

## **Research Article**

# **CRIMINAL RESPONSIBILITY OF SPORT COACHES IN IRAN'S LAWS**

**Aliasghar Estaji<sup>1</sup>, Asal Azimian<sup>1</sup> and Mehdi Pouyafar<sup>2</sup>**

<sup>1</sup>*Department of Criminal Law and Criminology, Shahrood Branch,  
Islamic Azad University, Shahrood, Iran*

<sup>2</sup>*Department of Exercise Physiology, Mashhad Branch, Islamic Azad University, Mashhad, Iran*

*\*Author for Correspondence*

## **ABSTRACT**

Sports laws apply to the content that makes clear the duties, powers, and responsibilities of the law of all those who are somehow involved with sport activities. To extradites in the sport activities in Civil Code of Iran and also in the third paragraph of article 158 of Penal Code that the courts regarding to the general principles of the law and considering the regulations and set forth specific rules in each sport in which the play basis, errors and generally guidelines that established from the international sport organizations and also regarding to the law make sentence. However, what is certain is that in the case of sporting events and creating personal injury, the damaging person is responsible in the rules and regulations limitation and must cope with the damage. While the scope of these responsibilities not only included athlete but it includes sports officials, sports equipment manufacturers and even the audiences have certain duties and in the case of failure to perform their duties should be held accountable. Today, governments have been forced to ignore the punishment of intentional and dangerous assaulting in these sports and only are satisfied to the adjusting violent and mitigating risks. Therefore, we must accept that the implementation of general rules, civic responsibility in this area is not possible and have to be subordinate the sport fault to the special rules of this profession.

## **INTRODUCTION**

In today's world, particularly for youth sports is one of the most effective methods of moral education, it is a tool in which nowadays becomes more scientific. The exercise has been human's companion with the passage of time. We cannot imagine the time of sports' initiation since human in beginning of creation need muscles' movements in order to be alive and until the end of life, it will be human's companion. In other words, exercise is a need in human life that reaches this maturity in the passage of time. Today sports is not just for entertainment, rather sports is craft, commerce and industry. Exercise is a very important and valuable in society and it has various aspects of economic, political, social and individual. Politically speaking, exercise is a great place whether inside or outside the boundaries of political boundaries, and winning in a sports field is a useful tool for promoting national credit. Hence the huge budgets and human resources are spent to improve the lot of success in the field of sports. Various governments are trying to invest in the sport to prove his power to the world. This has led legal scholars tend to establish a special series entitled "sports law". Prediction and betting on the outcome of the games and the promotion of hair and tattoos modes of work are the signs and effects of importance of sport in social issues. Sport is a tool for social health and well-being of human kind that can be effective in the prevention and treatment of addictive disorders. And resourceful governments invest on the exercise to fulfill of their duty to people. The importance of sports in today's world has led to be the topic of various sciences such as sociology, medicine, management and treatment. Laws along with other social sciences study this phenomenon. Our country is no vice in sports laws and judicial procedures are not paid enough attention to this useful phenomenon and fighting with sports' hazards. In Iran's constitution explicitly in Article III, physical education is mentioned as one of the main goals to reach regime's purposes. The government is man dated to use all facilities in addition to this device. Inspired by the constitution of the Penal Code, operation is subject to the provisions of sports-related injuries and compliance with legal standards under Article 59 is justifiable. Legal records, issued fat was, advice and existing doctrines have proposed different approaches. Legal responsibilities of coaches in our country spend their early stages; however in legal resources, in spite of and quantitative and qualitative restrictions, has a long history.

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Sports lessons were started in 1355 at the Faculty of Physical Education and Sport Science and currently are continued. Books, papers, theses, and considerable research have written and are hoped to increase the acceleration of the process. If we consider the one hand, more than thirty million people in our country are engaged in various ways to exercise, thousands are working in ancillary matters such as coaching, supervision, arbitration and production supplies and sports equipment. Millions of people are eagerly looking for athletic events, on the other hand, if we believe in the vital role of exercise in excellence and strengthening of community members and accept sports events are inevitable, so the right place for sports and athletic trainers, especially in the field of legal responsibility will be evident. Although, unfortunately the regulations related to sports, especially sports laws in our country are not efficient and the field is too young and about governing rules and regulations the influential countries in this regard are mainly used. Accordingly, in terms of globalization of sports and the global campaign for showing the lack of sufficient attention to sports in Islam, the general profile of the sport needs to be seen and represented in terms of Islamic jurisprudence and legal review.

