

Investigating the effects of post –modernism on punishment in the shadow of phases (fuzzy) logic writers: mo jab mousavi –amiri shirzad –sharifi abdohamid

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Abstract: post modernism as a big and tremendous thinking movement has affected the majority of sciences including law and specially punishment law and criminology. this paper, by the aid of descriptive research method by the Longitudinal method, while trying to investigate in pathology) mental (symbolic punishment actions) poisoning (while looking at overusing in using Islamic punishment law to prevent committing crime with respect to statistics of 1358-B80 presented by Iran's prison department, by using phases logic, tries to investigate different effects of this thinking on the psychology as an inter major science in relation to being effective of symbolic punishment actions looks at presence of various reasons in the process of crime committing.

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1. Introduction

This subject always has attracted researchers' attention that why, in spite of precedence, abundance, and intensity of symbolic punishments especially presentment in Islamic punishment law every day we have on one numbers of criminal and prisoners in our prisons disregarding the gender ?what seems primarily from the official statistics of justice ministry, is increasing these statistics in an increasing way and being useless and not effective of this punishment actions in reducing the crime committing :so the researcher while emphasizing the importance of investigating the process of investigating the research subject from the point of view of criminological, psychological on the base of different logic) phases logic (with curiosity and precision to know and find the variable of this problem and to understand the reason why there is relation between them. when in 1965, professor lotfizadeh in California –berekly issued his first articles about phases logic named phases complexes, no one could believe that this article is the first spark of a shadow a new ideology in the domain of mathematics and sciences and first step in introducing the new insight realistic from the world in the frame of quite new concepts, but very adjustable with human nature. this article doesn't consider the mathematical aspects of phases details but also wants to present different concepts and subjects and bases of this thinking in one of the scientific punishment law. in the phases thinking there is no clear border and the belonging of different elements to various concepts and subjects is relative and partial. in this way we can see that how this thinking adjusts with human and universe. but the important point is that according to

this point of view classic mathematics that is based Aristotle logic is under question classical mathematics is a suitable tool for expressing different subjects in some cases that we deal with two –valued world, but by the progress of human thinking and technological and scientific advancements, the need for more suitable scientific devices for expressing more complex of life and human environment other subjects can't be exhibited by mathematic which is based on –two –valued measures. phases mathematic can't answer this question and request i, e, need to express multi –valued concepts rather than two –valued concepts, need to express world's facts as it is rather than a world in some moulds which doesn't contain them. current thinking and paper which was a base to create phases logic, bases on this principle that in the reality world everything is between the range of white and black –this paper wants to give the addressees this message that, although we have the logic of white and black, but it is a special state of phases logic, in Aristotle logic, the first and second in troductory of every inference are accurate and certain expressions, the resulted inference is accurate, but the main problem on this logical inference is that in the real world nothing is so strong, so that we can extract absolute inferences. but expressions that are expressed as industries, of first and second inference, are phases and not absolute –kasco, bart, translated by a. ghafari andphases thinking.p, 10...today the sociologist with a new approach the consider some wrong doings as a conflict between society and individual committing the crime as a social predicament has undesirable effects on the society (nooraie.2010) contemplating on official statistics of

punishing actions specially presentment, issued by the prison department we can find that presentment as a symbolic punishment leads crowds of criminal in prisons, hoping being remedied and resocializing them, not only committing the crime has decreased during long years but also has taken ascending and quick trick trend that unfortunately this issue has been ignored from the sight of rule makers and social pathology science theorists and of course ignoring from that has been common during the time in the present study we try to realize the boundaries and borders of symbolic punishment) presentment to prevent committing crime with the descriptive research method by the way of Longitudinal, including all prisoner in one time span of 23 years during 1979.2001 based one age group –gender and mental disorders between prisoners and their family, in this case it seems necessary that we use psychological sciences in effect of symbolic punishments in preventing committing the crime, looking at different reasons in the process of committing the crime) mental reasons and the necessity pro using suitable and various reactions by the legislator against the crime as a mental reaction based on phases logic.

