice, moderation, and social welfare ([Saeedi Abueshaghi et al., 2024](#)). Penal moderation, when understood in this light, does not entail leniency for its own sake but reflects a deliberate effort to calibrate punishment to its legitimate purposes.

Finally, contemporary criminal policy is increasingly shaped by human-rights-oriented approaches to punishment. International human rights discourse emphasizes the protection of human dignity, proportionality, and the avoidance of cruel or degrading treatment, principles that have influenced domestic legal reforms across diverse jurisdictions. Iranian legal scholars have argued that reducing reliance on imprisonment is consistent with these values, particularly when alternative sanctions can achieve social protection without unnecessary deprivation of liberty ([Alavi, 2018](#)). Within the *ta'zir* framework, where discretion and adaptability are central, human-rights-oriented punishment systems provide a compelling normative justification for limiting custodial sanctions. Taken together, theories of punishment, penological critiques, and contemporary criminal policy principles form an integrated conceptual framework for evaluating imprisonment reduction in Iranian criminal law. Retribution, deterrence, rehabilitation, and restorative justice each illuminate different dimensions of punishment, while penological analysis exposes the practical limitations of incarceration. The principles of penal moderation, rational policy, and human rights orientation offer normative guidance for reform, underscoring the importance of restraint and proportionality. This theoretical foundation provides the necessary context for assessing the Law on the Reduction of *Ta'zir* Imprisonment Sentences and its implications for justice, effectiveness, and social welfare within the Iranian legal system.

3. Legal Structure of the Law on the Reduction of *Ta'zir* Imprisonment

The legal structure of the Law on the Reduction of *Ta'zir* Imprisonment Sentences reflects a deliberate legislative effort to recalibrate Iran's criminal justice system in response to long-standing critiques of excessive reliance on custodial punishment. At the level of legislative philosophy, the law is grounded in the explicit aim of limiting imprisonment as the dominant sanction for *ta'zir* crimes and promoting a more proportionate and rational sentencing framework. Legislative discussions surrounding the adoption of the law emphasized the need to address prison overcrowding and to reduce the social and economic harms associated with widespread incarceration, particularly for non-violent and low-risk

offenders (Ferasat, 2025). This policy orientation signals a shift away from a punitive model centered on deprivation of liberty toward a model that recognizes the relative inefficiency of imprisonment in achieving deterrence and rehabilitation for a broad category of ta'zir offenses (Goldouzian, 2022). The philosophy underlying the law thus resonates with broader criminal justice reform narratives that prioritize penal moderation, proportionality, and the effective use of state resources.

In articulating its objectives, the legislature also framed the law as a corrective response to inconsistencies and excesses that had emerged under the previous sentencing regime. Scholarly analyses have noted that the expansion of ta'zir crimes under the Islamic Penal Code of 2013 led to a significant increase in custodial sentences, often imposed in a standardized and inflexible manner (Karizaki, 2020). By contrast, the new law seeks to restore the discretionary and adaptive character traditionally associated with ta'zir punishments in Islamic jurisprudence, where sanctions are intended to serve public interest and moral reform rather than rigid penal severity (Mir Khalili, 2014). In this sense, the legislative philosophy of the law aligns not only with contemporary reformist discourses but also with classical juristic understandings of ta'zir as a flexible instrument of governance.

The scope of application of the law constitutes one of its most significant structural features, as it determines which categories of ta'zir crimes are subject to imprisonment reduction and which remain unaffected. The law applies primarily to ta'zir offenses that previously carried short-term or medium-term imprisonment sentences, reflecting the legislature's assessment that these sanctions were most susceptible to critique and reform. Legal commentators have emphasized that the inclusion of a wide range of non-violent offenses within the law's scope demonstrates a conscious attempt to target those areas of criminal law where imprisonment appeared least justified from a penological perspective (Alizadeh et al., 2022). At the same time, the law explicitly excludes certain categories of crimes from its application, particularly offenses deemed to threaten public security, moral order, or fundamental social values. These exclusions illustrate the legislature's effort to balance imprisonment

reduction with concerns about crime control and public confidence in the justice system (Gerami, 2023).

