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Challenges of Iran's Judicial Criminal Policy in Ḥadd Crimes and Proposed Solutions

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ABSTRACT

The enforcement of ḥudūd punishments in the Iranian legal system, as one of the most significant manifestations of Islamic criminal policy, has consistently been accompanied by both theoretical and practical challenges. On the one hand, the necessity of safeguarding divine limits as the realization of Sharia-based justice, and on the other hand, humanitarian, social, and international considerations, have given rise to serious disagreements regarding the interpretation and implementation of these punishments. In this article, using a descriptive–analytical method, the concept and jurisprudential foundations of ḥudūd are first explained, and then the existing challenges in their enforcement within the Iranian legal system are examined. The findings indicate that ambiguity in determining the precise instances of ḥadd crimes, the overlap between ḥudūd and taʿzīrāt in certain cases, differences among jurists regarding the conditions for proving these crimes, and the tension between the full implementation of ḥudūd and contemporary human rights standards constitute the most significant challenges in this field. Finally, solutions such as revising evidentiary regulations, clarifying the boundaries between ḥudūd and taʿzīrāt, and strengthening a collaborative approach among jurisprudential, judicial, and executive institutions are proposed. The ultimate objective of this study is to present a model capable of maintaining a balance between preserving Islamic legal rulings and achieving criminal justice that is proportionate to contemporary social conditions.

Keywords: *Judicial Criminal Policy; Ḥadd Crimes; Deterrence and Rehabilitation; Challenges and Obstacles; Reform-Oriented Strategies*

Introduction

The Islamic criminal justice system, with the aim of achieving justice, preserving social order, and safeguarding moral values, has prescribed specific punishments known as *ḥudūd* for certain offenses. According to Article 15 of the Islamic Penal Code (2013), "*ḥadd* is a punishment whose type, extent, and quality are determined by Sharia." Based on jurisprudential sources, *ḥudūd* are punishments whose type and extent are explicitly specified in the Qur'an and the Sunnah; therefore, alteration or mitigation of them by the will of the judge or legislator is not permissible.

However, the implementation of *ḥudūd* in contemporary societies—particularly within the Iranian legal system, which is deeply influenced by Imāmī jurisprudence—has consistently been accompanied by serious challenges. These challenges are directly related to the country's criminal policy, meaning the set of measures adopted by the legislature, the judiciary, and executive institutions for crime prevention and control. On the one hand, the necessity of enforcing divine commandments and preserving God's limits is emphasized; on the other hand, the requirements of time, human rights principles, and the demands of social justice render the interpretation and enforcement of these rules within judicial policy—that is, the manner in which courts apply and interpret the law—problematic (1, 2).

Despite the legislator's explicit emphasis on the legitimacy and necessity of enforcing *ḥudūd*, divergences in jurisprudential foundations, ambiguities in evidentiary requirements, and difficulties in reconciling these punishments with human rights standards have produced a duality between theory and practice for judges. This duality constitutes one of the fundamental challenges of Iran's judicial criminal policy in the field of *ḥadd* crimes (3, 4). Consequently, a scientific analysis of these challenges and the presentation of legal and executive solutions constitute an undeniable necessity for the realization of criminal justice within the Islamic legal system.

This article, using a descriptive–analytical approach, examines the theoretical foundations of *ḥudūd* in both jurisprudence and law, explains the executive challenges, analyzes the position of *ḥudūd* within Iran's criminal policy and judicial policy, and seeks to propose solutions for reconciling Sharia principles with contemporary social requirements in relation to *ḥadd* crimes.

It is evident that an examination of the challenges associated with the enforcement of *ḥudūd* and an explanation of their implications for criminal policy are impossible without a correct understanding of the theoretical and jurisprudential foundations of these punishments. Indeed, in order to analyze existing disagreements accurately and to offer effective solutions, the nature of *ḥudūd*, their position within the Islamic criminal system, and the philosophy underlying their legislation must be carefully examined. Accordingly, the following section first addresses the theoretical and jurisprudential foundations of *ḥadd* punishments in order to provide the necessary conceptual framework for analyzing the related legal, executive, and criminal policy challenges.

Conceptual Framework

Judicial Policy: Lexical and Terminological Definition

The term *qaḍāʾ* refers to decision-making and authoritative judgment in legal and judicial matters. Accordingly, "judicial policy" signifies the legal strategies and approaches of each country's judicial system in addressing crimes; in other words, it encompasses the methods and measures adopted by the judiciary for organizing and implementing criminal policy, including the judiciary's perspective on criminal issues and its will to realize criminal justice within judicial processes.

Judicial policy refers to a set of principles and strategies employed by judicial institutions to administer justice, adjudicate cases, issue rulings, and oversee the protection of citizens' rights. These policies include judicial procedures, methods of adjudication, sentencing practices, and the protection of the rights of the accused and complainants as the principal parties in each case. The fundamental objective of judicial policy is to ensure justice, transparency in judicial processes, and the protection of human rights within the judicial system (5).

Criminal Policy

Lexical studies indicate that the concept of *policy* (*siyāsat*) denotes governance, administration, and reform. Lexicographers have attributed multiple meanings to it, including commanding and prohibiting the people, exercising authority over them, governing, administering punishment, educating and disciplining, training animals, striving toward an objective, and protecting and safeguarding. Conceptually, policy refers to the administration of affairs for the protection of public interests.

With respect to criminal policy, no single definition is unanimously accepted among scholars in this field, resulting in diverse conceptualizations. Stéphani and Levasseur define criminal policy as “a form of organizing the fight against crime through diverse methods and tools directed toward specific objectives.” Criminal policy, in its punitive and penal form, represents the repressive and disciplinary reaction against crime and deviance and the search for effective methods to combat criminal phenomena (2).

In its narrow sense, criminal policy implies that the criminal justice system alone suffices for combating crime; therefore, criminal policy in this restrictive meaning refers exclusively to punitive responses administered through the judicial system. It is noteworthy that penal policy concerns solely the legal reaction to criminal phenomena, utilizing punishment and security and corrective measures.