Research questions

Following question is going to be answered

Is there a relationship between not using psychological principles and not being effective of applying symbolic punishment) presentment to prevent committing the crime based on phases logic is there a relationship between not to use psychological principles and not being effective of applying symbolic punishment) presentment to prevent committing the crime based on phases logic pursuant gender.

Phases logic insights and points of view

Science always has been associated with a mistake.as if all scientist have committed it.I remember unforgettable moments of a day in which I found sciences mistake, when I found that science is out of reality and fact.science as an absolute dominated leader of 20th century, wasn't powerful any more based on science basics everything is under the category of one important rule whether that is true or fake.scientists in past analyzed their world based on this rule.although they weren't sure what is right and what is right and what is wrong.however they were about to be wrong about one absolute phenomenon.but they were sure about one thing and it is "everything is right or wrong "we have enormous examples about this that maybe aren't out of reality for example everybody can say that grass is green is green not red or atoms oscillates or not or the number of lakes in mine state is odd or even each one of this phenomena has one right answer.in other words, in one arbitrary

answer like being green or red about grass, that shows the rightness or wrongness of an answer there is no inter mediate state.but for these examples in which only one answer for each yes /no question is true shouldn't be applied for everything.the error of science is applying this rule for all phenomena, the same reasoning is dominant in the logic and mathematics, logical and mathematical phenomena ruling is based on this principle everything either is true or false and this is exactly the same choice for the color of the grass.accordingly.logical and mathematical points are entirely true or false, black or white, one or zero, error of science in such an analysis from different phenomena is logical or mathematical, on the other hand error of science is that :what is true just for one thing, it is generalized for all phenomena and in fact we can't categorize different phenomena in subsections of true or false and one or zero mathematical and logical issues shouldn't only be measured with such an inter partition, but everything should be measured relatively and they should have rating in fact everything is true or false relatively, more things just seem to arrive fairly accurate.a degree of uncertainty applies about being right or wrong real phenomena are not only white and black but also they are somewhat gray.real phenomena always somewhat phases (fuzzy), vague and in correct just math was black and white and it is not an artificial of rules and signs.science showed the gray facts or phases (fuzzy) facts with mathematic white and black tools.in the world we can't find something entirely wrong or right and this way, it was seemed that realities were black and white science expressed all these phenomena by its mathematical knowledge along with this false science, new doubts arose scientist were wrong in mathematics and logic but they defended their ideas with pride and prejudice, this belief to black and white two valued system – dates back to the past and at least –goes to Greece Democritus divided the world in to atoms and empty spaces Plato filled his world with red shapes and triangular, Aristotle stepped away from his pupil, Alexander the great to write whatever he felt about white and black rules in logic, those rules in which scientists and logicians in describing our gray world, binary logic of Aristotle led to a law, what is right or wrong philosophically regardless to your sight and who you look at precisely, something aren't phases (fuzzy).the majority of these thing come from mathematics, we agree that two plus two is four and this is true completely but we are outside the artificial world of mathematics, phases(fuzzy) manner makes all borders and limits vague and obscure, as if our words divides the world with a dull knife, phases (fuzzy) state has an official name in sciences I being multivalve.opposite of being phases (fuzzy) is being