Thresholds for imprisonment reduction are another defining aspect of the law's scope. Rather than abolishing imprisonment outright, the legislature adopted a graduated approach, reducing statutory sentencing ranges and enabling courts to replace imprisonment with alternative sanctions when specific conditions are met. This approach reflects an understanding that penal reform must be incremental and sensitive to variations in offense severity and offender culpability (Goldouzian, 2022). By setting thresholds based on the length of the original custodial sentence, the law creates a structured mechanism for distinguishing between cases where imprisonment may still be warranted and those where non-custodial measures are preferable. Scholars have observed that this technique enhances legal predictability while preserving judicial flexibility, a balance that is particularly important in the context of ta'zir punishments (Mir Khalili, 2014).

Among the key substantive changes introduced by the law, the reduction of statutory imprisonment ranges occupies a central position. In many ta'zir offenses, the maximum and minimum terms of imprisonment were significantly lowered, thereby narrowing the scope of custodial punishment available to judges. This reform directly addresses criticisms that previous sentencing provisions encouraged excessive imprisonment by granting courts broad authority to impose custodial sanctions even for relatively minor offenses (Koushki & Zandi, 2023). By recalibrating sentencing ranges, the law seeks to ensure greater proportionality between the gravity of the offense and the severity of the punishment, a principle that has been repeatedly emphasized in Iranian criminal law scholarship (Gholami & Aghaei Midi, 2013). The reduction of statutory ranges also has symbolic significance, signaling a legislative commitment to rethinking the centrality of imprisonment within the penal system.

Closely linked to the reduction of imprisonment ranges is the expanded conversion of custodial sentences into alternative sanctions. The law explicitly encourages courts to consider non-custodial measures such as fines, community service, and electronic monitoring in lieu of imprisonment for eligible ta'zir crimes. Studies on alternative punishments in Iranian law have highlighted that such measures can achieve social control and

offender accountability without the disruptive effects associated with incarceration (Noorpour & Ahmadi, 2012). The increased emphasis on conversion mechanisms reflects a legislative judgment that alternatives to imprisonment are not merely supplementary but can function as primary sanctions in appropriate cases. This shift is consistent with earlier academic arguments advocating for the institutionalization of alternatives within the *ta'zir* framework (Abolhasani & Alipour, 2021).

The reclassification of offenses represents another substantive innovation of the law, particularly through the expansion of compoundable crimes. By increasing the number of offenses subject to private reconciliation, the law effectively reduces the likelihood of custodial punishment in cases where the victim's interests can be satisfied through settlement. Scholars have noted that this reclassification alters the traditional balance between public prosecution and private resolution, raising important questions about the role of the victim in the criminal process (Ghamsari & Dehkani, 2024). From a structural perspective, however, the expansion of compoundable crimes functions as a practical mechanism for reducing imprisonment by diverting cases away from punitive outcomes and toward negotiated resolutions. This development underscores the law's broader commitment to minimizing the use of incarceration where alternative forms of accountability are feasible.

The procedural and judicial implications of the law are equally significant, as they reshape the contours of judicial discretion and sentencing authority. While the law reduces statutory imprisonment ranges and promotes alternative sanctions, it does not eliminate judicial discretion; rather, it redefines its parameters. Judges retain the authority to assess individual circumstances and to determine the most appropriate sanction within the revised framework, an approach that reflects the discretionary ethos of *ta'zir* punishments (Imani et al., 2022). At the same time, the law introduces clearer legislative guidance, thereby constraining arbitrary or excessively punitive sentencing practices. Legal analyses have emphasized that this recalibration of discretion aims to enhance consistency and fairness without undermining judicial independence (Gerami, 2023).

The interaction between the law and existing mechanisms such as suspension, commutation, and parole further illustrates its structural complexity. By reducing baseline imprisonment ranges, the law indirectly expands the applicability of suspension and commutation provisions, making it easier for courts to employ these measures in *ta'zir* cases. Scholars have observed that this interaction amplifies the practical impact of the law, as reduced sentences are more likely to fall within thresholds permitting conditional release or suspension (Goldouzian, 2022). Parole mechanisms are similarly affected, as shorter custodial sentences may accelerate eligibility for release. While these interactions enhance the law's decarceration potential, they also raise concerns about coherence and coordination within the broader sentencing system, particularly in the absence of comprehensive guidelines governing the combined use of these tools (Koushki & Zandi, 2023).

