

Social and economic benefits of semi-freedom of the individual and society

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Abstract: In the Islamic criminal law passed in 1392; regarding a new discipline; which was not mentioned in earlier articles; in the seventh chapter of the new Islamic punishment law passed in 1392; there are 2 articles under the new name " semi free system" but under certain circumstances; they seem not dealt with in an enough manner. therefore we must make use of the experiences of other countries which these articles were put in effect ; so that it would give enough courage to the legislator to put these tow articles "56 & 57" in use; it looks as if the legislator had feared the results to use them in a large scale; therefore he made use of them in a very limited manner. but experience showed their benefits were great; economically & socially . we must prepare the society to acknowledge the benefits of these articles; and protect them of being criminated and not to be regarded as an enemy of the and miss users of the customs & values of the society. if we were able to teach this" semi freedom system" to other criminals; better results would be gained; here in this field ; the role of the honored professors& psychologists & the sociologists and those who care about the society would be magnificent. And their point of view would be of great importance and should be implemented by the politicians. because this system should not be looked upon through political glasses; because crimes and criminals are a totally social concept; not a political one. anyway taking in consideration that this is a new concept we may workout many ways and subjects and find it's faults & deficiencies and try to eliminate them. therefore in this theses we may study it's benefits in 4 chapters to persons and the society. [Zahra Rahmati. **Social and economic benefits of semi-freedom of the individual and society.** *Researcher* 2016;8(6):64-70]. ISSN 1553-9865 (print); ISSN 2163-8950 (online). <http://www.sciencepub.net/researcher>. 11. doi:[10.7537/marsrsj080616.11](https://doi.org/10.7537/marsrsj080616.11).

Key Words: Criminal, Sentences, Criminal responsibility, media, Adolescents, Baby, Microeconomics, Semi-free system, Social acceptance

Introduction

Prison punishment is accepted and undeniable in the world. Different theories of criminal punishment for the enumerated benefits and harms many. In this regard, the modern penal institutions are trying to impose new institutions from the harmful effects of imprisonment for the individual, family and society and on the positive things increase the punishment to reform the offender.

1392 Islamic states. That is has pros and cons.

The Penal Code uses the theories of criminal lawyers and Bhrh Mndy of discourse surrounding the new Jrm Shnasy, semi-free systems to support the criminal, his family and the society is recognized. is framers.

While Ayn Dr that this system has long been used in many countries that-be to Country United States of America as one of the supporters of the law Kamn La named.

The social benefits it is expected to reduce Jrm Ha and become professional criminals and delinquents simple to victims and offenders and criminals but included Gvshh Ay of the screw.

The offenders have been caught and Chh Bsa double-denominated jobs that are heavy on the shoulders of society.

Earned enforcement childhood to adolescence and from adolescence to adulthood will be.

the society to pay these costs and prevent them from isolation to community and family Bz:h Dydgan and Azrshhay N with respect.

Of course we saw in the previous rules and the particle home systems such legal and penal laws have been Iran that can be suspended sentence, probation, suspended sentences and so on. However, due to severe lack of written sources to study the new step, though small, relatively new and this will be established.

society and also its cost will be discussed. Bzkar open the breeding and reproduction. The man who has sworn to God's nature and its creatures called him.

Considering the human existence and its value should come up with a collar and dragged him from the throne to the carpet below. But should look into this in the abstract is being changed and they deviate from Msyraslysh returned.

Statement of problem:

In the world using a variety of methods have been criminal procedures to their homes that can be provided to liberty, freedom under electronic systems such as electronic handcuffs and leg bands of criminals have remote control so is Shvnd.

The importance and necessity of research

This has been the only victim. And on the other hand why criminals do some heavy financial burden on society Bz:h Ha imposes huge costs on taxpayers

spend annually-up and maintenance of some unknown criminals, thus expanding the system with semi-free at some of these costs can be reduced is running countries in the field tastings review some of the leaders in the science and results discussed in some countries is made.

Research objectives:

The aim of this research Fvaydajtmay and semi-free economic system is on the individual and society.

A) general objectives

Has the following objectives in mind:

The purpose of collecting this paper, the development of studies and mass preceding studies, sociological, psychological and enological reform policy failure and treatment on the one hand and the other on withdrawal approach is not By Tasyr prison. Zndan Ha population density and return Mjddmjrmany that the jail had a history of tolerance, all show the futility of his prison sentence.

