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TÍTULO: Política criminal de Irán sobre prevención social en delitos deportivos.

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RESUMEN: La política criminal ha sido interpretada como un conjunto de prácticas con las que una junta comunitaria responde a un fenómeno criminal, y el sistema involucrado se define de esa manera. La prevención de delitos y violaciones deportivas puede ser una de las formas apropiadas de combatir las anomalías en el deporte. La prevención social, que es basada en la educación, puede ser efectiva en este sentido. Esto no significa la falta de leyes y reglamentos, sino la falta de una perspectiva para este problema. La ética en el deporte es el objeto que falta en la política penal legislativa de Irán. La ausencia de un derecho penal legislativo coherente en relación con los crímenes y violaciones en el campo del deporte y la falta de un plan para mejorar la situación son evidentes.

PALABRAS CLAVES: prevención social, educación, participación pública, ética profesional, deporte.

TITLE: Iran's Criminal Policy about Social Prevention in Sport Crimes.

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ABSTRACT: Criminal policy has been interpreted as a set of practices with that a community board responds to a criminal phenomenon, and the involved system is defined in that way. Prevention of sport crimes and violations can be one of the appropriate ways to combat abnormalities in sport. Social prevention, which is an education-based prevention, can be effective in this regard. This does not mean the lack of laws and regulations, but a lack of an outlook for this issue. Ethics in sport is the missing object in Iran's legislative criminal policy. The absence of a coherent legislative criminal law in relation to the crimes and violations in the field of sport and lacking a plan to improve the situation are apparent.

KEY WORDS: social prevention, education, public participation, professional ethics, sports.

INTRODUCTION.

Although, using the title of criminal policy, either in the narrow sense or in the broad sense of concept, dates back to 70 years in Iran, but its entry into the legal literature began in early 1990s with the translation and compilation of several articles and books by some jurists and criminologists (Najafi Abrandabadi, 2000: 1).

If the punishment law (code) was the only place for the ultimate expression of legitimate "criminal policy", the work of the commentator was relatively simple, but we know that criminal law goes far beyond the law of punishment. The law itself is also a subset of the criminal law; the term that the European Court of Human Rights applied with respect to the legal systems with a guarantee of

implementation, on a phenomenon of anomalies approved by its law enforcement authorities, reflects the particular criminal policy of those countries about anomaly phenomenon.

Legitimate criminal politics does not have a monotonous history, but it tracks adjoining and gathered paths. The outlooks and images that criminal policies include, are not the favorites of the decision makers and policymakers (Najafi Abrandabadi, 2014: 122). Finally, one can consider the "criminal policy" as a method of the legislator's perception (in general) in the form of establishing and approving the laws of various regulations of "criminal policy". In other words, when legal texts are approved by legislators about an abnormal phenomenon, this indicates the specific "criminal policy" of that country regarding the phenomenon of anomalies.

In the current world, sport is considered one of the most effective educational and ethical ways for young people; a tool that takes more scientific figure day by day. Politically, winning in sport fields is a useful mean of propagating and proving national credibility. Therefore, huge funds and a lot of human forces are spent to make progress in this field. This increasing importance has led legal scholars to focus on the impact of a particular field titled sports rights (Anessa, 2015: 17).

Scholars have defined sports rights in different ways: A set of effective factors in regulating the legal relationships of the sports community or a set of rules and regulations governing on the sport (Shokri, 2014: 8). The meaning of sports rights is any sporting event that has a legal effect, that is, creating a right. (Ehsnifurus, 2012: 38). Sports rights are one field of the major laws that deal with the legal review of events (Aghaeinia, 2006: 3).

Apart from the above definitions, sports rights are not only limited to sports events, but the proper definition is given by Dr. Nader Shokri: "A set of effective factors in regulating the legal relationships of sports community" (Shokri, 2016: 26). The sports community faces various tasks and norms that are not necessarily involved with an event; for example, the discussion of dual-nationality people in our sport is not a part of sports rights. The discussion of brokers in sport about sport dealers, their

rights and duties, the discussion of refereeing and emerging sport courts, the legal status of sport facilities, the assignments and rights of individuals in the construction and rights of people in using those places, the ethics of sport, or the role of education or people's participation in the framework of federations and sports teams, and so on, are fully discussed in sport rights, and it is not useful to find out that sport rights are only related to technical misconduct and violations. Undoubtedly, such cases are a lot in sports rights and as a result, in the definitions of sports rights, the goals of sports rights must be recognized.

There are included two types of prevention in criminology: 1- Social 2- Situational. Despite both these precautionary measures follow a similar goal i.e., preventing aggressive behavior, each of them has a set of attributes.

The effects of social prevention measures appear in a number of ways. On one hand, considerations of the place and the city of life, which are actually classical social prevention and social-oriented prevention; social criminology, on the other hand, deals with the plans aiming at the individual and the family.