In its broader sense, however, criminal policy is not confined to punitive measures but also encompasses social, cultural, economic, and similar strategies. Thus, criminal policy consists of all measures adopted by the state and society in confronting crime and deviance (1, 6). Contemporary criminal policy, in this expansive sense, emphasizes the utilization of all available methods, particularly approaches based on compensation, mediation, and social participation, rather than relying exclusively on repressive strategies (7). Accordingly, the concept of criminal policy employed in this article corresponds to its comprehensive and expansive meaning.

Judicial Criminal Policy

Judicial criminal policy constitutes a component of a country’s overarching criminal policy, focusing on the interpretation, implementation, and management of criminal laws by judicial authorities for the realization of criminal justice objectives. It determines how judicial officials respond to crime while respecting justice, security, and individual rights, organizing the enforcement of punishments in a manner that is equitable, proportionate, and at the same time firm and deterrent.

Within this framework, judicial criminal policy forms the link between legislation and its execution, contributing to the production of dynamic, humane, and practical criminal justice. It represents the interpretive and executive dimension of criminal policy as manifested by the judiciary and plays a fundamental role in the practical realization of justice by judges. Judicial criminal policy focuses on legal and judicial procedures, with its primary objective being the assurance of justice and the protection of individual rights within judicial processes.

Judicial criminal policy is mainly implemented by judicial institutions such as courts and judicial officials. It includes the interpretation, enforcement, and application of criminal laws by judicial authorities and judges, utilizing judicial discretion, including alternative sanctions to imprisonment, semi-freedom regimes, and the suspension of prosecution or punishment. Owing to its flexibility based on judicial reasoning, judicial criminal policy facilitates adaptive and proportionate justice. In Iran, the authority responsible for implementing judicial criminal policy is the Judiciary, and judges are the officials who apply the law in accordance with the circumstances of each case and

the codified principles of justice. In essence, judicial criminal policy consists of the judiciary's understanding and execution of the law.

Ḥadd in Lexical and Technical Usage

The term *ḥadd* and its plural *ḥudūd* have been used in the Qur'an and the Sunnah with different meanings. Since this lexical multiplicity has given rise to part of the jurisprudential disagreements concerning *ḥudūd* and *taʿzīrāt*, it is first necessary to examine the various applications of this term in religious texts and then to address the different dimensions of *ḥadd* as a type of punishment.

According to Article 15 of the Islamic Penal Code (2013), "*ḥadd* is a punishment whose cause, type, amount, and quality are determined by Islamic law." Therefore, *ḥadd* punishments are predetermined in both nature and extent, and the judge has no discretion to reduce, increase, substitute, or waive them.

Ḥadd as Punishments Prescribed by Sharia

Although the term *ḥadd* has sometimes been used in a general sense that includes *qiṣāṣ* and *diyah*, in jurisprudential and legal discourse these two sanctions—despite being fixed and determined—have traditionally been discussed separately and independently from the category of *ḥudūd* due to their distinct and elaborate procedural rules. As a result, no serious controversy has arisen over whether the label *ḥadd* applies to *qiṣāṣ* and *diyah*, because the detailed procedural framework governing prosecution, proof, adjudication, enforcement, and extinction of liability in these crimes clearly distinguishes them from other offenses. In contrast, significant legal consequences are attached to the designation of a punishment as *ḥadd*, and the diverse use of the terms *ḥadd* and *taʿzīr* in jurisprudential sources—sometimes in general and sometimes in specific senses—has created ambiguity concerning the nature of certain sanctions and has led to disagreement among jurists regarding whether some punishments should be classified as *ḥadd* or *taʿzīr* (2).

For a long period, when *taʿzīrāt* were discussed incidentally within the framework of *ḥudūd* in narrations and jurisprudential works, disputes over labeling specific punishments as *ḥadd* or *taʿzīr* were not considered significant. In fact, in early jurisprudential writings, some non-prescribed discretionary punishments were even described as *ḥadd*. However, with the gradual development and refinement of jurisprudential scholarship, the substantive distinction between *ḥadd* and *taʿzīr* gained prominence, and debates over their classification intensified. The earliest manifestations of this debate emerged in the definition of *ḥadd* and *taʿzīr* and were subsequently reflected in the identification of specific *ḥadd* punishments.

Despite variations in definitions, the core of these distinctions lies in the fact that *ḥadd* denotes a prescribed punishment, whereas *taʿzīr* denotes a non-prescribed punishment. In an attempt to reconcile the prescribed nature of certain punishments with their classification as *taʿzīr* in some narrations, some jurists have proposed nuanced definitions, while others have argued that any punishment with a fixed measure should necessarily fall within the category of *ḥadd* (2). This disagreement illustrates the complexity of categorizing punishments within Islamic criminal law and highlights the broader theoretical challenges surrounding the implementation of *ḥudūd* in contemporary legal systems.

Historical Evolution of Iran's Judicial Criminal Policy in the Enforcement of *Ḥudūd*

Before the Islamic Revolution of Iran

Prior to the Islamic Revolution, Iran's judiciary lacked an independent and coherent institutional structure and functioned under the authority of the executive branch. Criminal policy was largely shaped by political interference and the influence of the ruling government, and judicial independence was severely constrained. Among the positive developments of this period were the formation of the initial legislative frameworks during the Constitutional era and the reform of the General Penal Code (1926), which incorporated certain protections for victims and established conditions for prosecution (8).

However, the predominant weaknesses of this period included the absence of judicial independence, political intervention in judicial decision-making, institutionalized corruption, and significant limitations on the realization of justice due to governmental pressure. Moreover, insufficient attention was paid to human rights and fair trial standards, and certain courts—particularly military tribunals—were employed as instruments for suppressing political opposition (2).

The advantages and positive aspects of judicial criminal policy in Iran before the Islamic Revolution (prior to 1979) included efforts toward establishing a modern judiciary, particularly during the Pahlavi era under Mohammad Reza Shah, through the creation of new courts and appellate institutions, the reinforcement of certain aspects of civil rights through constitutional and statutory reforms, and the development of judicial education via universities and training institutions, which contributed to improving the quality of adjudication (9).

Conversely, the major deficiencies of judicial criminal policy in this period consisted of the lack of judicial independence, social inequality in access to justice, and persistent violations of human rights and individual freedoms, despite the existence of some protective legal provisions (2).