B) partial or secondary research purposes

1. The failure of policy reform, training and reveal their flaws to avoid prison, crime in the community Paskh Dhy
2. The new strategy withdrawal traditional methods of criminal justice and improving the effectiveness of the criminal justice system
3. Paskh Dhy to a number of species Bz:h Karan Bz:h Kary and some resorted to using emerging with nature
4. Application of the new Nzam Hay such as: exemption from punishment, the punishment postponed, semi-free system and the electronic monitoring system.

Fvaydajtmay and semi-free economic system on the individual and society

Since the study was collected in the form of comments tastings experiences and also the novelty of this system, much research has been done and more is used for observation of the elders of law. So just Fvaydaqtsady and social aspects are dealt with and other benefits, which has not been a lot of debate and research in other areas of work that more research be done.

The new IPC's most important law that has been the subject of many lawyers. The new provisions of the Act be seen. Some of these provisions are required to scrutiny. Topics including semi-free prison system and criminal liability of legal entities, including details on the subject. One of the positive Aqdam Hay new law, it is considering legal entities. On whether Qanvn Gzar in this comprehensive, all issues related to the kind of people you covered? Or not? It should be noted.

Semi-free prison system, a system in which the sentenced person could be part of their sentences

outside the prison, the prison system Considering the semi Freedom and Security and Corrective Measures Brmy Grdd Zndan Ha regulations. Before the Islamic Revolution of Iran had mentioned that requirement in the Regulations. But the provisions on the enforcement of prison sentences My Tvanstnd with confidence that the implementation of the reform were sentenced, they will have some privileges. out of correction and Rehabilitation center to continue, they will have the advantage. It My Shd implemented in practice in the past. The historical story Brmy Grdd This old.

With today's emphasis on the fact that the new Penal Code also seen the prison system of semi-freedom. The law enforcement it should be the judiciary. In Vaq Tsmym Gyry about it is subject to the judge. In order to create educational capacities in implementing Mjazat Hay prison sentence even semi-free system plced consider an acceptable system.

Social benefits of semi-free society

Has had no unified theory failed personal and social impact of independent variables on the individual and on the criminal specify. On the other hand are usually guilty of the crime and what turns people on, in reviews and analyzes will be ignored. In the context of an overall view of urban communities often seem more appropriate for the occurrence of such events. What is certain texture traditional villages and widespread and deeper bonds of affection and human relationships in small rural communities, as important factors in reducing crime play a role.

But the mass of different types of crimes, including Urban, Urban Crimes are crimes that occur in the urban environment. The criteria to differentiate urban areas, some researchers three important criteria of size, density and diversity have brought forward. Size is important because population increases, people relate to each other that you do not have any dependence and are strangers to one another. This led to the formation of different classes, socially, among the people.

Density factor is that the crimes committed in itself is such that it can not be found in non-urban environments. In this respect the diversity of people with different cultural characteristics, economic, moral and so on. Live together, is crucial, because all these factors and the difference or discrimination in having these features, the field of crime provides that in the rural environment and crime classifications can not be imagined. And although cities have large blind spots that are prone to crime than other areas. The size of the urban environment and the people unknown to each other, including the reasons for establishing different categories of people in cities. The Dydjrm of urbanization leads to more opportunities for the commission of the offense and the absence or

weakness of informal social controls, provides further grounds for criminal activities. And considering the fact that the differences in structure and social issues per se lead to the commission of various crimes in different areas.

For example, in crowded crimes such as burglary, pick pocketing and conflict and in the privacy of crimes such as rape, beatings and killings are more common. Jaymshry with crimes in rural areas or uninhabited areas (desert, forest V...) Occur, the effects of water and air in specific geographical areas and allows more Bz-hhay committing crimes to secular declines in terms of the type, amount and Shraytgah different but similar cases are sometimes wide differences.

Crime issues, in many countries since 1945 has been equivalent to the history of them. is seen not only engineers and architects. Oscar Newman stated that the relationship between design and mass caretaker and watchman of the towers has a positive effect on the middle class (in terms of revenue) and sparsely populated (in terms of number of children) Dashth Ast, but that Ranmytvan regardless of the Plant and equipment for widespread use of low-income families to easily established.