Social prevention is considered as an education-oriented prevention, and based on this point of view, delinquent is different from non-delinquents, has not a major part in his/her offense, and is more affected by personal environments such as family, school, friendship, media, economy and social environments such as economic, social and cultural policies. In this way, social prevention relies on the process of education in human's growth. It draws a relatively timely strategy for crime prevention (Ebrahimi, 2013: 60).

Social prevention plays a very important role in sports as most of the people who are involved in sports are at an early age; hence it has good feedback to educate them and note them of observing regulations. In confirmation of this view, Dr. Islam Mandani says in regard to sports criminology that social prevention can be considered broad and public measures by custodial institutions, in particular,

the government, to create an appropriate context to prevent crimes or to reach to considerable decrease.

The importance of this prevention in sporting rights is very impressive and effective, because the majority of sport users in our country are adolescents and young people that have a great readiness for education and training and finally, the domestic laws and regulations of our country provide an open area for an appropriate education; and custodial institutions and ministries can work on education in line with their duties. Preventing the growth and development of inconsistencies, and encourage the changes from abnormality to normality in social life, strengthening the vulnerable people against delinquency temptations are among the goals that social prevention is following to realize them (Mandani, 2014:134).

It is a fact that delinquency is evolvable in community. Therefore, it can be observed that social monitoring and control in rural communities, which is mostly informal, is stronger; there are also less delinquency and crime at the same level. One reason is that religious foundations and adherence to stronger moral values in these communities are more common. But in urban societies, increasing inequalities, various kinds of socioeconomic disorder, unemployment, squatting, lack of financial security, inflation, and lack of access to equal facilities to use opportunities have provided the context for spreading criminal activities.

This approach largely reflects the theory of Hirschi control at the end of the seventies. Based on this theory, instead of asking why some people commit crimes and misconducts, one must understand why some did not commit an offense and behave in accordance with law. They are "under control" because of the social tendency, and without this tendency, the willingness to invade people or property increases (Jandali, 2016: 64).

Social prevention can be generally defined as the following: Social prevention refers to the strategies and measures their purpose generally to change welfare and improve the quality of life. Therefore, the social measures focusing on risk factors and supporting factors, as well as the structures that are prone to develop them, are prioritized (Jandali, 2016: 63).

First speech: Education and promotion of public awareness.

Education, empowerment, socialization and acquisition of the necessary behavioral skills for a healthy living in community are among the effective measures to prevent crimes and prevalence of social injuries. Also, teaching ethics and proper patterns of social behavior, law, norms, awareness of risky behaviors, civic rights, ways to improve social relations, may have an effective role in reducing social deviations (Nourbakhsh, 2017: 3).

Since human nature is flexible and advisable, and no individual is created deviant, education will solve many events and issues and will make it easy to prevent crime, and will carry out the affairs related to the officials and expected issues of society. Criminals and delinquents in community may have deep deviations of norms, but there is still a hope for improvement and recovery (Babaeian and others, 2012: 11).

Achieving a dynamic society free of crimes requires the empowerment of its people through education and pushing the people away from sports-related delinquencies. Iran's constitution in its third principle, obligates the government to achieve these goals and in the second principle to perform some issues. In the second paragraph of the third principle, the government is required to work to raise public awareness in all areas through the proper use of the press and the media and the other means. This request of the legislator is on this basis that in accordance with principle 6 of the Constitution of the Islamic Republic of Iran, the administration of the affairs of the country must rely on the votes of the people and, in the eighth clause of chapter 3, the government is obligated to provide

the cost of people's participation in the determination of their socioeconomic, political and cultural destiny. There is no doubt, that the fulfillment of these two regulations is only possible if people have seen the necessary training.

Education is one of the things that, in addition to the rules and regulations, can be considered in the government's development programs. In general terms, education has been addressed in the context. For example, in the fourth and fifth law of state development, there are some cases that we will note in the following.

In the Law on the fourth plan of economic, social and cultural development of the Islamic Republic of Iran, there are also some issues of emphasis on education in various sectors. In article 100 of the mentioned Law is mentioned "the state is required to establish the Charter of Citizenship Rights in seven paragraphs and to approve them referring the relevant authorities, in order to promote human rights, independence in the areas of self-development, rise and the sense of individual and social safety in the community". Section A of this article has considered the promotion of law observing, the growth of culture, regularity, and respect for the law and the citizenship rights as one of the main pillars of that charter.

The legislator in section 1, article 211 of the law of the fifth development plan, obligates the judiciary system to use public education in accordance with the program approved by the judiciary system through national media, in order to prevent crime occurrence.

Training in early youth is very important and should be taken into consideration and it is conceived that if a person is well trained during childhood, he/she will succeed to a righteous person and with more moral virtues benefiting for himself, his family and society. Physical education and sports is one of the important components of education for soul and body, and the teacher should be wise on these issues (Nabavi, Hagh Dostadi, 2006: 187).