two –valued or divalent state in which we have two responses for each question :right or wrong, one or zero, being phases (fuzzy) means being multi –valued.this means for each question there are three or more choices and maybe there is indefinite range of options rather than just the final two choices exist this means we use analogue rather than binary mode and we have unlimited shadows of gray between black and white finally all the phases(fuzzy) state is all what judge tries to dismiss in order to ask criminal in his last defense, whether he accepts the charge or not ?please answer yes or no.is that guy, attending in the court by the charge of committing the crime is matured and has penal responsibility or not (we can't consider someone as responsible or irresponsible) we can't consider a nine –year old as immature and out of enough comprehension to discriminate orders and prohibitions of legislator and vice versa a boy under fifteen –year old boy as a matured boy for logician people in, 920, 1930, firsttime presented multi valued logic to work with uncertainty principle of Heisenberg this principle says if you can't measure one thing you can't measure other things neither, this principle suggests that we are really dealing with three –valued of logic, some expression that are true, false and intermediate, on a smaller scale, polish logician an lukasihuvich broke the intermediate state into smaller pieces and got a multi –valued manner or multi –valued logic lukasihurich then took the next step and defined the intermediate state as a continuous state and environment, a range between wrong or right, between zero and one each phases (fuzzy) logic term like grass is green or law years settle down the claims can be true somewhat, the correct amount of word can change between one and zero phases (fuzzy) words 30 years later entered scientific lexicon until then scientists like Bertrand Russell use the word ambiguity for multi –valued state in 1973, a quantum philosopher max black issued some articles about phases(fuzzy) logic the world of science and philosophy disregarded black's article

In 1965, lotfizadeh –the head of the department of electrical engineering in California, Berkeley issued some articles named phases(fuzzy) sets, in this paper, lotfizadeh laballed phases(fuzzy) on these vague or multi –valued sets of elements that belong to them to varying degrees such as collections of people who are satisfied with their work it was named because they wanted to make it away from the wanly logic presenting at that time.he saw that scientists luring in the masheniatis in their works more and more and try to Morsmhend their scientific concern or experiences with black and white reassuming and by using computers and calculators he chose phases (fuzzy) fazy logic in college didn't grow like before this logic improved in commercial market and

subsequently rejected the objections of western scientists and it made some objections itself.the phases (fuzzy) term after 3000 of western culture, and 3000 years of denying that, neglecting that, some restrictions come to advent.but phases (fuzzy) resemches against all efforts to get and of that continues (KASKO, Bart, transited by a gahafari phases (fuzzy) thinking p, 15).

Post modernism

Discussing about post modernism tendencies in the new form originated from France in late 1960and then spiraled to other was founded in the late 19th century Nietzsche is the great thinker who stood in front of all modern ideals and asked about their nature and tried to criticize them, by the advent of world war I and I I, hope to absolute progress in the shadow of modernity was doubted and some discussed about post modern thinking in 1960 (ghobadian 1960).

A-introducing postmodern thinking in

Post modern means some conditions after modern or historical age after modern (Eyhab, 1985)

In 1985s, it was the age of invasion of growth and in the same time post modernism change, untie the end of the decade a series of new creative movement occurred that by different titles were called postmodern like structuralism postmodernism, environmentalist post modernism, principle –based post modernism reconstructions postmodernism, some theorists of post modernism were including French thinker like live, Michel Foucault, year bandrillard (karbasian, 2010).

Post modern is the critique of modernity history and we should never be confused with any opposition from traditional positions the goal of post modern thinker isn't to return to pre –modern era because based on post modernists the pre –modern era, they have one thing in common and is that both of them believe a kind of fixed generality and common affair, but the whole pre modern time is a religious totality and totality of new time is the new wisdom post modernists give the opportunity of presence to feminists by rejecting meta narratives and assumptions (systematic epistemology) and in fact by rejecting classic classifications and modern from different subjects including man and women post modernist actually rejected the macro truth including man and woman.in fact historical definitions, rejected social and cultural definitions and this is a big help that postmodernism made to advent feminism postmodern logic basically is rejection and not proving, that is, protesting against enlightenment wisdom totality and thinking and every absolute government of principles and general and fixed criteria despite the floating nature and anarchy –like of this thinking, it must be said, that this word in a general sense in recent decades, increasingly points to end of modernism

prosperity and decline after peak manifestation in 20th century in this way. In an overall look at post modernism is like a completed, vague, various and multi –faceted figure and a powerful current of cultural, political and enlightenment and the basic characteristics is the challenges of science and rationality, reason of modernity, modern doctrine, it's meta narratives, and rejecting it's crisis ful consequence, in fact the age of post modern is the time of appearing religious and philosophic deep crisis arising out of enlightenment project and time of failure of organized and absolute modernity (Karbasiyan 2010) the common point about post modern thinkers is that it questions rationality, scientific certainty and pure wisdom from a postmodern perspective today's problems like under estimating human dignity, anonymity, cultural crisis, excessive violence, wars and finally waning dominance of technology on human life are due to circumstances modernity and modern insight has created for human, and for reinvestigate, that, modernity should be reexamined.