In this study, we tried to answer the following questions:

1. What are the legal responsibilities of sports?
2. What is the place of sport in the constitution?
3. What is the concept of criminal responsibility of the coach from the perspective of criminal law?
4. What is the role of the rules of sports in coach's criminal responsibility?

## **Review of the Related Literature**

Sports and exercise responsibility for errors/doctor N. consistory, Journal of Law and Political Sciences, Tehran University, 1378, No.43.

In this paper, various sports law and the rules of the sport and the risks of error that can be studied in three areas: 1. In relation to athletes who playing sports, 2) In conjunction with third parties, and especially spectators, athletes and coaches 3) In relation to athletes and coaches and athletic institution in which they are the findings of the author: criterion of error determination in sports is the behavior of cognizant and careful athlete in the condition that a harmful act takes place. And responsible for the damages that the audience will see sports competition, it is primarily the responsibility of the organizers. Unless the error is caused by players or spectators action. The liability based on fault is that it should be negligent in securing an audience.

Regulations and penalties from Dr. Ali Najafi Tavana Sports/Journal: Exercising, Revolution, University. This article investigates the provisions relating to the exercise of some of the specific conditions prevailing regulations and international and sporting events as well as any physical injury, financial or psychological exercise, during exercise, whether in competition or training to the other side. This sports and sporting events with the provisions of the Act or rules are not crimes and they have to meet some conditions in which are not considered as crimes...

Personal ethics, rights and responsibilities in the exercise/Translator: J. Khoshbakht, publication: Exercise, Revolutions, University 166.

This publication investigates the moral duty of those in the field of sport management, sport administrators, athletes, coaches and media as well as the responsibility of the Director of Sports, Athletes and coaches and points out the role of the media in promoting and strengthening the negative stereotype about women, ethnic minorities, and also doping in sport and the role of gambling and betting in sport.

4. Rights and duties Sports/ Author: Adel Sarikhany Publication: Basirat 30 and 31.

This paper investigates the role of sport in all aspects of human life such as political, social ... and Sports and legal perspectives are examined as well as sports and risks of error that can be studied in 3 areas:

1. In relation to athlete during exercising
2. Athletes and coaches with third parties in relation to an audience
3. Institute of athletes and coaches and sports and the findings of the author are as following:

Performing general rules on rights and responsibilities is impossible because some crimes such as assaults in this area are permissible and sometimes forbidden. Criterion of error determination in sports is the

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behavior of cognizant and careful athlete in the condition that a harmful act takes place. And the necessity of self-defense in these circumstances is taken into account.

Sports rights/writer: Messenger guiding individual, publication Hemayat: 03/05/84

In this publication, the legal responsibilities in relation to sport and to define the rights of sport and exercise science of law have been investigated and at the end, the status and situation of exercise is discussed in the constitution.

The result of the author: If sport is considered just a hobby or a way to fill leisure time, in fact, the aim of the exercise in which is ultimately empowering generation is ignored. And it is natural without healthy, strong and joyful generation cannot be hopeful in any aspect of the social life to a very bright future and approaching the ultimate goal of every nation.

Chess/MHV aseghiRad, Magazine New search in Jurisprudence and Islamic jurisprudence, No. XI and XII.

This paper focuses on the study of chess jurisprudence and reviews the views of Sheikh Ansarion chess. The civil liability of athletes, teachers, coaches, athletic directors, fans, creators and manufacturers of sporting goods or criminal issues concerning the operation of sports are important issues in sports laws.

## **MATERIALS AND METHODS**

### **Method**

In terms of data collection through the library the researchers used a variety of instruments that include: Books or papers and handwritten or typewritten manuscript known as the mother document and with one or more quotes in them (original documents) will be invoked. These documents are not usually trust; researcher can visit the library or copy documents and photos directly to make use of it.