Criminal policy prior to the Islamic Revolution was deeply influenced by authoritarian governance and security institutions. Despite possessing a relatively classical legal structure, it suffered from severe legal deficiencies. Criminal policy before the Revolution was formed upon the constitutional legal system and the early laws of the fourteenth century, within a fragile and unstable order. The principle of judicial independence was weak, and the judiciary was placed under heavy governmental influence, particularly through the activities of security institutions such as SAVAK, which functioned primarily as an apparatus for suppressing political opposition. Judicial decisions were frequently factional and security-driven, and political defendants were often prosecuted under the label of "crimes against national security" without essential legal guarantees such as jury trials and fair judicial procedures (2, 8).

At the same time, statutes such as the General Penal Code of 1926 and its subsequent amendments reflected a relative concern for individual rights and crime prevention, yet these legal norms were often inconsistently enforced and frequently violated in practice (2).

After the Victory of the Islamic Revolution

Following the Islamic Revolution, the judiciary was established as an independent pillar of the Islamic Republic, achieving a significant degree of institutional autonomy that contributed to accelerating judicial proceedings and intensifying the fight against corruption. Criminal legislation was restructured on the basis of Sharia principles and Islamic jurisprudence, emphasizing *ḥudūd*, *qiṣāṣ*, *diyāt*, and *taʿzīrāt*.

Among the major strengths of this period were increased judicial independence, the centrality of religious justice in criminal policy, more serious responses to political and economic crimes, and a more coherent administrative structure within the judiciary (9).

However, the post-revolutionary period also displayed notable weaknesses, including at times the rapid enforcement of punishments without full observance of defense rights, certain forms of procedural opacity, severity in sentencing, and structural deficiencies arising from the absence of meaningful appellate review in some revolutionary trials (2).

Moreover, continuing criticisms have been raised regarding limitations on defendants' rights, the politicization of judicial proceedings, and the impact of security-oriented environments on judicial decision-making (3).

A. Advantages of Judicial Criminal Policy in Iran After the Islamic Revolution

After the Revolution, criminal policy was reconstructed upon Islamic principles, and new legislation, including the Islamic Penal Code, was enacted on the basis of Sharia.

The judiciary was formally institutionalized as an independent authority, and sustained efforts were undertaken to reduce political interference in judicial affairs (9).

New legal frameworks also placed greater emphasis on protecting individual and social rights and strengthening the realization of citizens' rights within the judicial system (4).

B. Disadvantages of Judicial Criminal Policy in Iran After the Islamic Revolution

The complexity of newly enacted laws—stemming from intricate jurisprudential and legal foundations—has at times rendered them difficult for the public to understand and challenging to implement effectively.

In practice, certain individuals and groups have been subjected to discriminatory treatment influenced by political and social factors.

Additionally, deficiencies in judicial infrastructure, including shortages of financial and human resources, have contributed to delays in adjudication and declines in the overall quality of judicial proceedings (4, 10).

After the Revolution, criminal policy acquired a Sharia-based framework and judicial independence; however, alongside the enforcement of severe punishments and extensive limitations on the rights of political defendants, serious challenges in the sphere of criminal justice persisted.

The judiciary became institutionally independent, and criminal policy was reorganized in accordance with Islamic norms and Sharia principles. Revolutionary Courts were established to adjudicate political and security crimes, although in many cases the procedural rights of defendants were only minimally observed (2).

The implementation of *ḥudūd*, *qiṣāṣ*, *diyāt*, and harsh measures against political and ideological opposition intensified, and in certain historical events—such as the mass execution of political prisoners in 1988—grave violations of human rights occurred (3).

Despite later efforts to legalize political trial procedures, including the recent establishment of political crime courts with jury participation, critiques regarding the incomplete realization of justice and the violation of fundamental rights of political defendants continue to persist (7, 11).

Jurisprudential Foundations of Judicial Criminal Policy in the Islamic Republic of Iran

These foundations consist of principles and values derived from Islam—namely the Qur'an, Sunnah, and Islamic jurisprudence—that shape the theoretical and practical framework of criminalization and punishment in Iran. In

essence, Iran's judicial criminal policy is grounded in Islamic teachings and religious justice, seeking to realize "criminal justice" alongside the "preservation of human dignity" (1, 2).

To deepen the analysis, it is necessary to address the question of what constitutes the theoretical foundations of judicial criminal policy in Iran. These foundations comprise the intellectual and jurisprudential frameworks that define and guide judicial criminal policy, integrating statutory law enacted by the legislature with Islamic values and ethical norms governing Iranian society (2).

According to existing research, three essential pillars of these jurisprudential foundations are respect for human dignity, justice-orientation and proportionality between crime and punishment, and protection of individual and social rights based on Sharia principles (6, 7).

These foundations ensure that judicial criminal policy in Iran possesses not only a legal dimension but also a moral and religious character, enabling the pursuit of substantive justice and moving beyond purely formalistic and, at times, inflexible legal approaches.

Governing Principles of Ḥudūd within Judicial Criminal Policy

From the perspective of the Islamic legal system and Imāmī jurisprudence, judicial criminal policy is founded upon ethical and humanitarian principles whose objectives are the preservation of public order, the realization of justice, and the promotion of human dignity through a reform-oriented approach toward offenders. Within this framework, punishment is not merely regarded as an instrument of social control but as a phenomenon intertwined with moral and religious teachings that must be implemented in accordance with ethical and human standards. Principles such as respect for human dignity, justice-centeredness, tolerance, prevention, education, rehabilitation, and offender reform are emphasized in Islamic judicial criminal policy and contribute to reducing crime rates and consolidating national security (2, 7).

These principles, together with effective enforcement mechanisms, provide a comprehensive structure for judicial criminal policy which simultaneously safeguards the rights of defendants and protects societal interests. Judicial criminal policy must maintain a balance between two fundamental goals: crime prevention and the administration of justice, such that, on the one hand, the acceleration of criminal proceedings prevents undue delays in adjudication, and on the other hand, the rights of all parties to criminal proceedings are fully respected. Moreover, judicial criminal policy must be designed to utilize diverse judicial instruments and, through public participation and cooperation with civil institutions, achieve greater effectiveness in crime reduction (6).

Accordingly, the governing principles of judicial criminal policy must continuously evolve in harmony with social and cultural transformations in order to respond effectively to the changing needs of society. Overall, these principles establish an ethical, legal, and practical framework that directs judicial criminal policy toward justice, human dignity, and social security (2).