There are also some tips in the book of Akhlagh Naseri about the education of children; teach children science and ethics, honesty and truth; and when his/her childhood is over, his youth age begins and in this period he has considerable intelligence, talent, and progress, and understands the facts of life and is ready to serve the community and his fellows, and during this period he will become more familiar with health and natural sports while continuously tries to raise his/her health (Akhlagh Nazareth, 2017: 54).

There are several effective strategies included in Iran's rules and regulations, taking into account the importance of youth and the role of sport in the personality development of that period, such as training the sports instructor to have the necessary capabilities for their jobs.

In the law on the establishment of Iran's physical education organization, regarding the main tasks of the organization, the training of a sport coach and teacher throughout the country and the establishment and administration of the institutions necessary for the training of the sport teacher is explicitly referred to in the law (Article 4 of the Law on physical education organization).

There is no doubt that the proper training will be provided only through educated coaches and teachers. Training skilled coaches and teachers can be effective in the field of training and upgrading the technical level of athletes. The existence of training committees in the ministry of sport and monthly surveys of the staff's performance and grading the sports fields in terms of the number of coaches can show the importance of education in sport.

One of the most important pillars of sport in Iran is sports federations. Sports federations, in accordance with article 1 of the statutes of sports federations, are "non-governmental organizations with legal personality. They are constituted, as the highest competent authority in each field of sport, based on the principles of sports determined in accordance with the Olympic charter, consistent with Islamic standards and national requirements and they work in the framework of the statutes in coordination with the Physical Education Organization". This public non-governmental organization

has goals and tasks in the field of education, including encouraging the younger generation and different parts of society to maintain health and wellness and creating a suitable field for their participation in regular and regulated sports activities and the use of knowledge and experiences and competencies of the international sporting group and associations.

Article 2 of sport federations in the field of the duties of amateur federations in emphasizing the issue of training courses and promotion of coaching and refereeing, either locally or internationally, in cooperation with competent authorities at home and abroad, emphasizes the continuous presence in international assemblies and academic congresses of educational research held by the world sport federation, Asian federations, continental and global Olympic committees and international sports organizations. It also obligates the introduction and dispatch of coaches and referees to the training and promotion courses provided by the regional, continental, global and Olympic sports associations, the publication of books, pamphlets, educational publications, news releases and translation of International laws, scientific sport research and holding annual exhibitions in order to improve sports quantitatively and qualitatively at home and abroad. Article 7 of the statutes of the amateur sports federations of the Islamic Republic of Iran is one of the issues that emphasize the importance of training in this pillar of sports.

Sports federations are required to carry out the above-mentioned affairs. The statute has been approved to support sports and better promotion in the target sports community will reduce the number of crimes and abnormalities in the area. The correct training reduces the percentage of errors and increases the efficiency of the item that is sports promotion.

Sports federations are the top positions of sports in each country and have committees and sports groups in their sub-branches. Planning for each sport depends on the prospect of that federation in its specialty, which visualized in high, medium and short term programs. In the statutes of the federations, it is clearly mentioned about the need to hold coaching and refereeing courses in sport

fields and activities such as publication of educational journals. The role of sports federations in education seems to be much more colorful than the ministry of sport, since the ministry can help the sports community in terms of governance and supervision; but as each sport has its own international rules, federations can help and be effective with regard to the training of technical issues by following the international federations (Rostam Shirazi, 1996: 107).

The ministry of sport has also adopted codifying regulations to train its staff through its departments. Resource development and support deputy of the ministry of sports provides on-site education courses for the experts and managers with sport positions titled sports rights in a 20-hour training course designed to promote participants' skills and competencies with the following topics:

1. Recognizing sports laws and the applications for the general rules of law.
2. Legal responsibility for sports activities.
3. Legal responsibilities of managers in sports.
4. Legal responsibilities of managers in non-sporting activities.

In the above circular, sports ministry's focus has been closer to sports-related crimes from mere sport-oriented issues, so that in the theoretical debates, the responsibilities of sports executives contain some crimes such as embezzlement, betrayal, and similar cases that lead us closer to the point that sport education is not just a matter of fouls, and the ministry of sport, with this recipe, seeks to educate identifying and preventing crimes and offenses in its area; the point forgotten in the case of education in federations. Sports federations are solely concerned with sporting offenses, but the ministry of sports and youth has a governmental view of all offenses.

For training in sport complexes, the seventh section of the implementation of sectional area from the third economic, social and cultural development plan of the Islamic Republic of Iran, obligates the physical education organization and the ministry of science and technology within a year to prepare

sports organizing and research plan such that specifies how to cooperate with relevant executive agencies and submit it to the cabinet of ministers for approval.