The relationship between the Law on the Reduction of *Ta'zir* Imprisonment Sentences and the Islamic Penal Code constitutes one of the most debated aspects of its legal structure. From a normative standpoint, the law operates as a supplementary statute that modifies and, in some respects, overrides existing sentencing provisions within the Penal Code. This relationship has generated interpretive challenges, particularly in cases where the two instruments appear to prescribe different outcomes for similar offenses (Gerami, 2023). Some commentators have argued that the absence of explicit rules on precedence creates uncertainty and risks inconsistent judicial application, potentially undermining the principle of legality (Karizaki, 2020). Others contend that the law should be interpreted as a *lex specialis*, taking precedence over general sentencing rules in the Penal Code when applicable.

Despite these challenges, several scholars have emphasized the potential for normative harmony between the law and the Islamic Penal Code when interpreted in light of *ta'zir*'s discretionary nature. From this perspective, the law does not contradict the foundational principles of the Penal Code but rather operationalizes them in a manner consistent with contemporary criminal policy objectives (Mir Khalili, 2014). The emphasis on proportionality, discretion, and public interest resonates with juristic conceptions of *ta'zir*, suggesting that apparent conflicts may often be resolved through purposive interpretation rather than

strict textualism. Nevertheless, the lack of uniform interpretive guidance remains a structural weakness, highlighting the need for judicial clarification and doctrinal development.

Issues of interpretation and precedence are further complicated by divergent judicial practices observed since the law's enactment. Empirical and doctrinal studies have reported variations in how courts apply the law, particularly with respect to eligibility for alternative sanctions and the interaction with prior convictions (Ali Nasab & Bani Na'eimeh, 2022). These discrepancies underscore the importance of developing a coherent interpretive framework that integrates the law within the existing penal architecture. Without such coherence, the law's reformist aspirations risk being diluted by inconsistent application and uncertainty.

In sum, the legal structure of the Law on the Reduction of Ta'zir Imprisonment Sentences reflects a multifaceted attempt to reform sentencing policy through substantive, procedural, and normative adjustments. Its legislative philosophy emphasizes penal moderation and rationalization, while its scope of application targets areas where imprisonment is most contested. Substantive changes to sentencing ranges, conversion mechanisms, and offense classifications collectively aim to reduce reliance on custodial punishment. Procedural implications reshape judicial discretion and interact with existing release mechanisms, amplifying the law's decarceration effects. Finally, the law's relationship with the Islamic Penal Code raises complex questions of interpretation and precedence, revealing both the potential for normative harmony and the challenges inherent in integrating reformist legislation into an established legal system.

4. Penological Evaluation of the Law

The penological evaluation of the Law on the Reduction of Ta'zir Imprisonment Sentences requires an assessment of how effectively the law reshapes the underlying philosophy of punishment within the Iranian criminal justice system. One of the most notable consequences of the law is its contribution to a gradual shift from punitive severity toward penal moderation. For decades, ta'zir punishments in statutory law increasingly relied on imprisonment as the primary response to a wide range of offenses, a trend that many scholars viewed as inconsistent with the discretionary

and corrective nature of ta'zir in Islamic jurisprudence (Mir Khalili, 2014). By reducing custodial sentences and expanding alternatives, the law symbolically challenges the assumption that deprivation of liberty is the most appropriate or effective sanction for achieving criminal justice objectives. This recalibration reflects a broader penological reorientation in which restraint, proportionality, and efficiency are prioritized over severity for its own sake (Goldouzian, 2022). However, the extent to which this shift represents a substantive transformation rather than a merely symbolic gesture remains a central question.