Legal Principles

Legal principles guarantee the protection of individuals' legal rights, prevent arbitrary conduct, and create stability in the application of judicial criminal policy. In fact, legal principles constitute the backbone of judicial criminal policy, defining the framework of conduct and punishment in criminal law.

Among these principles is the principle of legality of crimes and punishments, which stipulates that no act shall be considered a crime unless defined as such by law, and no punishment shall be imposed unless prescribed by law. This principle ensures legal certainty and predictability within society (2).

Other constitutional principles include equality of all citizens before the law, the right to a fair defense, and the protection of human rights, with which judicial criminal policy must remain consistent. The principle of separation of powers further establishes that the judiciary must interpret and enforce criminal policy within the framework of laws enacted by the legislature. The principle of non-discrimination requires that all citizens be treated equally before the law, with justice and fairness serving as the guiding standards of judicial criminal policy (12).

From an analytical standpoint, Iran's judicial criminal policy faces challenges arising from tensions between security-oriented approaches and individual rights. The growing emphasis on security in recent years has sought to maximize public safety, resulting in stricter judicial practices and increased severity of punishments. Although such measures may temporarily satisfy public concerns, in the long term they risk creating systemic congestion in the criminal justice system and violations of human rights (3).

Therefore, judicial criminal policy must establish a balance between social security and the protection of defendants' rights to prevent security-driven deviations and ensure the balanced implementation of criminal justice. The role of the judge in this policy is decisive; judges must apply fair legal interpretations and employ alternative judicial measures while avoiding unnecessary and excessively harsh punishments (10).

Alongside legislative and judicial criminal policy, the participatory approach has emerged as a modern orientation that emphasizes active involvement of civil society and public institutions. Through social support mechanisms, crime prevention, and offender rehabilitation, this approach seeks to move beyond purely punitive responses and foster cooperation between the judiciary and society. Participatory criminal policy contributes to reducing judicial caseloads, enhancing the efficiency of the criminal justice system, and facilitating offenders' reintegration into society (6, 7).

Consequently, the integration of legislative, judicial, and participatory approaches can establish an effective framework for Iran's criminal policy that both ensures public security and protects individual rights (10).

Jurisprudential Foundations and Analysis of Ḥadd Crimes

Existence of Multiple Interpretations Concerning the Realization of Ḥadd Crimes

Among ḥadd crimes affecting individuals' financial rights is ḥadd-based theft. Due to divergent scholarly and legal interpretations regarding the conditions of its realization, serious challenges have arisen in determining its exact scope and applying the general rule to specific cases. In practice, some defendants and their attorneys exploit these jurisprudential differences and judicial interpretations of the conditions of the offense, leading to the avoidance of deterrent ḥadd punishments and ultimately generating public dissatisfaction with the judiciary due to perceived weakness in protecting financial security.

Overlap in Homogeneous Ḥadd Crimes

Homogeneous multiplicity of ḥadd crimes refers to situations in which an individual commits several offenses of the same ḥadd category without being prosecuted or punished for any of them. For example, a person may

repeatedly commit ḥadd-based theft or consume alcohol on multiple occasions. In such circumstances, the issue of overlapping punishments arises.

Most jurists agree that if a person repeats the same offense before the execution of the ḥadd, a single punishment suffices; however, they disagree in certain categories of ḥadd crimes regarding the scope and application of this principle.

Overlap in the Crime of Adultery (Homogeneous)

Jurists hold two principal views on the case of a non-married individual who commits adultery, is not punished, later becomes married, and commits adultery again.

The first view—held by the Hanafis, Malikis, the dominant opinion among Hanbalis, and the preferred opinion among Shafi'is—maintains that flogging is not applied and that the offender is subject only to stoning, since the greater punishment subsumes the lesser.

The second view, held by Shafi'i jurists, requires the application of both flogging and stoning, on the basis that two distinct ḥadd crimes have occurred and therefore require separate punishments.

Jurisprudential Debate Concerning Non-Homogeneous Ḥadd Crimes

Most jurists agree that when multiple non-homogeneous ḥadd crimes occur, their punishments do not overlap and must all be carried out, since each serves a distinct legal and moral objective: protection of honor (defamation), protection of intellect (alcohol consumption), and preservation of lineage (adultery).

Criminal justice likewise requires that offenders be punished independently for each crime, as failure to do so would undermine deterrence and weaken the authority of justice.

This jurisprudential analysis demonstrates that Islamic law, while accommodating scholarly disagreement, is carefully structured to preserve criminal interests and societal order. These disagreements highlight the serious challenges judges face when consulting Islamic legal sources due to legislative gaps, ambiguities, and the complexity of ḥadd crimes.

Punishments for property crimes under Iran's Islamic Penal Code are specifically prescribed. For example, theft carries imprisonment from six months to three years, plus restitution and financial penalties. Traditional fraud may result in one to seven years' imprisonment, restitution, flogging, and fines, while breach of trust carries six months to one year and six months' imprisonment. In determining these punishments, factors such as the type of offense, the value of the property, the defendant's financial condition, and prior criminal record play decisive roles.

Jurisprudential Views on Specific Ḥadd Crimes

Jurisprudential Views on Muḥārabah

The jurisprudential basis for this offense is commonly traced to verses of Sūrat al-Mā'idah, and differing readings of these verses have produced divergent approaches among jurists and legal scholars regarding the scope and elements of *muḥārabah*.

Muḥārabah as Highway Robbery and Route-Cutting

Among the jurists who articulated distinct positions on *muḥārabah* is Shaykh al-Ṭūsī. He transmitted multiple opinions on the definition of *muḥārabah* and, in *al-Mabsūṭ*, expressed his view in substance as follows: according to the narrations, the verse applies to anyone who draws a weapon and terrifies people—whether at sea or on land, in the city or in the desert—and it has also been narrated that a thief may be considered a *muḥārib*; moreover, some narrations interpret the intended meaning as *qaṭʿ al-ṭarīq* (route-cutting), and jurists of the Sunni schools have similarly adopted this reading.