There is no reason to believe he Ndardk-h high towers, narrow economic requirements to maintain investment. If these houses are built to live in dangerous and costly maintenance. The economic argument is that the construction of its first home reverse tangential direction. The cost of construction of the social costs arising from the residents of the houses beyond. In designing this house no attention to the traditions of the past and no attempt to identify the needs that should be answered in the human habitat will fail. Newman was concerned Brjsazyhay extensively in New York. UK experience since 1945 indicates that similar problems can occur in other forms of low-Trakmtr housing. These lessons should be used to avoid the mistakes of the past. Different geographical regions and climatic role in the formation of crimes can not be ignored. For example, all police stations in Tehran are criminal code, and thus the frequency of crimes in urban areas and different regions or the statistics are reported. Oscar Newman's defensible space prevent crime through design books, his theories on the basis of detailed statistics, describes the physical form of urban housing in New York. He has produced important research findings. Lowest crime rate in 3-storey buildings occur, whereas in buildings over six storey's and towns with more than 1000 units is very high crime rate. In tall buildings, a large part of Jrm Ha, the inner space compared to the same public places occur in low-lying buildings. He noted that although tall buildings can reduce the number of high-income families who enjoy the

security features and janitors useful, for public use are no longer useful. Thus we see that the shape and form of cities with opportunities and incentives linked to the crime.

Semi-free system and the individualizing the punishment:

Semi-free system is one of the ways that the offender has agreed to release half-time, but the emphasis is on constant watch on him. Seven of the new Islamic Penal Code Criminal dedicated to this new institution.

To further promote the rule of law culture and modern theories in the philosophy of punishment and punishment by criminal lawyers and criminologists in the twentieth century prison as a punishment, autopsy and different legal systems by adopting measures tried it only reduces the negative effects of prison to punish the criminals and without hurting their family.

New Islamic Penal Code has been approved by attention to these institutions.

the prison, the prison institution established in semi-freedom as the central system and the people who are on the system, under the supervision of the center's work. new Islamic Penal Code, imprisonment without parole in Article 19 graded and divided to 8 degrees. activities such as addiction treatment or illness doomed herself with satisfaction in his semi-free under the protection of the law. in fact harms a serious loss of face imprisonment.

Terms of the half-free.

In this situation seems to condemn it comes to who can be trusted and left him partly free. Of course, there are also naturally Nzart Hayy.

Is the tendency is to reduce the penalty efficient? Tends to be strongly or tends to reduce, to the author of the punishment means little, but some convicts are entitled to discount or reduce the punishment should be subject to reduced penalties. cooperate and provide information to discover other crimes court day. is not.

But there are basically two types penal system dealing with children and adolescents. that Ntvansth-Aym the two together and unfortunately this dichotomy in current regulations are stricter than the previous rules. Nv Vryhay suspended the legislator in the regulations for children and juvenile offenders has predicted. Including for example the delayed penalty, but a legislator of the discussion Dvgangy Hay open Mhdvdh Hay elderly age.

New systems successor Kyfrsalb freedom (imprisonment)

- Jlvh Hay the emergence of various new aspects of criminal policy of punishment depriving liberty Janshy Hay

- Py Gyry criminal policy of partnership - an agreement on the implementation of new systems

- Protection of victims in criminal replaced by new ones effects depriving freedom
- crime prevention policies in aspects of criminal replaced by new ones depriving freedom
- realization of restorative justice and agreed on a new system to replace criminal depriving of freedom

The successor Kyfrsalb release:

Follow criminal purpose in the light of modern successor Kyfrsalb freedom (of punishment)

- (A) goal of retribution;
- (B) the purpose of intimidation;
- (C) the purpose of correction and rehabilitation;
- (D) Purpose and incapable of exclusion;
- (E) the protection of the victim
- (F) the punishment of risk management

New effects depriving of freedom typology criminal successor

Exemption from punishment

- (A) concept and nature of exemption from punishment
- (B) the conditions to benefit from the exemption from punishment

Sdvrhkm delayed penalty system

- (A) the nature of sentencing postponed
- (B) delay between the prosecution and sentencing postponed
- (C) the conditions to benefit from the postponement of sentencing

Semi-free system

- (A) semi-free system concept and nature
- (B) the origin of the historical and legal grounds
- (C) semi-free conditions benefit from the system.

Electronic monitoring system

- (A) the nature of the electronic monitoring system
- (B) how the electronic monitoring approach
- (C) different uses of electronic surveillance
- (D) types of electronic surveillance
- (E) conditions to benefit from electronic surveillance

And-rights problems - technical deployment of innovative technologies in the field of criminal activities

Vafraq modern successor of the common criminal depriving of freedom.

As a result, much criticism was that corporal punishment and physical punishment of imprisonment of 200 years ago were the arsenal of criminal and was widely accepted. The main goal in all countries and eliminating the use of prison offenders from society on the one hand, and the reform and rehabilitation of offenders, on the other hand has been. Despite the widespread use of imprisonment, the result of research and studies have shown that this punishment is not expected that the My Rfth Br Vrdh.criminal investors

were sought to Jaygzyn Hayy for it. Disadvantages prison after another was revealed and its efficacy and its ability to reform and training were denied. Some were calling it in front of others insisted on its use and the use of alternative penalties and facultative plurality showed interest.