From a symbolic perspective, the law sends a strong message regarding the legislature's willingness to reconsider the centrality of imprisonment. Symbolic reforms can play an important role in reshaping legal culture and judicial attitudes, particularly in systems where punitive severity has become normalized. Commentators have argued that the explicit reduction of imprisonment ranges and the formal encouragement of alternative sanctions mark a departure from penal populism and signal an emerging commitment to rational criminal policy (Karizaki, 2020). Yet, symbolic change alone is insufficient if it is not accompanied by structural and institutional support for non-custodial measures. Some scholars caution that without adequate implementation mechanisms, including probation services and monitoring infrastructure, the law risks remaining a symbolic reform that alters statutory texts without producing meaningful changes in sentencing practice (Ferasat, 2025). The penological value of the law therefore depends not only on its normative orientation but also on its capacity to effect practical transformation. A central concern in evaluating the law is its potential impact on deterrence and crime control. Critics of imprisonment reduction often argue that lowering custodial sentences weakens deterrence, thereby encouraging criminal behavior. This concern is particularly salient in relation to ta'zir offenses involving property and economic crimes, where imprisonment has traditionally been justified as a means of protecting public order (Koushki & Zandi, 2023). From a theoretical standpoint, deterrence depends less on the severity of punishment than on its certainty and celerity, a point that has been emphasized in both classical and modern criminological literature. Iranian legal scholars have similarly noted that excessive severity does not

necessarily enhance deterrence and may even undermine it by reducing the perceived legitimacy of the criminal justice system (Goldouzian, 2022). In this context, reducing imprisonment does not automatically imply a weakening of deterrence if alternative sanctions are applied consistently and effectively.

Empirical concerns regarding deterrence must also be weighed against available evidence on the actual effects of imprisonment. Studies examining the outcomes of custodial punishment in Iran suggest that short-term imprisonment has limited deterrent value, particularly for offenders driven by economic necessity or social marginalization (Ali Nasab & Bani Na'eimeh, 2022). In such cases, the threat of imprisonment may fail to alter behavior, while the experience of incarceration may exacerbate underlying risk factors for reoffending. The law's emphasis on alternative sanctions can therefore be interpreted as an attempt to align sentencing policy with empirical insights rather than theoretical assumptions about deterrence. By preserving the possibility of punishment while reducing its severity, the law seeks to maintain crime control without relying on incarceration as the primary instrument.

The issue of rehabilitation and social reintegration occupies a central place in the penological evaluation of the law. Rehabilitation has long been recognized as a core objective of ta'zir punishments, which are intended to correct behavior and promote moral reform rather than to exact retribution alone (Gholami & Aghaei Midi, 2013). Imprisonment, particularly when imposed for short durations, has been widely criticized for undermining rehabilitative goals by disrupting social ties and exposing offenders to criminogenic environments (Noorpour & Ahmadi, 2012). By expanding the use of non-custodial sanctions, the law enhances the potential for rehabilitative interventions that allow offenders to remain within their social contexts while being held accountable for their actions.

Non-custodial sanctions such as probation, community service, and electronic monitoring offer distinct rehabilitative advantages. These measures enable individualized supervision and support, addressing the specific needs and risk factors of offenders without resorting to incarceration. Iranian studies on alternative punishments have emphasized that such sanctions are more compatible with the objectives of social reintegration, as they preserve employment, family

relationships, and community ties (Abolhasani & Alipour, 2021). The law's encouragement of alternative sanctions thus reflects a penological commitment to reintegration rather than exclusion. Nevertheless, the effectiveness of these measures depends on the availability of institutional resources and trained personnel, a challenge that has been highlighted in critiques of the law's implementation (Ferasat, 2025). Recidivism is a key indicator of rehabilitative success, and the law's impact on reoffending rates constitutes an important dimension of its penological evaluation. Although comprehensive empirical data on recidivism following the law's enactment remain limited, existing research suggests that non-custodial sanctions are generally associated with lower reoffending rates compared to short-term imprisonment, particularly for low-risk offenders (Alizadeh et al., 2022). By reducing reliance on imprisonment for ta'zir crimes, the law has the potential to mitigate the cycle of reoffending that often accompanies incarceration. However, this potential can only be realized if alternative sanctions are applied in a manner that is both consistent and supportive, rather than merely punitive in form.

