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Accumulation of diya of life and diya of physical integrity

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Diya is an Islamic law instrument for the payment of financial compensation for the offences against life or physical integrity of another human being. One of the complex issues regarding the *diya* is how to determine the exact amount of *diya* that is due because of multiple offences. In the cases where victim has suffered multiple offences leading to multiple wounds, dismemberments, infringement of rights and privileges and ultimately death, the rule of multiple offences against life and physical integrity is valid, but there is no consensus among jurists whether only the highest level of *diya* (*diya of life*) should be paid or separate *diya* compensations should be paid for each case of offence and injury. The authors of this paper studied the principles and the literature concerning this issue to determine the cases where the rule of *accumulation of diyāt* is valid. The investigations showed that if death and other offences have a direct causality relationship, that is, when death is the ultimate effect of other offences, then victim family should be compensated by *diya of life* irrespective of the number of injuries, but if there are offences that have no such relationship with the death, the *diya* of those particular offences should be added to the *diya of life* that is due because of death of the victim. This argument is consistent with the Islamic Penal Code 1392, but is contrary to the dominant opinion of jurists.

Key words: *Accumulation of causes, multiplicity of offences, multiplicity of effects, diya of life, diya of physical integrity.*

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