B-post modern and woman`s identity

Post modern and consequently post modern feminists in response to in the face disability claims to confront really an all –faceted about woman`s problem and paying attention to discriminations about women, focusing on deconstruction and rejecting difference called for elimination of spurious differences between man and woman one of the main themes of post modernism is about reality or lack of reality and nieetzschean nihilism that has a tight interaction with this flowing meaning and unstable (ghobadian, 2010).

C-feminism and post –feminism

Postmodernism basically question some concepts like origin –and nature and makes a back ground for a new entrance to feminism post modern feminists have questioned this thinking that there is an intrinsic object that must be discovered and follow up the identity policy (zaloski 2000, moshirizadeh 2010) feminism in its revolution trend, especially in the last 200years has passed different periods and has chosen different approaches proper to political, cultural and historical conditions changing (moshir zadeh 2010) feminism, especially in the second half of the 20th century, was influenced by modernism thinking foundations with the aim of identifying woman against patriarchy started making knowledge of liberty, each of the modern feminism (liberal, socialist and radical has epistemology, policy and unique objectives this social movement was impressed by post modernism epistemology and by being influenced by French post structuralism, declared the decline of object enlightenment. this new movement, by keeping it`s the me about defending from women rights, influenced by

post modernism thinking from the epistemological in sights redirected in this way, the post modern feminism challenged western societies indicators including male gender, white race andby criticizing the existentialism and breaking bases of epistemology and doubting in social structures (Zaloski, 2000).

Feminist approach created new insights to understand complexities of human societies, epistemology and man like, society by asking about woman, patriarchy and sexual justice, yet, on the other hand, it led to create new being concepts patriarchal knowledge by its epistemological binary tries to produce manly subject and pure obedience of woman. and feminist knowledge also without making a discussing relationship by men, considers them as naturally cruel, in fact feminism political objectives doesn't concern about human totality and general liberty making

3-psychological ideas and insights

A-hypothesis of totality

Totality means different activities and actions. absolutely in extended issues are interrelated

B- hypothesis O-H-Mavrer

Socialized behavior basically is based on conditioning of behavior in child hood which is exerted by parents, teachers and peers and one's behavior, to big extent, is effected by that we may ask ourselves that why people tend to break the law clearly while they spend big share of their life in prison, but they continue their previous job people tend to do what is desirable and avoid what is undesirable. some people don't have many things. they maybe out of food or shelter or some things that they like car, train or cruise. in the first sight it seems that when you like something you go and pick it up, what prevents him ?but he doesn't do that because he knows police soon arrest him and prison effects will be more painful rather than having that thing. but this answer isn't satisfying by two main reason

First, there is a principle in psychology that based on that, the outcome of a special action determines the future of that thing not only based on something we call quantitative out comes, but also its time aspects is effective on the other if one action has two consequences, rewarding and punishing, if they occur concurrently, exactly they have the same effect the effect of these out comes on the result of that action will be different based on its time order of occurrence if at first we have punishing and then rewarding out comes, difference between enforcement effect will be in far or of prevention but if rewarding outcome is at first and then punishing out come this difference will be in far or of enforcement. it was suggested by B-H. **Mavrer** first time and says:

In this case we can think about a physical analogy :if we hold two weights by equal mass in equal distance from the stand point of a lever: they keep each other's balance but if we keep them in different distances, mechanically they have this characteristics that they change the lever balance for their favor.