The importance of training in sport is also discussed at the meetings of the administrative council of the ministry of sports, and an enactment by the supreme administrative council on October 4, 2003, titled as the separation of executive duties from the headquarters of the physical education organization of the Islamic Republic of Iran was approved identifying the duties of the provincial units of the physical education organization and compiling necessary programs for short courses and workshops in order to train and develop specific personnel, coach and referee according to approved criteria, and organizing training courses, coaching courses and retraining the coaches of sports boards in cooperation with scientific universities locally in coordination with the organization in the context of the political agenda via the non-governmental sector. And in the second clause of this enactment, in order to develop and generalize sports regarding the promotion of healthy morale and physical education, three cases are envisioned for the education:

- A. Conducting or participating in seminars, congresses, and scientific and cultural memorials.
- B. Conducting scientific and applied research and recognizing the failures.
- C. Establishing the necessary plans to develop the provision and training of physical education and women's sports and supervising their sport-based educational activities in accordance with the criteria approved by media, the publication of scientific and cultural brochure, newsletter and poster.

As it can be seen, the supreme administrative council of the ministry of sports, regarding the importance of sports, focused on an established session as previously mentioned on organizing training conferences, installing posters, conducting research, etc.

The national Olympic committee had been established for various goals and is progressing. The committee has taken effective steps nationally and internationally towards education, which does not fit to explain here, but in the legislative area, has performed essential works on education via

participation in international conferences, frequent training of trainers at the national and international levels and translating the necessary texts in the field of education; we mention the main issues in the following.

The national Olympic committee of Iran has set up specialized commissions in order to create a research spirit, increase of knowledge and promoting the level of education in the country's physical education and helping the plan and optimal organizing of the sports federations activities. Some of the educational affairs in these commissions are pointed in the following. One of the commissions of the national Olympic committee is sport-for-all commission, which includes in its duties: raising awareness through the publication of educational pamphlets, establishing lecturing sessions and training courses, holding meetings of related seminars or developing sport-for-all, translation and compilation of relevant texts and pamphlets and participation in regional and international seminars (paragraphs 17, 18, 19, 20 of the National Olympic Committee's Code of Conduct".

Helping to raise the level of knowledge and promoting the scientific level of physical education and sport, and helping the raising and development of the research and educational fundamentals of physical education and sport are emphasized in the goals of National Olympic Committee's Research Council regulations (Article 1 of the Research Council of the National Olympic Committee). Further, some notes are mentioned in the second article for the affiliated commission including rights, management, and ethics.

In the statute of the National Olympic Committee, approved on 16/7/2001, while defining the committee as an independent, non-profit organization, independent of any political religious racial orientation, outlined its major responsibilities in paragraph 3, which shows the necessity of education in sport which include the establishment of domestic and international training courses in Iran in cooperation with the International Olympic Committee, the Olympic Solidarity, the respective federations and domestic and foreign sports organizations, the dispatch of caravans to international

training courses abroad and compilation of cultural and news articles and books related to the Olympic Movement and Technical regulations of International Federations (13, 14, 22 paragraphs of Article 2, statute of the National Olympic Committee).

Second Speech: Popular Public Participation.

The increasing growth of the criminal phenomenon in contemporary times, with the emergence of various modern forms of crime and delinquency, the failure of the system of formal criminal justice through the use of criminal sanctions on crime prevention, and attempts to stop delinquency and the improvement of the perpetrators, have led the local criminal policy-makers to the need for increasing and reinforcing criminal policy programs based on the active participation of civil society in criminal process (Werwaye and others, 2015: 3).

Participation in Persian can mean taking a part of the capital or affairs of a person, but in social meaning, it is participating in a kind of sense of solidarity and collective effort among the individuals of a society in order to achieve a justly social system (Nabavi, 2011: 13).

Public participation verbally means the process of employing individual or group capabilities of beneficiaries for achieving group goals. In this process, the conscious behavior, the collective will, group choices, selection, and common needs are important. What is important in a participatory process is the sense of need to solve a problem and knowing it and feeling the need for teamwork based on the level of knowledge and ability of individuals and their recognition of existing abilities and capabilities and their maximum use (Wikipedia website).

The continued participation of citizenship can lead to a decline in the growth of the criminal population, to greater security, a better and healthier quality of life, and social cohesion in the field of health and well-being. The patterns of friendship in urban society can, on one hand, reflect the relief and social trust of citizens, and on the other hand, indicates that social contact with friends and

relations with them can to a considerable level vanish negative social comparisons, feelings of disability and panic for citizens (Ismailian and others, quoted from Ben Fine, 2014: 24).

From the sociological dimension of participation, it means belonging to a particular group the person is involved in; it also means active participation in the group in order to achieve a social activity. Participation means a contribution to something and to benefit from it, or participating in a group and therefore cooperating with it.

The government, with the cooperation of civil society and popular participation, will be more successful in achieving its goals. Exercise is one of the daily needs of individuals and it seems necessary to attract people's participation in the form of associations, boards, sports federations, and other events. People's participation in authority and sometimes governing issues has a very good and effective effect on crime prevention. In principle, to counteract any criminal phenomenon, putting together government responses and civil society responses looks an exquisite and necessary work in the field of participatory criminal policy (Lazarez, 2013: 135).

Involvement of the general public in criminal policy in addition to removing legitimate concerns for improving its efficiency means that prevention and suppression of delinquency are among the issues related to all people in society.