## **RESULTS AND DISCUSSION**

### **Findings**

Sports law applies to the collection of material that clarifies duties, powers and responsibilities of the law anyone who somehow involved with sports activities. In other words, the study of sports law teaches sports society how to be involved in sporting activities that prevents from accident, legal liability, which lead ultimately punishment, deprivation of civil rights and compensation for losses.

From a legal perspective, the sports rules can be divided into two main groups:

1. A group of rules that surrounds and runs the main domain of sports. In fact, the rules of the game and run every branch of physical activity correctly. Like the goal keeper in soccer game, other players are not allowed to drive the ball with his hands except goalkeeper. The game must be run within the sports field. The attack on the goalkeeper is not allowed, etc. These are "sports faults" and special guarantee performance has punishment for the offender.

2. Another group of rules, some special care and caution imposed on players and their aim is providing safety of players during the match and avoids violence and revenge and provide healthy sporting environment. Sports law is, in principle, an integrated legal branch. In a general sense, is divided into two parts:

1. Sport criminal law

Sports law Criminal deals legal review of trends in sports events. The meaning of sports events criminal and quasi-criminal is offenses committed by athletes, teachers, coaches, officials, spectators and other manufacturers. These events may be subject to health, life, property, honor, dignity and the rights of individuals that somehow involved in the exercise.

2. Private sports laws

In this orientation of the law, we are involved with one of the most important issues of private law and it is related to civil liability arising from the exercise. Whenever one person with his or her behavior is causing harm to the rights of other persons it is called the legal responsibility. Sometimes offending behavior against the law regarded as a crime that causes criminal responsibility. And "in every case where someone else is bound to compensate that is called civic responsibility (Katozian, 1378).

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Whenever an athlete would die as the result of his/her rival fault technique, it is considered as a crime and prone to criminal responsibility. But if unintentionally the ball is hit in to the window of the house adjacent to the stadium and damages it the athlete involved and the sponsor is required to recover damages that is called civil liability. In some cases, it may involve both responsibilities, for example, if a fault leads to fracture in which the athlete would be involved in criminal and civil liability. As a result of the events that occurred in the sports domain, they are different regarding committed character, time and space and the type of legal responsibility are dependent on these features. Injuries caused by sports activities, fraud management, furniture flaws, faulty premises, and spectators disorders, athletes conflict with each other or with the judges, etc. are issues that must be addressed separately. In this discussion (and more precisely in this research) to discuss the events that related to the athlete, sports location, and athletic activities during the exercise time (AghaeiNia).

By virtue of paragraph 3 of Article 158 of the Penal Code the following activities do not apply to the offense:

Sports activities and events associated with it in which the cause of the accident is not in violation of the provisions relating to the exercise and these provisions are not opposed to Sharia. This matter requires legal analysis to clarify the following topics: committed character, committed act, the result obtained, the spiritual element, compliance, compliance with Sharia. Committed character: In paragraph 3 of Article 158 does not make clear reference to the person who created the event, just refers to this issue as the "Sports operation" implicitly. No doubt this incident committed by the athlete. In fact, the person who is the subject of sports activities is so called "athlete". The legislator is not specified the intention to the athlete that is why the use of the word athlete has been refused. Therefore, anyone whose sporting activities comply with all other terms of points can use this article. So age, height, weight, skill level, and any other condition are not affecting the sports activities will be subject to Article 158 (AghaeiNia). In other words, the persons referred to in paragraph 3 of Article 158 Q.m.a. could be two groups:

1. Athletes: Legislator has refused in this paragraph mentioning criminals as athletes; the legislator does not give any definition in this regard.

But standards and criteria for recognition is "Sports operation", the next expression which is attributed to them. Thus, if the accident was not caused by the athlete is out of the scope of Article. Here there are many forms.

First, athletes are the persons who injured. The second objection is that the damage is the result of the rival of the athlete. Third, the damage takes place to the athletes from non-athletes such as spectators or referee (Salimi).