Shaykh al-Ṭūsī's definition brings *muḥārabah* close to the concept of theft, insofar as highway robbery involves seizing others' property on passes and roads outside towns and inhabited areas, with theft constituting a central element. This understanding is relatively rare within Imāmī jurisprudential positions and has been more frequently developed in Sunni legal sources. A number of analyses emphasize that, on this account, *qaṭʿ al-ṭarīq* is treated as a concrete instance of *muḥārabah*, while the public display of weapons and the intimidation of people are also taken as realizations of the offense; at the same time, some approaches distinguish *muḥārabah* from mere route-cutting and discuss the linguistic and conceptual limits of labeling route-cutting as "theft," given that classical theft is typically understood as covert appropriation, whereas route-cutting often occurs openly.

A considerable number of Sunni scholars likewise define *muḥārabah* in this manner and explain it in terms that essentially confine it to route-cutting, characterizing it as the public brandishing of weapons and the blocking of roads against people.

Shaykh al-Ṭūsī ultimately stated in *al-Nihāyah*—in summary—that a *muḥārib* is one who openly draws a weapon and thereby falls within the scope of the legal designation across locations and times, so that once such conduct is realized, the title of *muḥārabah* applies.

Shaykh al-Mufīd, in defining *muḥārabah*, describes the case of armed offenders who draw weapons in the land of Islam and seize people's property, and he presents the ruler's discretion among certain penal outcomes in response to that conduct.

As can be observed, in this account, being "from the people of suspicion" and the taking of others' property appear as conditions for realization of *muḥārabah*. From this wording it may be inferred that "being from the people of suspicion" is treated as a condition for the offense; however, most jurists do not consider such a condition necessary.

Muḥaqqiq al-Najafī, in criticizing this position, argues—based on the generality of the relevant scriptural expression and narrations—that such a condition is not required and that relying on certain reports does not establish it as a universal prerequisite; at most, it may exclude a particular case from the designation without negating the designation whenever intimidation and the elements of *muḥārabah* are otherwise realized.

Muḥārabah as Armed Confrontation with the Islamic Government

This theory is also found among some Sunni jurists. In some formulations, *muḥārabah*—sometimes treated as synonymous with route-cutting—is described as the armed emergence of an individual or a group within an Islamic territory in a manner that produces disorder, bloodshed, seizure of property, violation of honor, and disruption of public life and social security. Under such a reading, diverse organized actors may be subsumed within the concept insofar as their actions are directed toward creating sedition, destabilizing security, and undermining public order.

Although this approach may generate substantial overlap between the conceptual boundaries of *baghy* (rebellion) and *muḥārabah* and thereby diverge from more narrowly framed definitions, it has also been reflected in certain scattered legal enactments adopted in Iran after the Islamic Revolution, and these competing readings have, in practice, contributed to inconsistent or divergent judicial rulings (2, 3).

Muḥārabah within Imam Khomeini's Social Jurisprudential Framework

Imam Khomeini, while endorsing the predominant definition among leading jurists, states in substance that the *muḥārib* is one who unsheathes or equips a weapon in order to frighten people and seeks thereby to cause corruption on earth.

According to this view, for *muḥārabah* to be realized—beyond the use of a weapon and the intention to intimidate—an intention to cause corruption on earth is also required. This position is built on a reading of verse 33 of Sūrat al-Mā'idah to the effect that the subject of the ruling contains two components: *muḥārabah* and corruption on earth; accordingly, if either component is not realized, the subject of the ruling is not realized. On this analysis, *muḥārabah* and corruption function as elements of cause, and the prescribed punishments become applicable only upon the realization of both elements together.

In this understanding, the relationship between *muḥārabah* and corruption is treated as a causal structure, such that realizing only one element does not justify the penal consequence; rather, punishment is applicable only when corruption on earth occurs through *muḥārabah*. If *muḥārabah* does not generate corruption, it is treated as falling outside the scope of the verse's ruling.

Nevertheless, after the victory of the Islamic Revolution and the implementation of Islamic penal laws—including the drafting of the Ḥudūd and Qiṣāṣ Law in **1982**—this "corruption on earth" condition was not adopted as the operational criterion in practice, even though revolutionary court practice and later penal enactments were influenced by prevailing juristic approaches. From a principles-based perspective, however, it is argued that adding a condition beyond intimidation may be difficult to reconcile with the apparent meaning and generality of the relevant scriptural formulation, particularly if "corruption on earth" is understood broadly to include forms of public and social harm that may arise through various military, political, economic, cultural, or organized criminal activities, whether or not they take the form of armed intimidation.

Accordingly, it is suggested that *muḥārabah* may be treated as a particular manifestation—and arguably one of the most severe manifestations—of "corruption on earth," realized through weapon use with the intent to intimidate people and undermine social security. On this basis, Imam Khomeini's approach could be read as dividing *muḥārabah* into two conceptual types: one accompanied by the attribute of corruption and one not accompanied by that attribute.

On the other hand, some analyses—drawing on broader penal rationales—argue that the prevention of corruption is a general objective in penal enforcement and that, in an Islamic framework, wrongdoing is conceptually tied to social imbalance; yet this does not imply that all crimes are legally classified as *muḥārabah*. Rather, it indicates that some wrongs have primarily private effects, whereas others—depending on their manner and social dissemination—acquire a public dimension that may be discussed under broader public-harm categories.

It is also reported that, in reviewing the 1982 Ḥudūd and Qiṣāṣ Law, the Guardian Council objected to the legislator's definition insofar as it explicitly included "intent to cause corruption," and the Islamic Consultative Assembly removed the phrase "intent to cause corruption" in order to satisfy that objection (2, 3).

The Offense of "Corruption on Earth" (Ifsād fī al-Arḍ) and Jurisprudential Views Concerning It

Among other *ḥadd* offenses connected to public order and the authority of government is the offense of *ifsād fī al-arḍ* (corruption on earth). With respect to this offense as well, jurists have expressed differing views, and—similar to the offense of *muḥārabah*—these divergences have generated challenges for judicial authorities and, ultimately, for the realization of coherent judicial criminal policy (2, 3).

In Imāmī jurisprudential sources, unlike *muḥārabah*, there is no independent chapter devoted specifically to *ifsād fī al-arḍ*, and discussion is often limited to mentioning certain examples, including:

Cutting off the hand of a thief who abducts a free minor child and sells the child.

Cutting off the hand of a man who sells his own free wife or another free woman.