Civil institutions are the ones that do not directly use state budgets, and its members do not have a government-mandated responsibility. Popular organizations and non-governmental organizations also have the same meaning.

Regarding the functions of civil institutions and their organizational forms, it should be said that they are very diverse and involve from labor unions, professional institutions and local groups to humanitarian populations. One of the main functions of civil institutions is the empowerment of the community and the recognition and rooting of the problems at macro and micro levels and also

providing practical solutions for shortcomings. If they are realized, it can have a special position in the administration of a country's affairs.

The role of participation is mentioned in the various principles of the constitution.

Article 8, third paragraph, of the Constitution of the Islamic Republic of Iran, expresses as a principle the public participation in determining their political, economic, social and cultural destiny, and also Article 100 of the Constitution can be mentioned as regarding to the prompt progress of social and economic development programs for healthy educational culture and other matters of welfare through people's cooperation with regard to local divisions.

The continued participation of citizens can lead to a decline in population growth, greater security, a better and healthier quality of life, and social cohesion in the field of health and well-being. The patterns of friendship in urban society can be seen on one side as a source of relief and social trust for citizens, and in the other side, suggests that social contacts with friends and relationship with them, to what extent, can eliminate anxiety, negative social comparisons and sense of inability and panic for the citizens in regard with health issues.

The law of the Physical Education Organization requires the formation of a Physical Education Council "in order to attract more people in development and physical education; the organization can, in any part of the country, establish a council called the Physical Education Council and, if necessary, delegate all or part of its authority to the relevant councils". However, in this regard, there are no performed records, but a desirable note in sport and in the language of criminology can be considered as one of the examples of public participation in sport; since the entry of each person into his or her field of sporting competence and abilities, in addition to helping the sport quality, is an essential factor in crime prevention.

Non-governmental or non-formal organizations are the ones with an independent, non-governmental and non-profit real estate characters that operate voluntarily and with non-political orientations on the basis of the statute of the constitution and observance of the country's case framework and the provisions of its implementing regulations. The actual, informed, and effective participation of the people in the urban development plan is possible in the light of the serious presence of groups, institutions and civil society organizations including non-governmental organizations (Pashaei, 2012: 121).

One effect of public participation in sports is the presence of sports boards. In other words, sports boards can be considered as a circle between people and sovereignty. Article 1 of the Regulations of Sports Deputies approved on 23/9/2002 describes that a sports board is an organization designed to provide a favorable context in order to expand the related field of sport and make motivation and attract people to exercise, discover their talents and raise the level of athletic skills based on the principles and foundations of the goals of the federation and physical education organization.

Apart from the fact that some people consider this entity as a sports federation or some consider it as a subset of sports federation (Arianfar, et al., 2015: 20), covering and utilizing voluntary services of people to promote the relevant sport fields and supporting them (paragraph 7 of Article 2 of the Rules of the Sports Board Regulations) are part of the objectives of the sports departments.

Youth period is distinguished by the three particular needs from the other periods of life, that are leisure time, the presentation of a model and seeking personality. And it is clear that, if they are not appropriately responded, young people, cannot be expected to be safe in front of the risks and the deviations and refraining from tendency to anomalies. Therefore, in light of the young background of Iran, it seems that the provision of the beds for social participation can to a large extent, with patience and tolerance with this vibrant stratum of people, satisfy those needs and as a result, diminish the extent of the concerns about this group (Jamshidi, 2011: 94).

One of the important affairs in our country, which is the platform for the development of athletes, is sports clubs. Sports clubs are referred to sports halls that individuals with the goals such as achieving fitness, weight loss or trying to bring damaged muscles back to normal after surgery or simply spending leisure time with regular physical activity. Therefore, club sports are considered as one of the most important issues in public participation and can prevent crimes and offenses in the field.

With regard to the above explanation, the legislator has addressed the issue, and in the first step, the legal act regarding popularization of sports clubs around the country was approved on 18/12/1979 passed by the Revolutionary Council; and it is mentioned in its Article 1: "The sports club is an institution that is committed to helping to implement the intentions and goals of the Iranian Physical Education Organization in terms of maintaining wellness and correct physical and mental activities and strengthening the religious, ethical and educational principles and promoting the talents of individuals to achieve the championship as well as spending leisure time through sports activities and creating the spirit of unity of national cooperation and unification based on the spirit of faith and chivalry. Therefore, based on the necessity of reaching the defined goals, since the date of the adoption of this law, all public clubs throughout the country have been declared national and their administration goes through self-sufficiency of people under the coverage of Physical education organization".

In order to implement the law, a regulation entitled "regulations on the management of club affairs was approved by the Revolutionary Council of the Islamic Republic of Iran on 06/03/1358 "and its objectives are stated in eight paragraphs, including the creation of an environment suitable for attracting people to sports areas, the participation of local people in the administration of the affairs of their neighborhood sports centers, building trust in families to encourage their children to participate in sports and sports events, eliminating parents' concerns about the presence of their

children in sports centers, creating the right environment to protect young people from social deviations" (Article 2, regulations on how to manage club affairs).