B-Yrks - Dodsonpsychological law

If we set a criminal free with a warning, or release him by having a security paper, or prison him for a short time maybe is effective in his future behavior, but present statistics doesn't confirm superiority any of them excitement can be a stimulant, those who have more excitement, will have better performance, because it is believed that excited people's performance is better than passive people these facts present the famous law of Yrks – Dodson or hypothesis of curved upside down.U this law has two components :

First part :it is said that relationship between motivation and performance is in the shape of a linear curve and its maximum point locates in a place near to middle these mean the more motivation.the performance we have but when we have over increasing, the more motivation :the less performance we have.

Second part: level of excitement is high in prisoners and criminals it seems that excitement enforces their antisocial habits so that comparing to normal people they do some improper acts then punishment which is supposed to increase the level of exciting in them has negative effect rather positive effect and creates his flexibility towards his reactions rather change in his behavior then punishment isn't as much expected as it should be (Shams, 2006).

C-punishment of any involuntary reaction

Before occurrence of crime, the in voluntary reaction of fear –excitement occurs this affair relates to crime or preparation for that, so it may be plays an important role to one's avoid committing a crime.this sense can be effective as a preventive factor then an involuntary reaction, that is, conditioned morality can be as a preventive factor (Ayzenek 1975) Shakier, 2007).

In his research found out that the most common disorder of personality between prisoner in Kermanshah central prison is the disorder of anti – social personality. Ashkani, et al, 2002, expressed that about 40% of prisoner had disorder of anti –social personality result showed that the frequency of clinical patterns of personality in group of man prisoners was 46.7% and the most common disorder is the depressed personality by the frequency of 23.3% in woman group, outbreak of personality clinical patterns was 61.2% and the most common disorders of personality in schizothyme pal group pare paranoid

and women group paranoid personality, schizoid and borderline personality in clinical syndrome indicator the most common disorder between men was anxiety by the frequency of 909% and in women addiction and stress after trauma in severe syndrome index, the most common disorder was thinking disorder by frequency of 408%, basic depression by the frequency of 204% and disorder of delirium by the frequency of 20% (2010) in Hatemzadeh etal research (2007) the amount of outbreak of personality disorders according to diagnostic indexes was 55.2% (icd-15) furthermore, the amount of outbreak the stable personality changes was 12.5% the disorder of anti social personality disorder was 18.2% schozoid personality and dependent each one 8.4% unstable exciting personality by 7.4% were the most common disorders mixed personality disorder by 3.4% histeric and fussy personality each one by 3% paranoid personality by 2.5% and other personality disorders by 9% were in the next ranking (Hatemzadeh 1386) in Sanandaj central prison, over half of the prisoners had one of the disorders the most common one was antisocial personality and borderline personality DR modir 2008).

According to the results obtained from regression analysis 10vaviables of 'investigating factors on committing the crime 0.29% sense of belonging to the family 0.28%, improper social environment 0.26% being low age while first year in prison, 0-25% the am out of family and the person commitment to the religion 0.18%, unemployment .17%, friends.15%.life satisfaction.15-% -meeting emotional needs in family.-15% and sense of deprivation .90% were effective on prisoners social law breaking (Hezarjaribi 2009) the frequency of personality disorders in criminals in Sharkord person 2.55%, antisocial disorder 2.18%, scjozoid and dependent personality disorder each one 4.8% borderline personality 4.7% mixed personality 4.3%, histeric and fussy personality each one 3% paranoid personality 5.2% and other personality disorders 9.5% were in the next ranking pal hang 2002

Analyzing the statistical data

In analyzing the total number of input prisoners in 23 recent years from 1979 till 2001, 6946442 prisoner came to prison, i-e, every year 302019 annually. The growth rate of prisoner during this time has been 6.19% in 1980the most prisoners came in by 67.38in 1981 more prisoners came in.but in 1982 this growth declined in 1983 to 1986 we had increasing growth rate.from 1987 to 1992 this rate was increased by 28.4% but in 1993, by increasing about 55000 prisoners (19%) this amount increased suddenly.after that this growth had 4% enhancing and again in 1996 it had 17% increasing of rate in 1997 and 1998 the input number had 7% growth but in 1999 again it had

16% increasing and in 2000, 2001 we had 10% increasing.now we categorize 1979 to 2001 in 4 periods and compare them.