Other participants (partners) in sport:

These are all people who are in some way associated with accidents and sports activities which determining the rights and obligations in relation to sports events within the framework of paragraph 3 of Article 158 is necessary:

- a. The organizers of sporting competitions
- b. The supervisors and trainers
- c. The Referee and Judges
- d. The authorities and public bodies
- e. The insurance companies
- f. And sporting goods manufacturers
- g. The doctors and paramedics (Salimi)

### **Committed Act**

Almost all of the intention referred to in paragraph 3 of 158 regarding legality of the action is supposed the action as a sports action that applying this rule is due to its identification. It seems that the sports activities here is any activity that is in practice and competition that is called in accordance with the rules and regulations or common law. Thus, apart from the operation of section 3, we can see that sport must necessarily be done by athletes but this should be a sport activity. Action is regarded as sports from legislator's point of view if it meets following conditions:

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- 1 - It is generally committed by athletes
- 2 - During sports activities.
- 3 - Operation of certain provisions of the sport among the sports movement.
- 4 - The exercise of the sport organization is authorized.

#### ***Sports Operation Features***

Characteristics of sports operation are as following:

A range of sports time-related injuries, sports activities that occur within time of sports are not crimes in accordance with paragraph 3. Because one of the special characteristics of the sport is doing it in its time. And compliance with the conditions that is prerequisite for legality of the action is essential.

Spatial range of sports- related injuries of sports activities are not to be considered a crime if the spatial range is taken into account. In other words, sports activities are carried out in places where sports are licensed and specified for doing sports.

Sporting events and its different forms: Sometimes the sports-related injuries is related to physical and psychological integrity of the person starting from simple assault and continues to injury, mutilation, amputation, loss of power, dementia and death. And sometimes done on the property, thereby causing distress to others. Here the cause that leads to accidents should be taken into account. The first relates to events that will face the athlete to athlete.

The criterion is the rules and regulations governing the behavior of the motor or through the use of technical or sporting equipment. The second form is that the events of athletes than non-athletes. If the athlete is recklessness for the safety such as hit the ball to pedestrian in playing street soccer and causing him to fall and causing injury, responsibility here is related to someone who hits the ball. But if the damages to third parties are not caused by recklessness or in difference of the players to safety rules or violation of the rules. It seems that according to Article 259 and 367, any person who is injured, injured person is entitled to compensation. Committed act is punishable in this way such as injuring referee after the ball hits his head. It can be said about the other forms about events and sports activities arising from near and far. It seems that all the events are the example of this Article, but if sports events cause other events it seems it is out the provisions of paragraph 3. Because it is not reasonably expected. For example, if someone is damaged during the correct exercising and he would be unable to maintain his balance and there by break his hand and other damages shall be excluded from the scope of this paragraph (AghaeNia). Terms of events in this matter, including all titles. First, the legislature regards it as a crime and is punishable and second, at the result sports events are created. It seems that these events should be considered as crime by the legislator, it should be noted that the injury during a sporting competition for athletes by athletes offenses that can be considered those that in criminal law in the usual sense involves the unauthorized and unlawful violence to property or interests of life and physical identity or physical health, but in this connection that the events should be resulted from sporting events it should be acknowledged that these events do not necessarily have to be done by the athlete during the operation and performance (Salimi).

#### ***Observance of Regulations***

The first condition for the absence of the lack of crime caused by exercise is the observance of regulations..... The term regulation in this paragraph is a widespread notion, and on the one hand this expansion and extension involves a set of rules for all sports and on the other side the regulation includes all aspects of the sport. However, the main stay of the legislature in the objection of the sport violation is related to the technical movements of that sport that certainly whether the intentional or in advertent errors in these movements if led to events which in the law is criminal, it is crime.

Sharia criteria in paragraph 3 of article 158.

The drafters of the Penal Code did not specify the definition or examples of Sharia criteria. Thus, the judge and criminal courts should identify the framework of restrictive governing regulations of Sharia criteria on the sports operation and activities in order to deal with sports events could recognize the legitimate operation and in accordance with the Sharia criteria and then act in a sentence (Salimi). Islam is opposite with those of sports and competition that require self-torment or other harassment.



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Although the contrary law and regulations to Sharia criteria and Islam are false, but not all of the terms and provisions of the law but only statements against Sharia law is void since the base of invalidity is against Islamic law.