Maximum participation of local people to avoid distractions has been declared necessary and explicitly emphasizes the duties of the board of directors "attempting to participate in the community for the necessary assistance to the club" (Article 4, rules governing the management of clubs). Apart from helping the club in the governing culture is only financial aids to the club, it seems that by the help of this article, the administration can benefit from the help of people in all fields, including education, surveillance, etc.

Public Participation in the Executive Order of Article 156 of the Law on Enactment of the Third Plan of Economic and Social Development of the Islamic Republic of Iran states that in order to increase the efficiency and general participation, the councils are required to investigate the ways of attracting partnerships of non-governmental organizations in identifying sports educational problems and cultural issues and the protection of the historical and cultural monuments and, if necessary, in coordination with the relevant agencies transmit the administration of these centers within the framework of government policies to the hand of those organizations.

Participation of people in sports and recreation does not end with the above, but encouraging and stimulating people to expand the tourist, sports and cultural centers with the coordination of the relevant organizations is considered within the duties of Islamic councils, which are only public institutions (Clause 6, article 71 of the law Organization of the duties and elections of Islamic country councils and the selection of mayors).

The Ministry of Sports in Iran has the highest per capita size of buildings among other ministries, and this is in terms of the duties of the ministry. In 2002, executive regulation of article 88 of the law on regulating part of Financial Regulations of the State was approved by the Cabinet of Ministers and the delivering systems are authorized to transfer to the nongovernmental sector all or part of their

services, such as the general education, technical training and sports facilities, from the date of the adoption of this regulation (Article 2, the Administrative Code of Article 88, the Law of regulating the part of the financial regulation of the state).

The above-mentioned regulation has been a landmark in sport regarding the public presence in sports and the delivery of sports facilities to the public; such that all sports halls and facilities of the ministry of sport that are under the jurisdiction of the provincial youth sports offices are put into auction after price determination by official judiciary experts and the salon is delivered to the highest price proposition, which has led to a growth in sport and the emergence of public participation in sports in a mass scale. The salons which don't already have insurance for accidents, with the arrival of people, insurance is considered a precondition of delivery. The clubs that have turned up with a lack of standards and delay for hiring technical sport forces should now annex their contracts. The halls that have low environmental standards, have found a good status with the participation of the general. Public participation in this law has had many benefits for crime prevention.

The public participation is emphasized by the National Olympic Committee. Attracting the active participation of families in recreational and cultural sport activities, trying to use the voluntary services of interested individuals and different organizations for the development and growth of sport to mass of people as permanent and temporary members (clauses 2 and 10 of Article 3, the regulations of sport-for-all commissions of the National Olympic Committee) is among the objectives of the main branch of the Olympic Committee.

Public participation has also a particular importance in the research discussion of the Olympic Committee, including the adoption of necessary measures to attract researchers to participate in sport science research (clause 4.1.3, the Research Council of the National Olympic Committee), to familiarize the general public with the charter and insight of Olympic Games and their formation to support the movement of games (Article 8 of the Statute of the National Olympic Committee).

Supporting public and popular organizations both from sports clubs and from the dispatch of teams of students, labors, and armed forces to international competitions and assemblies can also be considered in the issues (Article 21 of the Statute of the National Olympic Committee).

As it can be observed, with respect to the existence of three major beings of clubs, sports federations, and sports boards, there is a broadly accepted public participation, but it is questionable it is a growing criminal policy.

Third Speech: Professional Ethics.

One of the strategies for preventing sports offenses is the development of professional ethics in sport. Ethics is not as a sacred institution in its own position, but it is as an attribute in sport, with which the athlete and other sports companions are identified and internalized in sport. How ethical our sport is can be recognized by identifying the definitions of professional ethics in sport.

Morality is one of the branches of practical wisdom that discusses the badness and the goodness of human beings for one's self or a particular one (Moshiri, 2006: 115).

Ethics is a set of rules that observance of them is necessary for charity and attaining perfection. The rules of ethics are the recognition level of good and bad, and without requiring governmental interference, humans consider them to be respected and compulsory in their conscience (Katusian, 2018: 59).

The rules that have been established during a period of the life of a community, the history of nature, and the various thoughts of that society and it respects its people and is implemented more or less and its violation upsets the majority of the society. Their principles promote goodness and diminish badness and may respect the case rules of their principles (Lenrody, 1999: 20).

An athlete needs an instructor to exercise. A technical sports manager requires acquiring the grades of coaching, arbitration, etc. for hiring. A non-technical manager needs to obtain permission from

competent authorities. Why should we be indifferent to an important subject of ethics and politeness? In many cases, sportsmen learn technical education from the instructor or lecturer, but ethics is the missing object. Ethics education should be taken into consideration alongside physical education and the clubs should take this seriously. In this context, the cultural institutions of the community should be in cooperation with the clubs and the federation Sports. Today, ethics in sport is the foundation of loyalty and commitment to humanism (Arianfar, 2010: 5).