Proportionality and individualization of punishment constitute another critical aspect of the law's penological impact. Proportionality requires that the severity of punishment correspond to the gravity of the offense and the culpability of the offender, while individualization demands sensitivity to personal circumstances and social context. The reduction of statutory imprisonment ranges contributes to proportionality by narrowing the gap between minor offenses and severe sanctions (Goldouzian, 2022). At the same time, the law enhances opportunities for individualized sentencing by empowering judges to select from a broader range of non-custodial measures. This flexibility aligns with the discretionary character of ta'zir punishments as articulated in Islamic jurisprudence (Mir Khalili, 2014). Despite these advantages, the increased emphasis on discretion also carries the risk of inconsistent judicial practice. Scholars have expressed concern that without clear sentencing guidelines, judges may apply the law unevenly, leading to disparities that undermine equality before the law (Gerami, 2023). Such disparities may be exacerbated by differing judicial attitudes toward imprisonment reduction, as well as variations in local resources for implementing alternative sanctions. From

a penological perspective, inconsistency in sentencing can erode public confidence in the justice system and weaken the perceived legitimacy of punishment. The law's success in promoting proportionality therefore depends on the development of interpretive coherence and judicial training.

Victimological considerations further complicate the penological evaluation of the law. Victims' perceptions of justice play a crucial role in the legitimacy of criminal sanctions, particularly in systems where punishment is expected to affirm social norms and provide moral redress. Critics of imprisonment reduction argue that non-custodial sanctions may fail to satisfy victims' expectations of accountability, especially in cases involving tangible harm or loss (Ghamsari & Dehkani, 2024). The expansion of compoundable crimes under the law has intensified these concerns, as private reconciliation may be perceived as prioritizing offender interests over public condemnation of wrongdoing.

At the same time, victimological research suggests that many victims value acknowledgment of harm, restitution, and meaningful accountability more than the mere incarceration of the offender. In this respect, alternative sanctions can offer opportunities for restorative engagement and compensation that imprisonment often fails to provide (Saeedi Abueshaghhi et al., 2024). The law's facilitation of reconciliation and settlement mechanisms may therefore enhance victim satisfaction in cases where victims seek practical remedies rather than symbolic punishment. The challenge lies in ensuring that such mechanisms operate fairly and do not result in coercive or unequal outcomes. Balancing offender rights and victim protection is a persistent tension in penal reform, and the law on reducing ta'zir imprisonment must be evaluated in light of this balance. On one hand, reducing imprisonment advances offender rights by limiting unnecessary deprivation of liberty and promoting humane treatment (Alavi, 2018). On the other hand, the criminal justice system retains a responsibility to protect victims and uphold public order. Penologically, the law attempts to strike this balance by preserving the possibility of imprisonment for serious offenses while redirecting less severe cases toward alternative sanctions. Whether this balance is achieved in practice depends on judicial sensitivity to victim interests and the availability of

mechanisms that ensure accountability without excessive punishment.

In assessing the overall penological impact of the law, it becomes clear that its strengths lie in its alignment with contemporary theories of punishment that emphasize moderation, rehabilitation, and proportionality. By reducing custodial sanctions and expanding alternatives, the law addresses many of the well-documented shortcomings of imprisonment, including its criminogenic effects and social costs (Noorpour & Ahmadi, 2012). At the same time, the law's effectiveness is contingent on consistent application, institutional support, and the development of a coherent sentencing culture. Without these elements, the risk remains that imprisonment reduction will be unevenly implemented, undermining both deterrence and public confidence.

Ultimately, the penological evaluation of the Law on the Reduction of Ta'zir Imprisonment Sentences reveals a complex interplay between normative aspirations and practical constraints. The law embodies a shift toward penal moderation and reflects a growing awareness of the limits of incarceration as a tool of criminal justice. Its impact on deterrence, rehabilitation, proportionality, and victim satisfaction will depend on how its provisions are interpreted and operationalized within the broader legal system. As such, the law represents not a final resolution but an ongoing experiment in aligning Iranian criminal policy with both its jurisprudential foundations and contemporary penological insights.

5. Critical Legal Analysis and Challenges

A critical legal analysis of the Law on the Reduction of Ta'zir Imprisonment Sentences reveals that, alongside its reform-oriented aspirations, the law suffers from a number of normative and structural challenges that complicate its effective implementation. One of the most prominent concerns relates to normative ambiguities arising from vague terminology and imprecise drafting. Several provisions of the law employ open-ended concepts such as "appropriate alternative sanctions" or "conditions permitting reduction," without providing sufficiently clear criteria for their application. Legal scholars have emphasized that such indeterminacy can undermine legal certainty, a core requirement of criminal law, by leaving excessive room for subjective interpretation (Gerami, 2023). In a system where judicial discretion already plays a significant role in ta'zir

punishments, the absence of precise legislative guidance may exacerbate inconsistencies rather than promote coherent reform.