This statements suggests that the lack of oppositions of sport regulations with Sharia law two ways are imaginable; the one is that the applicable with legal principles of some sports are totally forbidden, and the other is that some of the sport regulations in accordance with the law are diagnosed unconstitutional and void.

It should be said that the phrase “lack of opposition to Sharia” if it was not expressed after the Islamic revolution in paragraph 3 of article 158, with regard to the superiority of the principles of the constitution as a fourth principle, the sport regulations could not be in conflict with Sharia. Hence, in principle there is no need to this emphasize or constraint (Salimi).

So the meaning of sport-related injuries is the consequences that arise from sports violent acts and cause harm to another object and this expectation is due to the fact that most sports are subject to such measures and the legislator should predict its regulations (Zera’t).

One of the conditions of sport operations is that has been accepted in sport norm and is recognized because the word “regulations” implies that it should be one of those sports that have regulations, and until one sport has not been recognized the regulations are not formed about it (Zera’t). Of course the purpose of regulations is not that such regulation must be in writing and approved by a special reference but it should be noted the custom of elite athlete of that sport field, so it is not necessary that the sport field be under the auspice of a particular organization (Zera’t).

Although there is not a resolute affirmation in the article 158, but the sports activities is the reason of crime if the violence has been occurred during exercise, but the phrase “arising out of sport activities” expresses this condition because arising the accident from sport activities includes this meaning, so if violent acts are committed before or after sport activities cannot rely on article 158.

The term “violation of the regulation related to that sport” represents one of the conditions of sport activities and that is the lack of failure of committed from the sports purposes and provisions, so if the committed with the intension of deliberately hurting another commit the violent act involved the punishment of intentional crime and if it is unintentionally committed subjects to the provisions of unintentional offences.

One of the conditions of sport activities is that the victim consented to participate in sport activities, although it is not stated in the article but if it is not consent the meaning of the sport does not occur. The result is that the athlete can benefit from the exemption if that firstly: the sport is not contrary to the provisions of Sharia, for example, it seems that the sports such as professional boxing, WWE and so are illegal, and as a result the events that occur in these sports even with the provisions relating to that sport, it will be a liability. Secondly, the athlete must comply with the provisions of that sport rather than for example, in wrestling or football punched in the nose of the opponent athlete or attacked by a kick to the referee! Similarly, the mere consent of the parties in clashes outside the territory of known sports (such as boxing and wrestling) occurs in the streets or public or private places will be not the resolver of civil and criminal liability of perpetrators.

#### ***The Second Speech***

Section 1) the base of the lack of criminal responsibility in sports error

Legal justification for the absence of crime-related injuries of sports activities:

Each of the legal scholars in the analysis of the state of the absence of sport events have expressed opinions, these comments have been categorized in three groups:

A: the theory based on the absence of criminal intent: according to this theory sport events arising from the implementation of tough exercises in terms of the absence of criminal intent is non-punishment.

B: the theory based on the consent of the victim: according to this theory the impunity in the implementation of violent sports that led to the assault is the victim’s consent. Satisfaction with knowledge of the anticipated events by the people who are involved in sport is also the basis of sport activities justification (Charlz et al.,).

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C: permission-based theory of law: following the objections against two former theories, recently many believe that not being crime of the sport events is documented to the law permission. The condition of participator in sports competition is such as the one in the emergency situation that quickly must decide and act in self-defense; then, it should be seen whether the decision that he make in that condition fit it or disagree with the familiar decision of competitor that is taken in the same exercise?

Civil liability is a special case that the detrimental act is against to that criterion and to be considered violating the rules of the game and abuse of healthy competition. This argument cause that in the emergencies and cases where it is necessary to take quick decisions, a lot of mistakes and errors are permissible and negligible and help to reduce the spread of the sport faults (Katozian, 1378). The basis of the legitimacy of the events arising from sport activities must be documented to the law which based on it the events and actions that are in compliance with the rules of the sports cannot be a crime and be prosecuted and punished (Sedaght).

The accepted theory in Iran laws, regarding to the consensus in our legal doctrine is the third theory (Barry).