Year	Average of country's population growth annually	Average of coming to prison annually
-58	3/9	14/7
65		
-66	2/5	4/3
70		
-71	1/5	10/6
75		
-76	1/4	9/6
80		

Average growth statistics
Incoming inmates

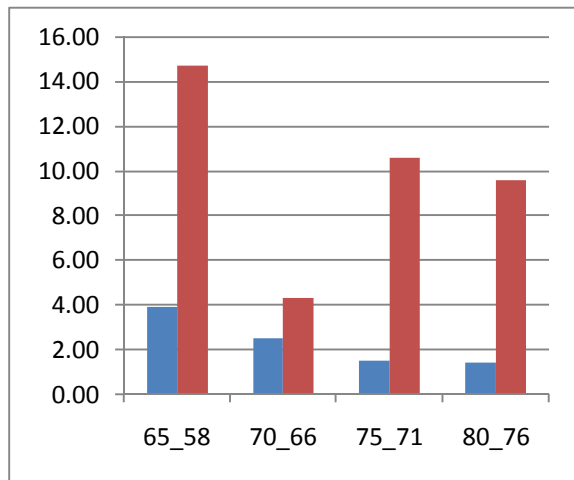


Chart (1) compares the average annual population growth of incoming inmates

Table 1: statistics of Wallis Kruskal test to compare portion of prisoner for every year

Chi-square	6.23
Clearance degree	3
Meaning fulship level	0.005

Obtained information from Wallis Kruskal test are meaningful (.005p) then we conclude that every 5 years the growth rate of prisoner is more than growth rate of population, during 1986-1979-in coming number of prisoner was there -fold during 1987-1991-7.1 fold -1992-1996-7 fold and in 1997-2001 -8.6 fold.than population growth in 1379 one out of 433 person came to prison but later it increased that was because un correspondence between incoming prisoner and population growth consequently in 2001, one out of 98 persons came to prison.

Table 2 compares in coming prisoners in a 10 years population and more in 1986, 1991 and 1996

Year	Ten year population and more	Total incoming	portion
65	32870363	207541	158
70	38655049	255535	151
75	45401083	427564	106

Table 2: statistics of Wallis Kruskal test to compare prisoner in each decade

Chi-square	4.82
Clearance degree	2
Meaning fulship level	0.006

Obtained information from Wallis Kruskal test in meaningful (s.006p) then we conclude that population growth was more than incoming prisoner we can see that portion of population on prisoner in 1986 was 238 persons while in comparison with year prisoner and more it is 158 persons.

Also in 1991-1996 by comparing for every 209 and 143 person we had one prisoner respectively, while by comparing 10 years more we had one out of 151 and 106 person respectively analysis of prisoner based on gender (shams, 2004) of the total 6946442, 59% 4% are men.while population of men and women are somehow equal we can see that in 1979 one out of 52men came to prison and one out of 8826 of women came to prison and in 2001 this was more than men's coming, namely, one out of 1-71 of women.