The problem of vague terminology is closely linked to broader drafting defects within the law. Critics have noted that certain provisions appear to overlap or even contradict one another, particularly in relation to eligibility thresholds for imprisonment reduction and the interaction between reduced sentences and alternative sanctions (Koushki & Zandi, 2023). These inconsistencies create interpretive dilemmas for judges, who must reconcile competing textual signals without clear legislative direction. From a doctrinal perspective, such ambiguities risk weakening the normative force of the law, as uncertainty in application can erode both predictability and equality before the law (Goldouzian, 2022). In criminal law, where sanctions directly affect personal liberty, drafting precision is not merely a technical requirement but a fundamental safeguard against arbitrary punishment.

Inconsistencies within the law also emerge when its provisions are examined in relation to one another. For example, while the law reduces imprisonment ranges for certain ta'zir offenses, it simultaneously expands the scope of compoundable crimes, creating uncertainty about whether reconciliation should take precedence over sentencing reduction or vice versa (Ghamsari & Dehkani, 2024). Such internal tensions reflect a lack of systematic integration between different reform mechanisms embedded in the statute. Legal commentators have argued that these inconsistencies stem from the law's incremental and compromise-driven legislative process, in which multiple policy objectives were pursued simultaneously without sufficient coordination (Ferasat, 2025). As a result, the law presents a fragmented normative structure that complicates coherent application.

Judicial interpretation constitutes another major challenge in the operation of the law, particularly given the breadth of discretion afforded to courts in ta'zir cases. Since the law's enactment, divergent interpretations have emerged across different judicial branches, leading to variability in sentencing outcomes for similar offenses. Empirical and doctrinal analyses suggest that some courts have embraced the law's reformist spirit by actively substituting imprisonment with alternative sanctions, while others have adopted a

more conservative approach, continuing to rely heavily on custodial punishment (Ali Nasab & Bani Na'eimeh, 2022). This divergence raises concerns about fragmented sentencing practices and undermines the principle of equality before the law.

The risk of fragmented sentencing is heightened by the absence of binding sentencing guidelines or authoritative interpretive instructions accompanying the law. In the absence of such guidance, judges may rely on personal attitudes toward punishment or local judicial culture, resulting in disparate outcomes (Gerami, 2023). From a legal standpoint, this variability challenges the coherence of the criminal justice system and may weaken public trust in the fairness of sentencing. Moreover, inconsistent application of imprisonment reduction can dilute the law's decarceration objectives, as offenders in similar circumstances may face substantially different sanctions depending on the court's interpretive stance.

In this context, the role of higher courts becomes particularly significant. Supreme judicial authorities possess the institutional capacity to harmonize divergent interpretations through unifying decisions or advisory opinions. Iranian legal scholars have emphasized that active engagement by higher courts is essential for resolving ambiguities and ensuring consistent application of reformist legislation (Karizaki, 2020). However, the effectiveness of such harmonization depends on the willingness of lower courts to adhere to interpretive guidance and on the clarity of the principles articulated by higher judicial bodies. Without sustained judicial coordination, the law's implementation risks remaining uneven and unpredictable.

Beyond issues of interpretation, the compatibility of the law with constitutional and Sharia principles constitutes a critical dimension of its legal evaluation. One of the foundational principles of criminal law is the legality of crimes and punishments, which requires that offenses and sanctions be clearly defined by law. Vague or indeterminate provisions may conflict with this principle by allowing punishment to be shaped through discretionary interpretation rather than explicit legislative authorization (Goldouzian, 2022). Critics have argued that certain aspects of the law, particularly those granting broad discretion in the conversion of imprisonment to alternative sanctions, may stretch the limits of legality if not carefully constrained (Gerami,

2023). From this perspective, ensuring precise statutory language is essential for maintaining constitutional compliance.