While our teenagers take their objective model from national champions, is it justifiable that only due to the individual freedoms of the national champions, they appear with an abnormal fashion? It is obvious that the teenagers make that national hero, a model and they think it is a normal attitude.

If we consider sport as a career or profession, ethics in sport is a kind of professional ethics. In other words, as we need to follow norms in medicine, engineering, commerce and economics, the necessity of observing norms in sports is also defensible.

In our country, the religious spirit manifests itself in the sport of Zoorkhaneh and it is considered as a symbol of ethics and sport; and athletes of this field, with the help of Imam Ali (a.s.), prefer ethics to the championship. This sport is an obvious example of the spirit of generosity and helping the miserable in the sports tradition of Iranians; in which it is not just the body that matters, but also the spiritual and moral upbringing, especially among young people, have been attended. In this culture of the sport, athletes learn to strengthen their faith along with strengthening the body. And as their physical strength grows, their modesty increases as well. Zoorkhaneh sport, also called ancient sport, is a sport that has a completely religious dimension. The athletes, according to what Islam has taught, find that sport is not a goal, but a means to better serve God and people, and they understand that the strongest is the one who overcomes his self-desires and overcomes his anger and in the time of winning, he praises God.

Regarding the ethics or legal behavior of the player, there are three levels related to; for example, sometimes the player avoids wrong-doing by the fear of fines, which is in terms of moral standards at the lowest level. In another case, he/she believes that they must respect the rights of others, and that's why he/she is not offending. But in the third case, he/she believes that not respecting a right means insulting a system.

1. The first approach. It is an organism-based approach in which human beings are viewed as an organism that responds to stimuli. He usually has some kind of motional behavior and has the ability to acquire competitive skills, to the extent that he modernly behaves and describes his own behavior.

2. The second approach. It is based on Machinism. In this approach, human is considered a machine in which the nervous system forms the dominant system that dominates his behavior and motions, and regulates his motional skills. Based on this approach, in today's world, conditional and non-conditional stimuli control sport and sports stimuli, and sometimes even non-conditional stimuli such as fame and money get more importance than conditional stimuli such as lust and food.

3. The third approach. It passes the two previous theories but does not ignore them. Based on this theory, despite the great influence of conditional and non-conditional stimuli on human behavior, morality also plays a significant role in this regard. According to this theory, man is like a machine in which nerves constitute his most important system; nevertheless, this theory is based on symbolism. It raises ethical questions, according to which man not only in a quantitative and qualitative point of view, and not only in some parts of its existence but in general, is substantially far from the animals. In the attitude of symbolism, human is a symbol and what it makes with symbols such as art, education, history, and language is in order to convey his feelings and perceptions.

In the case laws, ethics has its own preserved position where in the view of absolute justice, rights are regarded as protector of morality, and the enforcement of punishment is merely justified on the basis of defending morality (Jafari, 2017: 93). However, in criminal law, ethics is not necessarily

supported, and there is an absolute public and private relation between criminal law and morality. For example, backbiting is unethical, but it is not protected in the law of punishment; but secrecy is among the moral cases and is set in Article 649 of the Islamic Penal Code of Iran as crime in some businesses. Ethics has been addressed in ethics laws, so far as Article 976 of civil rights declares that "the court cannot enforce outer laws or private contracts that are contrary to good morals or are contrary to public order due to disrupting the public's feelings or for other reasons". In a series of laws relating to sports, there is no case mentioned in the relevant regulations, but we state some related regulations on the ethics of sport.

In our past history, Pahlavani has been along with sacrifice, masculinity, and chivalry, and in order to revive these virtues, we have to grow and develop that culture. To enhance the attributes and characters of Pahlavani that is the same as religious honesty and chivalry, cultural and Zoorkhanei spaces must be maintained and supported. For this purpose, Zoorkhaneh sport in our country is established as an independent sport to survive the culture of Pahlavani and especially morality; and the regulation of promoting Pahlavani culture and developing Zoorkhanei sport is approved.

With the aim of promoting and developing Zoorkhaneh sport to reach developing Pahlavani virtue, there are some specific goals considered in association with Pahlavani sport:

A: The charm, popularity and acceptability of the exterior and interior dimensions of this sport in different ethnicities and thoughts, especially among the youth, and its positive impact on national and religious confidence and convergence.

B. Impact of the ethical value and education of this sport in the society, especially the younger generation, in the development of cultural invasion (Clauses 2 and 3 of the Code of Conduct for the Promotion of Pahlavani culture and development of Zoorkhanei sport).