Executing a person who sets fire to the house of others and burns the house and its contents.

Executing a perpetrator of *ḥadd* crimes when repetition of those crimes leads to capital punishment.

A review and examination of jurists' statements indicate that the punishments associated with these examples have been treated under the rubric of *ifsād*, and a number of religious authorities have likewise considered them instances of *ifsād fī al-arḍ* (2).

Challenges in Applying Judicial Criminal Policy

General Challenges of Judicial Criminal Policy

As noted above, divergent interpretations and opinions among jurists and legal scholars concerning the conditions for establishing *ḥadd* crimes and the manner of executing their punishments have generated challenges, including the issuance of inconsistent rulings—such as in the evidentiary requirements for *ḥadd*-based theft or the determination of the type of punishment in judgments issued for *muḥārabah*. These inconsistencies contribute to public dissatisfaction with the performance of the national judiciary and make the path toward correct and codified implementation of judicial criminal policy more difficult for judicial authorities (2, 3).

In what follows, a number of existing challenges concerning *ḥadd* crimes within judicial criminal policy are examined, and subsequently certain solutions are presented to remove these obstacles and improve the performance of the judiciary as the principal implementing actor of judicial criminal policy in the country.

Social and political pressures: judges may be subject to external pressures that influence their decisions and, at times, lead them to adopt populist rulings.

Deficiencies in judicial training: the lack of specialized and up-to-date training for judges may negatively affect decision-making quality and, in some cases, may result in contradictory judgments.

Challenges of Judicial Criminal Policy in Ḥadd Crimes

Among specific *ḥadd* matters are offenses in the domain associated with narcotics. In some cases, due to the scale of conduct and its consequences, courts may issue death sentences by classifying such conduct as *ifsād fī al-arḍ* as a *ḥadd* offense—an approach that has created distinctive challenges for Iran's judicial criminal policy (3).

Among the challenges affecting *ḥadd* crimes are the lack of sufficient expertise among some judges and the ambiguity of existing laws, both of which contribute to the inefficiency of judicial criminal policy in confronting these offenses. In this category of cases, Iran's judicial criminal policy has tended toward suppression and sentence escalation; despite high costs, this approach has not produced desirable outcomes in reducing such crimes. These

challenges highlight the need to develop specialized, coordinated, and knowledge-based criminal policies capable of addressing these specific offenses effectively (13, 14).

Among the challenges of Iran's judicial criminal policy in *ḥadd* crimes are the following:

The absence of a systematic and comprehensive penal policy: in certain *ḥadd* areas, such as adultery and sodomy, the policy framework lacks coherence and systematic structure, resulting in inconsistent judgments and the absence of clear criteria for responding to offenders.

Multiplicity of judicial authorities and dual interpretations: the existence of multiple adjudicative bodies and divergent judicial readings of statutory concepts creates confusion and inconsistency in implementing appropriate and proportionate judicial criminal policy.

A security-oriented and repressive approach: in confronting narcotics offenses (in cases classified as *ifsād fī al-arḍ*), judicial criminal policy has moved toward a security-centered and suppressive approach that, rather than prioritizing reform and rehabilitation, focuses primarily on severe punishments—an approach that is costly and inefficient (3).

Lack of specialized prosecution offices and courts: the absence of specialized prosecutorial units and courts in some jurisdictions for the expert adjudication of *ḥadd* crimes constitutes another challenge in this field.

Definitional narrowness and limitations in coverage of *ḥadd* crimes: the law enumerates *ḥadd* crimes in a restrictive manner, and in some instances offenders exploit these narrow definitions to avoid *ḥadd* punishments, resulting in the non-enforcement of necessary sanctions.

Crimes Against Security

Among *ḥadd* crimes, one may refer to *baghy* (armed rebellion), *muḥārabah*, and *ifsād fī al-arḍ*, which constitute part of the category of crimes against security. Crimes against security refer to offenses that disrupt public order or create insecurity in society, harm civil rights and public freedoms, and ultimately lead to instability and social insecurity. Spreading false information with the intent to disturb public opinion, including through computer and telecommunications systems, propaganda activity against the Islamic Republic, and acts against national security are among *taʿzīr* (discretionary) security offenses, each of which carries its own prescribed punishments (13).

Crimes against internal security are those that threaten national security, and national security refers to a condition in which a country is protected from internal and external threats. Among the most important *ḥadd* crimes against internal security are the following:

Muḥārabah: defined as drawing a weapon with the intent to threaten life, property, or honor, and to create fear and terror among the public through weapons or explosives in a manner that results in public insecurity in the environment where the offense occurs. *Muḥārabah* is a grave offense that disrupts public order and generates insecurity among the people. Under the Islamic Penal Code enacted in 2013, with subsequent amendments and additions, severe punishments—such as execution, crucifixion, amputation of the right hand and left foot, and banishment—are prescribed for the *muḥārib*. The judge determines which of these punishments is proportionate to the committed offense (2, 3).

Ifsād fī al-Arḍ: any conduct that causes widespread disruption of the country's public order, creates insecurity, or inflicts major damage on individuals' bodily integrity or on public and private property is considered *ifsād fī al-arḍ*. Its additional conditions and elements are set forth in Article 286 of the Islamic Penal Code (2013), and it carries the punishment of death (2).

Baghy: a group that rises in armed rebellion against the foundations of the Islamic Republic is described as *bāghī*. Pursuant to Article 287 of the above-mentioned Islamic Penal Code, if such persons use weapons in their uprising, the punishment of death is prescribed for them (2).

Strategies for Addressing the Challenges of Judicial Criminal Policy

After examining a number of *ḥadd* crimes and identifying the challenges associated with them, it is necessary to present strategies and solutions aimed at minimizing and removing these obstacles as much as possible, so that judicial criminal policy may achieve its intended objective—namely, the reform and rehabilitation of offenders and the enhanced protection of victims' rights, or restorative justice.

Reforming Criminal Policy in the Field of Ḥadd Crimes through a Preventive Approach

At present, Iran's judicial criminal policy in confronting certain *ḥadd* crimes—particularly sexual *ḥadd* offenses (such as adultery, sodomy, and lesbianism) and security-related crimes (*muḥārabah*, *ifsād fī al-arḍ*, and *baghy*)—faces significant challenges and deficiencies arising from the absence of precise definitions, security-oriented approaches, and, in some instances, disproportionate punishments (2, 3). The following strategies are therefore proposed.