At the same time, the law must be assessed in light of Sharia principles governing ta'zir punishments. Islamic jurisprudence recognizes ta'zir as a domain of discretionary punishment designed to serve justice, equity, and public interest. Scholars have emphasized that flexibility is inherent to ta'zir, allowing rulers and judges to adapt sanctions to changing social conditions (Gholami & Aghaei Midi, 2013). From this standpoint, the law's emphasis on imprisonment reduction and alternative sanctions can be seen as consistent with the juristic spirit of ta'zir, provided that discretion is exercised within reasonable and principled limits (Mir Khalili, 2014). The challenge lies in reconciling this flexibility with the modern legal requirement of clarity and predictability.

Justice and equity constitute central values in both constitutional law and Islamic jurisprudence, and they provide an important normative benchmark for evaluating the law. Proponents argue that reducing imprisonment promotes substantive justice by avoiding disproportionate sanctions and mitigating the social harms of incarceration (Alavi, 2018). Critics, however, caution that uneven application of the law may produce new forms of injustice, particularly if offenders with similar culpability receive different sanctions due to interpretive disparities (Koushki & Zandi, 2023). From a Sharia-oriented perspective, justice requires not only moderation but also consistency and fairness in the application of punishment. The law's ability to satisfy these criteria depends on the development of a coherent interpretive framework that aligns discretionary practice with shared normative standards.

The concept of public interest, or maslahah, plays a particularly important role in assessing the law's compatibility with Islamic principles. Ta'zir punishments are traditionally justified by their capacity to protect public order and promote social welfare. Reducing imprisonment may serve the public interest by alleviating prison overcrowding and minimizing the social costs of incarceration (Ferasat, 2025). However, if imprisonment reduction is perceived as undermining deterrence or public security, it may conflict with prevailing understandings of maslahah. Legal scholars have therefore emphasized the need for a balanced

approach that integrates imprisonment reduction with effective alternative sanctions capable of maintaining social control (Saeedi Abueshaghi et al., 2024).

A further challenge arises from the risk that the law may function as a form of symbolic criminal policy rather than a catalyst for substantive reform. Symbolic criminal policy refers to legislative actions that create the appearance of reform without fundamentally altering institutional practices. Some commentators have argued that reducing statutory imprisonment ranges, without simultaneously investing in the infrastructure necessary for alternative sanctions, risks producing minimal practical change (Noorpour & Ahmadi, 2012). In such circumstances, courts may continue to rely on imprisonment simply because viable alternatives are unavailable or inadequately supported. This disconnect between legislative intent and institutional capacity undermines the law's reformist aspirations.

The lack of infrastructure for alternative sanctions constitutes one of the most pressing practical challenges confronting the law. Effective implementation of non-custodial measures requires probation services, monitoring mechanisms, trained personnel, and coordination between judicial and administrative institutions. Iranian studies on electronic monitoring and alternative sanctions have highlighted significant gaps in institutional readiness, particularly in terms of supervision and enforcement capacity (Abolhasani & Alipour, 2021). Without addressing these deficiencies, imprisonment reduction may remain largely theoretical, with limited impact on actual sentencing practices.

Moreover, the absence of comprehensive evaluation mechanisms complicates efforts to assess the law's effectiveness. Empirical data on sentencing patterns, recidivism, and victim satisfaction are essential for determining whether imprisonment reduction achieves its intended objectives. Scholars have noted that the lack of systematic data collection and analysis hampers evidence-based reform and perpetuates reliance on assumptions rather than measurable outcomes (Ali Nasab & Bani Na'eimeh, 2022). This evidentiary gap reinforces the risk that the law will be judged primarily on its symbolic value rather than its substantive effects. In sum, the critical legal challenges facing the Law on the Reduction of Ta'zir Imprisonment Sentences stem from a combination of normative ambiguity, interpretive divergence, and institutional limitations. Vague drafting

and internal inconsistencies undermine legal certainty, while divergent judicial interpretations threaten equality before the law. Although the law can be reconciled with constitutional and Sharia principles of justice, discretion, and public interest, this reconciliation depends on careful interpretation and consistent application. Finally, the risk of symbolic criminal policy looms large in the absence of systemic reform and infrastructural investment. Addressing these challenges is essential if the law is to fulfill its promise of meaningful penal reform rather than remain a declaratory statement of intent.