Table 3 (a) s incoming prisoner in 23 past years based on gender

Year	68	69	70	71	72	73	74	75	76	77	78	79	80
Men%	94/75	95/05	95/5	95/41	95/55	95/92	95/92	95/55	95/31	95/28	95/68	96/10	95/52
Women%	5/25	4/95	4/95	4/95	4/45	4/08	4/08	4/45	4/69	4/72	4/32	3/90	4/48

Table 3 (b) s on coming prisoner in 23 past year's based on gender

Year	58	59	60	61	62	63	64	65	66	67
Men%	972	96/87	95/12	95/32	94/84	94/78	94/60	94/68	94/38	94/58
Women%	2/38	3/13	4/88	4/68	5/16	5/22	5/40	5/32	5/62	5/42

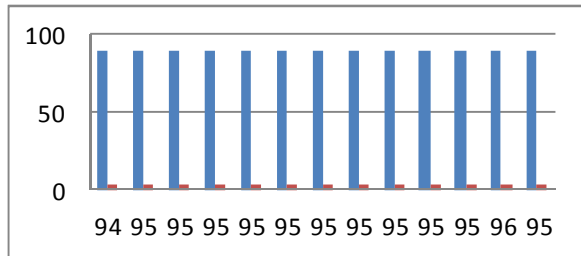


Figure (3) Prisoners in the past 2 years

Obtained information from Wallis Krvsml are meaningful =0.9p then we see men and women were in the same manner analyzing the number of

incoming prisoner in 23 past years according to gender (Shams 2004).

As you can see the most number of criminals in 19-25 years old by 1977433 prisoner. in women this number is 73729 prisoner and in men 1953704 in under 12 we have the least prisoner by 497 women 8288 men (table 4).

Table 3: Statistics of Wallis Krvsml test to compare in coming men and women prisoner during 23 past years

Chi-square	0/88
Clearance degree	23
Meaning fulship level	0/9

Table 4: statistics of Wallis Krvsml to compare number of criminals in different age group in women

Age group	total	man	woman	Man%	Woman%
Under12	8785	8288	497	94/34	5/66
12-18	358530	327178	31352	91/26	8/74
19-25	1977433	1903704	73729	96/27	3/73
26-32	1631164	1568613	62551	96/17	3/83
33-39	1046562	1000924	45638	95/64	4/36
40-46	656057	619415	36642	94/41	5/59
47-53	353457	331598	21859	93/83	6/18
54-60	195618	184918	10700	94/53	5/47
More than 60 years	201424	185010	16415	91/85	8/15
Undisclosed	517411	498144	19267	96/28	3/72
Sum total	6946442	6627792	318650	95/41	4/59

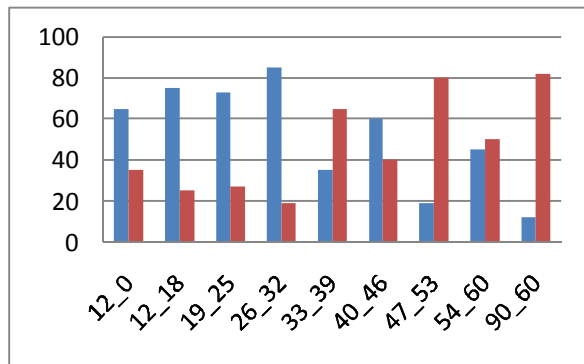


Figure 4 Mini Verdi prisoners in the past 23 years by age

Obtained information from Wallis Krvsml test is meaningful =503p then we conclude that there is are lationship between women and men in coming in relation to age group

Obtained information from Wallis Krvsml isn't meaningful ps-82p then we conclude that there is no relationship between men age group research results: in 1980, the most number of prisoner is 67.3% in 1981 we have consider able number of prisoner but in

1982 this number decreased in 1985 to 1986 we didn't have very change from 1987 to 1992 the number of prisoner by 28.4% inn creased then we conclude that there is no relationship between incoming men in age group, according to above – mentioned hypothesis's we can prove that;

1-there is relationship between not using psychological principles and not being effective of doing symbolic punishments to prevent committing the crime according to phases (fuzzy) logic?

2-there is relationship between not using psychological principles and not being effecting of doing symbolic punishments to prevent committing crime according to phases (fuzzy) logic based on gender.

B-table 4: statistics of Wallis Krvsml test to compare number of criminals in men different age group

Chi-square	33/2
Clearance degree	7
Meaning fulship level	0/003

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