Reforming Criminal Policy in Drug-Related Offenses Classified as *Ifsād fī al-Arḍ*

The current approach to such crimes is predominantly security-based, treating offenders as enemies and emphasizing severe punishments. This approach imposes substantial costs on the country and, in many cases, has failed to produce the necessary effectiveness. A more appropriate strategy is a shift toward efficient prevention. Effective prevention requires redirecting criminal policy toward offender rehabilitation and reform, supported by comprehensive legislation. In this regard, attention to essential indicators—such as understanding offenders' personalities and motivations—is crucial for designing preventive measures (7, 15).

Emphasizing the Establishment of Specialized Courts for Sexual Hadd Crimes in All Judicial Districts

The creation of specialized courts for sexual *ḥadd* crimes across all judicial districts plays a crucial role in strengthening Iran's judicial criminal policy. These courts should be established to prevent further moral corruption and related crimes, protect victims, accelerate prosecution and adjudication, and issue decisive judgments. Their specialized and focused procedures improve the quality of adjudication and enhance deterrence against sexual *ḥadd* crimes.

Specialized judicial complexes enable more precise and expedited handling of sexual *ḥadd* cases, reducing procedural delays and increasing public confidence in the judiciary. Judges in these courts develop specialized expertise, enhancing their ability to address offenders effectively and protect victims.

One of the major existing challenges is the ambiguity in defining certain concepts and conditions for establishing *ḥadd* crimes, which allows offenders to evade punishment and leads to inconsistent judicial rulings. Legislative reform is therefore required to clarify and elaborate the necessary conditions and elements of *ḥadd* crimes, both sexual and financial—such as *ḥadd*-based theft (10).

Specialized courts can also play a role in participatory criminal policy by cooperating with governmental and non-governmental institutions and civil society organizations, and by encouraging public participation in crime prevention, thereby contributing to enhanced security and justice (6).

From the perspective of judicial criminal policy, crimes against property—particularly theft—are of special importance due to their destructive effects on public trust and economic stability. Addressing them requires coherent and intelligent legislative and judicial criminal policies. Through precise criminalization and deterrent sanctions, judicial criminal policy must play a decisive role in incapacitating offenders. In this context, specialized courts, by concentrating on *ḥadd* cases and applying expert knowledge, can significantly increase the effectiveness of judicial criminal policy in combating corruption and related crimes.

Combating Organized Crime

Confronting organized crime constitutes one of the most serious challenges facing Iran's legal and judicial system. Due to the structural and transnational complexity of such crimes, effective confrontation requires coordination and cohesion among judicial, law enforcement, and executive institutions. Organized crime, characterized by systematic planning, hierarchical leadership, resource mobilization, and the use of violence and threats, poses a severe threat to national security and social order.

Despite the existence of scattered regulations, Iran's legislative criminal policy in this area lacks sufficient coherence and clarity, leaving notable legal and operational gaps that hinder effective response. One of the principal deficiencies is the absence of a comprehensive and precise definition of organized crime and the lack of coordinated specialized legislation. Existing legislative efforts—focused mainly on aggravating punishments and limiting defense rights—remain inadequate (16).

Another significant shortcoming lies in criminal procedure: the absence of specialized procedural mechanisms tailored to the complexity of organized crime has weakened the state's ability to dismantle narcotics trafficking networks and other organized criminal groups (13).

One of the most effective modern strategies in combating organized crime is extensive witness protection. In Iran, witness protection mechanisms remain limited and underdeveloped. International experiences demonstrate that comprehensive witness protection programs play a decisive role in uncovering and prosecuting organized crime. The enactment of comprehensive witness protection legislation and the development of supportive programs would significantly enhance the effectiveness of Iran's criminal policy (17).

Inter-agency coordination among judicial, law enforcement, and executive bodies is indispensable. Lack of coordination leads to institutional duplication, resource waste, and diminished effectiveness. Therefore, establishing integrated coordination structures, timely information exchange, and specialized training programs are essential components of Iran's criminal policy. In addition, emphasizing prevention and deterrent measures alongside punitive sanctions can further reduce the occurrence of organized crime (17).

Ultimately, Iran's criminal policy in combating organized crime must adopt a comprehensive, multi-dimensional approach encompassing legislative reform, strengthened international cooperation, witness protection, institutional coordination, and preventive strategies. Achieving this requires strong political and judicial commitment, utilization of international experience, and the formulation of operational programs capable of dismantling complex transnational criminal networks and securing justice and social stability (1).

Imposition of Firm and Deterrent Punishments

Firm and deterrent punishments and the repressive policy applied in the field of drug-related crimes in Iran constitute one of the strictest penal systems in the world. Their primary objective is to confront drug trafficking and distribution decisively and to reduce the extensive social harms resulting from narcotics. Under the existing legal framework, possession and storage of drugs in specified quantities—particularly in amounts exceeding five kilograms—may result in severe penalties, including heavy fines, flogging, long-term imprisonment, and even the death penalty. These policies have been formulated in light of the serious harms associated with narcotic substances, especially synthetic and psychotropic drugs, in order to establish effective deterrence and prevent the expansion of addiction within society (16).

Under Iranian law, the death penalty, as the most severe sanction for drug-related offenses, is imposed only in specific circumstances. The conditions for issuing a death sentence include cases such as leadership of a trafficking network, financial support of traffickers, exploitation of children or mentally incapacitated persons in the commission of the crime, multiple prior convictions, and the use of firearms during the offense. In other situations, such as possession of more than two kilograms of narcotics, long-term imprisonment and confiscation of property are generally imposed, but the death penalty is not applied. This legal structure grants judges discretion to determine proportionate punishment based on the particular circumstances of each case. The repressive policy in Iran, alongside the imposition of severe penalties, also incorporates a system of sentence mitigation in which mitigating factors such as cooperation with judicial authorities, sincere remorse, special physical or mental conditions, and other humanitarian and social considerations are taken into account. This approach reflects an attempt to balance severity with justice by combining firm enforcement with opportunities for offender reform and rehabilitation. In particular, where the accused provides effective cooperation or suffers from significant physical or psychological illness, sentence reduction may be granted (17).