6. Conclusion

The Law on the Reduction of Ta'zir Imprisonment Sentences represents a significant moment in the evolution of Iranian criminal policy, reflecting a conscious attempt to reassess the role of imprisonment within a legal system traditionally characterized by extensive reliance on custodial sanctions. As this study has shown, the law emerges from a broader context of global and domestic concerns regarding over-criminalization, prison overcrowding, and the limited effectiveness of imprisonment in achieving the fundamental goals of punishment. By targeting the domain of ta'zir punishments, the legislature has chosen the most flexible and policy-sensitive area of Iranian criminal law as the primary vehicle for reform, thereby acknowledging both the practical and normative necessity of change.

From a penological perspective, the law embodies a shift toward penal moderation and proportionality, challenging the assumption that severity equates to effectiveness. The reduction of imprisonment ranges and the expansion of alternative sanctions signal a reorientation of punishment philosophy away from automatic custodial responses and toward a more differentiated and individualized approach. This shift is consistent with contemporary theories of punishment that emphasize rehabilitation, social reintegration, and the minimization of unnecessary social harm. At the same time, the analysis has demonstrated that the law's reformist potential is not self-executing; it depends critically on how its provisions are interpreted and implemented within the judicial system.

One of the central findings of this study is that the law operates at the intersection of symbolic and substantive

reform. On the one hand, it carries substantial symbolic weight by formally questioning the dominance of imprisonment and by articulating a legislative preference for restraint. On the other hand, the effectiveness of this symbolic message is contingent upon the existence of institutional structures capable of translating statutory change into practical outcomes. Without adequate support for non-custodial sanctions, including supervision mechanisms and administrative coordination, the law risks remaining largely declaratory, altering legal texts without significantly transforming sentencing practices.

The analysis has also highlighted the complex relationship between discretion and consistency in the application of the law. Ta'zir punishments have historically relied on judicial discretion as a means of achieving justice tailored to individual circumstances. The law seeks to preserve this discretionary character while simultaneously constraining excessive severity. However, the absence of clear interpretive guidance and sentencing frameworks has contributed to divergent judicial practices, raising concerns about equality before the law and predictability in punishment. These tensions underscore the need for interpretive harmonization and judicial training to ensure that discretion functions as a tool of justice rather than a source of disparity.

In examining the law's compatibility with constitutional and Islamic principles, the study has shown that imprisonment reduction is not inherently inconsistent with the foundations of Iranian criminal law. On the contrary, the discretionary nature of ta'zir and the emphasis on justice, equity, and public interest provide a doctrinal basis for limiting custodial sanctions. Nevertheless, compatibility depends on maintaining a careful balance between flexibility and legal certainty. Vague drafting and internal inconsistencies threaten this balance by creating uncertainty that may undermine both the legality of punishment and public confidence in the criminal justice system.

Victimological considerations further complicate the evaluation of the law's impact. While imprisonment reduction may advance offender rights and social reintegration, it must also address victims' expectations of justice and accountability. The law's increased reliance on alternative sanctions and reconciliation mechanisms offers opportunities for more meaningful redress in certain cases, but it also raises concerns about

perceived leniency and unequal bargaining power. Achieving a sustainable balance between offender rehabilitation and victim protection remains one of the most delicate challenges facing the reform.

Overall, this study concludes that the Law on the Reduction of Ta'zir Imprisonment Sentences constitutes a necessary but incomplete step toward rationalizing Iranian criminal policy. Its strengths lie in its alignment with modern penological insights and its potential to reduce the social and economic costs of incarceration. Its weaknesses stem from normative ambiguities, inconsistent interpretation, and insufficient institutional support. Addressing these weaknesses requires a comprehensive approach that goes beyond legislative amendment to encompass judicial guidance, infrastructural investment, and systematic evaluation.

In this sense, the law should be understood not as the final stage of penal reform but as part of an ongoing process of rethinking punishment in light of evolving social realities and legal principles. The future effectiveness of imprisonment reduction in Iran will depend on the ability of lawmakers, judges, and criminal justice institutions to move from symbolic commitments to substantive change. Only through such an integrated and sustained effort can the objectives of justice, proportionality, and social welfare be meaningfully realized within the framework of ta'zir punishment.

Authors' Contributions

Authors contributed equally to this article.

Declaration

In order to correct and improve the academic writing of our paper, we have used the language model ChatGPT.

Transparency Statement

Data are available for research purposes upon reasonable request to the corresponding author.

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