The development of studies and research, criminological, sociological, psychological and penological on one side and defeat the other hand, policy reform and our approach been effective withdrawal prison. Back Mjddmjrmany prison population density and the history of their punishment in jail, all show the futility of his prison sentence.

Due to the failure of policy and prison reform, training and disadvantages in order to avoid revealing them in the community Paskh Dhy changes were guilty. In the new strategy, the aim of criminal policy, criminal justice withdrawal traditional methods, and improving the effectiveness of the criminal justice system. It Bz h Kary techniques to respond to a number of species and some offenders with non-violent tactics are emerging with nature.

Historical studies show that more Trkshvrhay world, including Iran, several steps behind in its criminal policies have Sr Gzashth. First My Shd efforts through corporal punishment was associated with great physical suffering, severe reactions to the actions of criminal offenders show. In the second part of the sentence My Shd using criminal population growth to solve the dilemma. By appeal to the Security and Corrective Measures are looking for the goal came on. Recent decades have tried using alternative social Mjazat Hay prison Mjazat Hay intermediate or solve a crime mystery. Now, legislators and policymakers criminal novel alternative to prison practices are the subject of paper.

New Nzam Hay successor punishment depriving liberty (prison) are an important Hdf Hay Speak: Snjy Hay including giving greater interest to authorities, according to the will of the actors in the field of responding to misdemeanor criminal case work (involved in the process of reform and rehabilitation of offenders), said contact and understanding between judicial authorities and criminals, trusting the offender to attend this community, succession attitude of "citizen-oriented" approach rather than "Dshmn circuit" to distinguish the role of Asly Tryn Knsh Gran for a criminal case (the offender) in determining the criminal, will depend on the punishment to offenders, greater attention to the role of victims in the aspect of punishment depriving liberty replaced by new ones, manage offenders in the community through trust part of it (the punishment of risk management). Reduce the jail population, cheap virtual, avoiding the disadvantages of prison and ...

In addition, alternative social forecasting prison sentences, new approaches to replace prison legislator has predicted that for the first time in Iran have been criminal law. The new systems include: exemption from punishment, the punishment of procrastination, of half-freedom system and the electronic monitoring system.

Nzytrk institutions in pursuit of the Code of Criminal Procedure, deferred prosecution, suspension and prosecution of criminal mediation is predicted.

Evaluation of the impact of social and economic factors in the incidence of crime

Crime is multi-dimensional phenomenon that has to sociologists, psychologists, lawyers and economists had been.

The emergence of the field of criminology caused by scientific and objective approach to the analysis of biological, psychological and social rise of crime, with the aim to prevent crime and reform criminals, be addressed. The economic situation of a society as the main factor affecting the livelihood of the community, a decisive role on the actions of individuals Dard. jvyn Ntlr, sociologist, argues the structural relationship between the economy and crime: people's behavior to a large extent with review environmental and social conditions predicted and abnormal behaviors and abnormal in criminology discussions are considered as social element, not biological element. William Bvnqr in this regard Chnyn My Gvyd: economic factors, a key factor in all social structures and significant impact on individual activities such as crime, especially if the economic factor of poverty, inequality, unemployment, inflation and economic opportunity costs to be included.

Gry Bkr the first time, an economist, a famous article entitled "Aqtsadjrm and penalties, an economic approach" (1968) paid to issues of economic crime. His main objective was to answer the question as to minimize the social harm caused by the offense, how resources are used and punishment. according to their available resources, optimize their action. If he concludes that the expected income gap between legal and illegal income expected to be in high society, with constant consideration of integrity index, people are willing to do illegal acts. However Frz Hay considered by the two researchers (such as the assumption of integrity index) somewhat reduces the power of their investigative analysis, but in general, these theories can a clear picture of the impact of macroeconomic factors on crime in the community.

4 ways to reduce crime in the eyes of the judiciary prisoners

The judiciary has managed the implementation of various policies percent recidivism among offenders and thereby reduce their return to prison.

major steps that the judiciary was important to achieve this goal are as follows:

Open education to prisoners at all levels

The analysis also Recidivism rate fixed for the less educated individuals with higher 12 percent and 37 percent.

Thus, any attempt to teach the prisoners will help to prevent crime by them.

