

Genealogy of Relation between Punishment and Power in the Legal System of Iran

M. Javad Sadati^{1*}, A. H. Najafi Abrand Abadi², Rahim Nobahar³

1. Ph.D. student in Criminal Law and Criminology

2. Professor of Shahid Beheshti University

3. Associate Professor of Shahid Beheshti University

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Abstract

Studies about punishment in Iran often see penal reactions as tools for achieving abstract and Philosophical goals. In these, social functions of punishment are ignored. In contrast, punishment is social institution that has hidden and obvious functions in relation with other social phenomena. Producing and continuing of power is one of hidden functions of punishment. Penal reactions are amongst effective methods of imposition of power. For this reason, changes in the shape and nature of power cause changes in the shapes of penal reactions. Genealogy of power in Iran shows that there are deep connections between punishment and power. With a genealogical study we can find that punishment is not just moral response to criminality, but a rational technology for production and continuation of power. This research with a genealogical method shows that how punishment was used to continuation of power discourse in Iran.

Keywords

Historical genealogy, Discourses of power, Patterns of truth production, Patterns of criminalization, Patterns of penalization

* javadsadati66@gmail.com