From an analytical perspective, Iran's strict repressive drug policy is rooted in serious security, social, and public health concerns. Synthetic drugs such as heroin, cocaine, and methamphetamine, due to their extreme physical and psychological effects and high addiction potential, have become the principal targets of stringent legislation. These policies are designed to prevent the spread of addiction and to reduce the social, economic, and cultural damages associated with narcotics. Nevertheless, critical perspectives emphasize the need for greater attention to prevention, treatment, and rehabilitation rather than an exclusive focus on penal sanctions. Within Iran's criminal law framework, drug penalties are applied in a graduated manner according to the type and quantity of the substance, the offender's criminal record, and the circumstances of the offense. For example, possession of up to fifty grams of narcotics is typically punished by fines and flogging, whereas higher quantities result in longer prison sentences, increased corporal punishment, and ultimately the death penalty and confiscation of assets. Repeated offenses substantially intensify punishments and may result in the offender being classified as *mufsid fī al-arḍ* (corrupt on earth), as a *ḥadd* offense for which execution becomes mandatory. This legal structure demonstrates the judiciary's strong commitment to combating drug crimes (16).

Ultimately, Iran's repressive criminal policy toward narcotics, despite its extreme severity, seeks to preserve public security and health while still providing mechanisms for mitigation and reform. These policies have been repeatedly updated through legislative enactments and amendments in order to remain aligned with evolving social conditions and crime patterns. Their effective implementation requires a careful balance between deterrent

punishments and social and therapeutic support in order to confront the drug problem comprehensively and reduce its widespread harm to society.

Conclusion

The examination of judicial criminal policy in the field of *ḥadd* crimes demonstrates that this sector of Iran's criminal law—due to its divine and religious nature—requires greater precision in the interpretation and implementation of legal rulings than most other areas. The jurisprudential foundations of Islamic criminal law, while emphasizing justice and deterrence, are also grounded in principles such as proportionality between crime and punishment, consideration of public interests, and the preservation of human dignity. Nevertheless, the practical application of judicial criminal policy in *ḥadd* crimes faces serious challenges, including the multiplicity of jurisprudential viewpoints, divergent judicial interpretations, and the necessity of adapting legal enforcement to contemporary social conditions.

In order to enhance the effectiveness of this policy, a careful balance must be established between the stability of Sharia principles and flexibility in enforcement mechanisms. Revising judicial practices, utilizing dynamic *ijtihād*, strengthening specialized judicial training, promoting judicial consistency, and establishing specialized courts for *ḥadd* crimes constitute the most important measures for realizing Islamic criminal justice in this domain.

Ultimately, judicial criminal policy in *ḥadd* crimes can achieve its genuine objectives only when, alongside the preservation of divine rulings, due attention is given to justice, social welfare, and offender rehabilitation—an approach that embodies the true essence of Islamic criminal jurisprudence.

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All authors equally contributed to this study.

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Transparency of Data

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References

1. Delmas-Marty M, Najafi Abrandabadi AH. The Major Systems of Criminal Policy. Tehran: Mizan Publications; 2014.
2. Hosseini SM. Criminal Policy in Islam and the Islamic Republic of Iran. 1st ed. Tehran: SAMT Publications & University of Tehran; 2004.
3. Akhtari Boroujeni M, Shekarchizadeh M, Masoud G. Challenges of Punitive (Security-Oriented) Criminal Policy in the Light of Jurisprudential Standards and Human Rights. Comparative Criminal Jurisprudence. 2023;3(3):141-55.
4. Hosseini SM, Ebrahimi ME. Judicial Criminal Policy Regarding Stolen Property. Criminal Law and Criminology Studies. 2019.
5. Parastesh R, Mousavizadeh Markieh SS. Evolution of Judicial Criminal Policy in Light of Cultural Approach. Criminal Law Research Journal. 2018;9(1):7-31.
6. Rezvani Gil Kalaei A, Tale Zari A. Foundations and Necessities Governing Participatory Criminal Policy in Modern Iranian Criminal Law. Monthly Journal of Iranian Political Sociology. 2020;3(2):935-49.
7. Rezvani Far M, Kalantari K, Narimani S. Investigating Iran's Criminal Policy from the Perspective of Restorative Justice Manifestations in Fair Trial Principles. Comparative Criminal Jurisprudence. 2022;2(5):661-72.
8. Hosseini Razlighi M. Legislative Criminal Policy of Iran Regarding Press Crimes: Islamic Azad University, Central Tehran Branch, Faculty of Law; 2005.
9. Ansari B. The Role of the Judge in the Evolution of the Legal System. Tehran: Mizan Publications; 2014.
10. Rostami H. Circular-Oriented Criminal Policy in the Criminal Procedure Process. Majlis and Strategy. 2021;28(108):297-321.
11. Pirouzfar E, editor Challenges of Restorative Justice in Protecting the Victim with an Approach to the Supportive Role of the Police. The 6th International and 7th National Conference on Law and Political Science; 2024; Tehran.
12. Akhtari A, Moazenzadegan H. The Status of Victim's Rights in the Preliminary Investigation Stage from the Perspective of Iran's Criminal Procedure Code. Criminal Law Research Quarterly. 2019;7(26):41-73.
13. Deilami Moezzi N, Esmaeili M, Haji Tabar Firouzjaei H. Challenges Facing Iran's Executive Criminal Policy Regarding Cybercrimes. Detective. 2022;16(58):97-122.
14. Rajabi Taj Amir I. Necessity of Adopting a Coordinated International Police Criminal Policy in Combating Cybercrimes. International Legal Research. 2022;15(55):1-23.
15. Rasouli Amirhajlou I, Ebrahimi S, Foroughi F. Judicial and Executive Challenges of Decarceration in Iranian Criminal Policy. Judiciary's Legal Journal. 2022;86(119):219-44.
16. Ashouri M, Babakhani E. Criminal Differentiation in Drug Crimes: The French Experience. Bi-quarterly Journal of Human Sciences Development. 2022;3(5):31-48.
17. Babakhani E, Abdollahi A. Possibility of Applying Judicial Convention of Public Interest to Legal Entities in Iranian Law (With a Look at French Law). Criminal Law Doctrines. 2020;17(20):29-58.