Section 2) legal precedent and legal department theory

Petition number 1678- 22/9/77 branch 1102 of Tehran public court states: “what is certain in martial sports enter the different impacts is its component and the court to clarify this issue whether the impact in the correct form or within the terms of Taekwondo entered or not?

Attempt to draw the attention of experts in Taekwondo federation during detailed report on the number of..... the performance of the coach, Mr..... Stated conventional and in accordance with provisions of Taekwondo. So far, attention to statements of Ms.... The late mother of..... and the current responsible men of sport complex and Mr..... Taekwondo couch and statements of the art students of the mentioned sport that were observers of the scene and also the theory of experts of Taekwondo federation and forensics, the court has known the mention event in the framework of Taekwondo and does not imagine the unusual practice, and the court issued and announced based on the principle of presumption of innocence on the basis of article 38 of the constitution of the Islamic Republic of Iran, decision to acquit Mr. coach and Mr. director of the gym (Barry).

So, regarding the above vote which is lapsed, if the impacts are according to that sport law, he will not aware of criminal responsibility. In one of the comments of legal department is follows that: The fractures in the wrestling competition have Diego and the identification of intentional and unintentional injuries is by the handler reference. (From theory of 7/4413- 30/6/67 legal department) (Goldozyan). Here the question that comes to mind is that if the rules of sports are obeyed why should someone pay money? Does not comply with the lack of criminal responsibility in this case?

The answer to this question is that the money is the result of mixing and unity of civil and criminal liability it means that the offending person has not responsibility in terms of criminal responsibility, but in terms of civil liability, the Diego is his responsibility, in other words Diego has dual nature and to be paid by the offenders.

Section 3) nature and characteristic of sport error

1- Do what the professional custom and the sport federation decision says error is also fault in the court and causing liability?

2- Could it say that the player that follows the rules of the game, committed no fault and does not assumes liability?

On the first question the general answer is that violating the rules of the game and failure to comply with the precautions, it is fault legally, because the reasonable and conventional athlete does not have such behavior, that is why it is said the sport fault at first sight should be expressed the violation of the special rules of that game (Katozian, 1378).

The opposite meaning of paragraph 3 of article 158 of Penal Code suggests the notion that violating the rules of sport is fault. Among the acts that are not criminal in this paragraph it is read:

“Sport activities and the related events, provided that causing the events and are according to the violation of the regulations relating to that sports and these provisions are not opposed to Sharia”

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The logic of this sentence confirms the credit of sport regulations in the acts that are crime according to the general rules and knows the compliance of sport regulations cause the commit innocence, but is used of the opposite concept that the violation is subject to the general rules. So, it must be said that the error punch in boxing is assaulting and fault. This provision relates to criminal rather than civil liability; however, its criterion can be used in the financial guaranty and the incorporation of civil and criminal liability in that law verifies the possibility of proposed use; however, as has been said the power of customs negligible many errors and liable only coercive and heavy faults.

However, the uncertainty in response to the second question is more intense and many authors agree that the court does not adhere to the rules of the game: in other words, although the rules of sport are always used as a guide, but are not a requirement for court and what is legitimate in the custom of the game is not always permissible in the view of law and the court can consider a movement error and causing guarantee on the basis of social and sport moral purposes.

Especially in cases that the result of harmful act is severe (such as death, blindness and permanent paralysis) the courts are typically difficult and use that flexible criterion (i.e. athlete reasonable behavior in order to achieve justice (Katozian, 1378).

#### **Section 4) unanticipated errors**

Although efforts have been made that all athletes' examples of errors are mentioned in the related regulations and judges are required to declare their opinion, but many of the movements which apparently entailed by the same sport may be the cause of events.

For example, in basketball putting by hand or in football by foot is allowed but it does not mean that can at any time or in any place on earth throw or shot the ball by hand or foot with any intensity to everyone. In other words the lack of prediction of some sports movements in the examples of errors are not in the sense of being absolutely allowed because in this case the athlete has permission that in the covering of the apparently sport movements to take any action to achieve the criminal goals. For example, if the throwing ball by hand in basketball is the necessity of that game is it possible to let that the player hit the ball tightly to the rival's face or can allow the spear resolver that with the permission of the referee is allowed to throw even if a person or persons regardless of the launch are traveling in a range of launching?