In those regulations, article 27 describes some duties for the Ministry of Sports and Youth, the Armed Forces, Iran broadcasting, the Ministry of the Interior, the Ministry of Roads and Urban Development,

Basij Mostazafin Organization, the Ministry of Education, the Ministry of Science and Research and Technology, Ministry of Health, Islamic Azad University, Ministry of Culture and Islamic Guidance Organization, the Cultural Heritage Organization, the Islamic Propaganda Organization, the National Olympic Committee, the Ministry of Foreign Affairs, the Ministry of Labor Co-operation, the International Foundation of Ghadir Ahle Bayt (AS), and states in Article 28 that other ministries, organizations, private and state institutions that use government resources, and in particular the ministries of Agriculture, Industry and Mines, Trade and Economics, Defense and Armed Forces Support, Communications and Technology, Information, Power, Justice, as well as Imam Khomeini Relief Committee, Mostazafan Foundation, Foundation of Martyrs and Veterans Affairs, Iranology Foundation, Center for the Study of Mosque affairs, the representative of the supreme leader in universities, the center for the management of the seminaries, the Academic Center for Education, Culture and Research, Payame Noor University, the Applied University of Applied Sciences, etc., while prioritizing the promotion of aristocratic culture and the prosperity of Zurkhaneh sport must consider Material and spiritual supports in their activities in order to strengthen the culture of Pahlavani and zoorkhaneh sport.

This indicates the importance and the decision to move toward morality in sport. Of course, it should not be forgotten that these regulations were strictly for Zoorkhaneh sport, but it is a turning point for ethics-centered attitude in the sports community.

Considering the mission of the Ministry of Sport in the revitalization and prosperity of Pahlavani sport and culture, in addition to encoding a comprehensive plan of recovery and targeted timely development of this sport at home and abroad, preserving the identity and the native background of policies, plans and investments required in different fields (development, equipment, cultural research, advertisement, facilities, human resource training), the required facilities and subsidies needed to promote this sport among various social strata, including employee workers, etc., must be

provided by targeting this field as one of the first five disciplines of the country until the end of the 20-year perspective (Article 1 of the Code of Conduct for the Promotion of Pahlavani Culture, that has clarified the duty of the Ministry of Sports in this category).

Ministry of Education must introduce and promote Pahlavani culture and sports among male students, sports teachers and trainers through insertion in textbooks, educational affairs, extracurricular activities and in-service activities (such as visits to Zoorkhane and Zoorkhaneh ceremony, donation of symbols, distributing the posters of holding competitions, etc.) (Article 14 of the Code of Conduct for the Promotion of Pahlavani culture).

The Ministry of Science, which is in the top of Education system, is also responsible for scientific introduction and development of Zoorkhaneh sports as well as training the required human resources, especially in the field of physical education, by creating an orientation in "ancient sport" as well as guiding the articles and dissertations (Article 16 of the Code of Conduct for the Promotion of Pahlavani Culture).

In support of this sport, which has been initiated primarily for the development of ethics and spirituality in the country, the National Olympic Committee also has responsibilities. The National Olympic Committee, in addition to joining Pahlavani and Zoorkhaneh Federation of the Islamic Republic of Iran to its General Assembly, have prioritized comprehensive spiritual and material support in order to introduce and develop Zoorkhaneh national sport and promote Pahlavani culture in international level and to use all relevant capacities in this regard (Article 24 of the Code of Conduct for the Promotion of Pahlavani culture).

The growth of Pahlavani culture, which is described as the duties for all ministries and organizations, is the same as morality-centered attitude. This issue can exist in our various behaviors, in relation to relatives, neighbors, etc., but there is a particular emphasis on the case of sport.

As previously mentioned, sport federations are the heads of sport in a country and that public non-governmental institution is also engaged in addressing morality in sport; the revival and dissemination of chivalrous characters among athletes is the responsibility of federations (Clause 8, Article 2, the Statute of the Islamic Republic of Iran's Amateur Federation). However, it is interesting to note that, in the duties of the head of the federation, the vice chair, and secretary, there is no obligation to implement and enforce this issue, and ethics in sport is only one clause in one article!

In sports rules and regulations, there is no trace of the duty or guidance to ethics-centered attitude. Perhaps it can be understood that the existence of great persons such as Pouriya Vali and Takhty is a model in our society, and young people are morally oriented towards them. But the realities of the sports community do not confirm it.

CONCLUSIONS.

Criminal policy is not considered the establishment of a method for dealing with sports crimes and offenses in a country through social prevention. And social prevention, despite the many benefits, still does not exist in a coherent manner in our country's sport. There is an inflation of laws, regulations, and instructions is not a reason to conclude that the issue is addressed, because in a proper criminal law policy an outline is followed that is defined from the introduction to the end by planning according to the principles in the community.

There is heterogeneity and lacking a long-term plan. There are some points highlighted in the 4-year plan of our country, but there is no effect on the crystallization of these recommendations in the downstream documents. Absence of some law specific to sports, no definition of sports crime and having no prioritized place for sports criminology make difficult the analysis of the country's criminal policy in the field of such abnormalities. Education through public nongovernmental institutions, the expansion of in-service training for sportspersons, the development of morality-centered behavior in

sport as an appropriate legal form and exiting from regulation in a specific field, inviting public participation in sport through clubs and federations are among the cases that can be effective in social prevention.

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