

# Death Penalty (Retaliation) or Recommended Amnesty in Islam

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## Abstract

One of the retributive institution of Islam is Qisas (retaliation) lexical meaning of retaliation is tracking and chasing the effect of something in order to avenge.

In technical meaning is to get mutual reprisal and assassination of a crime committed in the deliberate murder, amputation and deliberate attack on the innocents, in such a way that crime continues to be exactly the same. Confirmation and execution of retribution is subject to conditions where the absence of any of them can prevent the execution of retribution that is been examined in the article. It can be said that one of the goals of retaliation and perhaps the most important goal is to preserve the social system and this long-term goal is not provided unless human beings, by means of reformation or through intimidation and fear of punishment, commit acts that Distorting the pillars of the social system. In traditional Islamic law ([sharia](#)), although the principle of retaliation in crimes against the physical integrity of individuals is accepted by the conditions, but Legislator( God) has always recommended and emphasized for the amnesty and forgiveness of qisas (death penalty), and with the promise of the future rewards for the amnesty, considered amnesty to be superior to retaliation .In other words, the legal system of Islam, in response to such crimes, has considered two important principles of justice and mercy.

Given the above, it can be said that as much as it is important to investigate the punishment of retribution and its conditions of fulfillment, the issue of the fall of qisas (retaliation), despite the fact that the retribution, require attention and review and explanation because the cases of the fall of retaliation, as they occur, eventually lead to the death penalty, such as the execution of retribution, are vital. In the present article, not only the advantages of the Qisas have been analyzed to some extend but also examined the superiority of forgiveness rather than retaliation .To prepare and collect article employed from all available and accessible sources in relation to the subject of the book, such as books and articles of jurisprudence, verses of the Holy Qur'an, hadiths and verses of the Ayimah (as) jurisprudential theories of the public and Imamiyah , the collection of laws And regulations related to the subject matter.

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