Or whether is it permissible that a football player in the middle of the field pound the ball with the foot to the player who is near to him and in all these cases the committed claims that these actions are necessary for that sport and are not the mentioned errors in regulations? Undoubtedly, the answer is no. in our society the sport is a tool for health, strength, and vitality and finally raised the fertile generation and it can never be used as a means to satisfy the inhumane desires.

In this respect, in the rules of any sport after counting the types of errors by citing an article, any misuse of the sport have been banned. Although these statements are general, but the judges are the competent authority to clean the case, and in any case prevent any abuse (AghaeNia). Including the following provisions of article 8-22 Water Polo international regulations: committed abuses including the use of slanderous words and insistence on unfair play and so on. Insist on unfair play is the actions that are contrary to the spirit of the regulations (11). Like throwing the ball to the opponent's face or in the article 63 of wrestling regulations doing any technical action leading to opponent's stretch of backbone (12). Or the twelfth law of football entitled errors or inappropriate behavior, plating in such a way that in the referee opinion is detected dangerous, is error such that is the ball is in the disposal of the goalkeeper and the player hit it with his foot (Nasiri).

The above examples show that the sport errors are not limited to special cases that set out in regulations but any sport movement that is dangerous, opposite the sport affairs or against the sport immoral is also considered error and the committed is responsible against the events resulting from it and conversely, the sport activity under regulations is permitted and the athlete will not be held accountable for its misuse consequences (AghaeNia).

The most striking example of the rules is the regulations applicable to the errors caused by sport activities; each sport has a codified set that is prepared under the title of laws or regulations and is



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available for the federations or staffs. In these collections usually it is listed carefully all the rules related to the players' earth, referees, violations and crimes and so on (AghaeNia).

### Conclusion and Recommendation

Sports laws apply to the content that makes clear the duties, powers, and responsibilities of the law of all those who are somehow involved with sport activities. To extradites in the sport activities in Civil Code of Iran and also in the third paragraph of article 158 of Penal Code that the courts regarding to the general principles of the law and considering the regulations and set forth specific rules in each sport in which the play basis, errors and generally guidelines that established from the international sport organizations and also regarding to the law make sentence. However, what is certain is that in the case of sporting events and creating personal injury, the damaging person is responsible in the rules and regulations limitation and must cope with the damage. While the scope of these responsibilities not only included athlete but it includes sports officials, sports equipment manufacturers and even the audiences have certain duties and in the case of failure to perform their duties should be held accountable.

However, implementing the general rules of responsibility is not possible in the sports rights, because some crimes such as assaults in this area is permissible and sometimes admired, and determined standard errors of sport is the knowledgeable athletic behavior and cautious in the conditions which the harmful actions are done and take into account the emergency and legitimate defense in these circumstances.

In Islam performing the sport activities and fostering the spirit and flesh is of extraordinary importance and many recommendations for performing sport activities can be seen in the words of religion leaders. Among them the prophet (peace upon him) said:

Teach your children swimming, riding, and shooting. In Islam there are sports which have been confirmed explicitly and clearly. Prophet said: no competition (winning or losing) is not valid except camel or horse racing or shooting and indirectly confirmed sports like running and what is in its scope and some other regular sports that are clearly noted their respect such as boxing game and cow play and etc.

Today, governments have been forced to ignore the punishment of intentional and dangerous assaulting in these sports and only are satisfied to the adjusting violent and mitigating risks. Therefore, we must accept that the implementation of general rules, civic responsibility in this area is not possible and have to be subordinate the sport fault to the special rules of this profession.

### Suggestion

1. Give importance to the field of horse racing, swimming, and shooting as the fields of interest of Islam.
2. It is competent that emulations noted more to these sports field legally and provide comments on those.
3. Schools give more importance to sports for physical and mental promotion of the future of the country.
4. Athletic trainers are more informed about rules and regulations.
5. Develop antiquity ancient sport in our country.

## ACKNOWLEDGEMENT

I am grateful to all those who helped me in gathering this study.

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