In the field of religious training organization with the establishment of at least 210 prisons in the country's prisons to train five thousand Daralqra the action has memorized the Quran.

garlic laws

in Articles 56 and 57 of the Penal Code reads. However, according to Article 58 of the Islamic Penal Code of 1392, in order of imprisonment subject to parole and semi-free system, apparently imprisonment punishment.

M. Rayjyan in the completion of the above on conditional release adds that the offense stipulated in the Penal Code in 1361 that resulted in the conviction of a person for the first time the punishment is imprisonment, subject to the provisions of parole. But the reform of the Penal Code, including the years 1370 and 1377, indicating the sentence of imprisonment was to remove background communication with parole, a special law in 1337 under the title of the Law Concerning were prisoners on parole. Islamic Detailed material was assigned to probation. Therefore, the current Article 38 of the Penal Code, largely inspired by the Single Act 1337 has been passed.

advocacy and humanitarian

Staff at the blood-money review some statistics can provide analysis appropriate to the reader:

- Only for the lack of dowry 1,000 people are imprisoned in Evin prison.

- Staff responsible for the blood money of his own accord freedom of a driver who was sentenced to 11 years in prison diya 360 million was provided

- 8 thousand prisoners for the release of 100 billion USD budget funding is needed.

- President of 150 million USD for the release of female prisoners Staff helped blood money.

- If laws on compulsory motor insurance to be taken seriously imprisonment of large numbers of people disappears.

- One billion and 350 million dollars of blood money to help staff the freedom Send to 1,200 is used.

- Annual cost about 10 billion USD 8300 financial detained with the money can be released at least 800 of them each year.

World Health organization in Iranian prisons have introduced appropriate model.

powerless and deprived of social rights should be accelerated. Also in custody should benefit the society in question is relieved. And the irreducible factor for

social security during the execution of the project is the idea of choice.

Code of Criminal Procedure

In the matter of a new legislative procedure law, including mediation and peace between the parties is used.

Article 1 sets rules of criminal procedure is to discover the crime, prosecute the accused, a preliminary investigation, mediation, peace between the parties, procedures, decision, through protest votes, implement ideas, assign tasks and powers of the judicial authorities and Officers Justice and respect the rights of the accused, the victim and society are established.

It must be said "mediation and peace between the parties" from the school of restorative justice is to improve interpersonal.

Conclusion:

According to the results of this step can be done in Iran, as such concluded that many parts of the world, economic issues in crime in formation with other social and cultural issues effectively. Hman Tvr that the results of the study found that two factors of inequality and of young people as the most important components affecting the formation of crime in society. Thus the policy of first resort, reduce inequalities in society must always be pursued as a specific objective.

On the other hand, with regard to the young population turns predict that in the not too distant years, mass increase continues. That does not mean you can Charh Ay for this phenomenon thought, because Investigations showed that the young people will be drawn to commit crime that crime is low cost and opportunity. The rise in unemployment, especially among young people can be led to reduce the opportunity cost of crime and their willingness to increase crime.

Of course, this issue should not lose sight of that crime varies from province to other provinces. watch.

However, alongside these households offenders should not be forgotten. But with a little flexibility in the rules and accept its social consequences in society can be reduced to some extent.

After the enforcement of the law, such as commutation of the sentence and exemption, deferment of sentence, suspended execution of the sentence of probation, alternative punishments of imprisonment, of punishment amnesty and leniency were made in the Penal Code of 1392 established new or better said developments the other, called semi-free system was formed. This system is derived from French law, the civil law joined. professionals who opened it's worth it. have historical sons of the

prophets, such as Jacob (aS) and Noah (aS) or repented their mistake or been punished.

So why in our society deal with this species They are people from the community were crisp, so as to return it to the hard people have Qshraz. If the enemy wishes of society and people Bshrtbdyl offenders to justice, reform society, these people are part of this society.

Dydh Aym that some offenders, even teenagers and young adults to any cause of crimes committed when under pressure is dumped into the prison inmates and professional My Kshd what the old in a relatively "that perhaps no Kvtahy My Mvznd !!!

Another advantage that it can be listed as follows:

1. The offender out of the offensive
2. trust in the criminal justice system
3. Open the socialization of the criminal
4. The isolation of being delinquent and his family
5. avoid frustration individual and his family
6. emotional relationship between the individual and society
7. The social and economic costs
8. viable alternative for prison sentences
9. Prevention of counting enemy of society and not move against him
10. prevent some families in the absence of moral and social corruption offenders
11. emotional relationship with the criminal justice system as a sponsor
12. remorse and shame for crime and social and economic costs to society.

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6/22/2016