


# The Role of Judicial Precedent in Defining the Scope of Criminal Liability in Cases of Concurrent Causes

1. Motahhare Mahjoub : Department of Jurisprudence and Fundamentals of Law, Se.C., Islamic Azad University, Semnan, Iran

2. Mohammad Roohi Moghadam \*: Department of Jurisprudence and Fundamentals of Islamic Law, Se.C., Islamic Azad University, Semnan, Iran

3. Reza Kahsari : Department of Philosophy and Theology, Se.C., Islamic Azad University, Semnan, Iran

\*Correspondence: rohani113r@gmail.com

## Abstract

The concurrence of causes and contributing factors in criminal law is one of the fundamental yet complex issues that has generated extensive debate both theoretically and practically. When multiple human or natural factors jointly lead to a criminal outcome, determining the primary perpetrator and the extent of each factor's liability becomes difficult and sometimes impossible. This situation creates challenges for judges and attorneys in analyzing causality and issuing fair judgments in criminal cases. The significance of this issue in Iran's criminal justice system is amplified by its direct relationship to the realization of justice and the prevention of impunity. The central question of the present study is which criteria should be applied to determine criminal liability when multiple causes overlap, and to what extent judicial precedent has contributed to clarifying these criteria. The main objective is to examine the jurisprudential and statutory foundations concerning the concurrence of causes, analyze the decisions of courts and the Supreme Court, and assess the role of judicial practice in creating unity and coherence in defining the scope of criminal liability. In this regard, the study seeks to identify the strengths and weaknesses of current judicial practice and propose strategies to improve its effectiveness. The research methodology is descriptive-analytical and is based on library research, the examination of authoritative jurisprudential and legal sources, and a comparative analysis of decisions issued by domestic courts. In the jurisprudential section, principles such as the precedence of the stronger cause over the direct agent and the distinction between proximate and remote causes are addressed. In the legal section, relevant provisions of the Islamic Penal Code of Iran (2013) are examined. Judicial precedent and the Supreme Court's unifying opinions are analyzed as one of the most important supplementary sources. The findings reveal that judicial practice has, in many cases, successfully addressed statutory gaps and provided practical criteria for establishing liability. However, challenges remain, including inconsistencies in court decisions, ambiguity in apportioning responsibility among multiple factors, and potential tensions between jurisprudential principles and judicial rulings. The results emphasize that strengthening the role of judicial precedent through reinforcing unifying decisions, integrating expert opinions and related sciences, harmonizing jurisprudential foundations with statutory provisions, and revising relevant laws can promote individual and social justice and enhance coherence within the criminal justice system.

**Keywords:** concurrence of causes and factors, criminal liability, causation, judicial precedent

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## 1. Introduction

Criminal liability is one of the most fundamental concepts in the criminal justice system, and delineating its boundaries is a necessary condition for the correct application of justice. The realization of criminal liability depends on the existence of three essential elements: legal, material, and mental. Among these, the material element has always been the most controversial due to its close connection with the concept of causation (Ardebili, 2018). In many criminal cases, the harmful outcome does not result from a single cause but rather from a combination of multiple factors and conditions. This situation, known in legal and jurisprudential literature as the “concurrency of causes and contributing factors,” represents one of the most challenging issues in determining the scope of criminal liability (Goldouzian, 2015).

The concurrence of causes can manifest in various forms. Sometimes, several human factors act simultaneously to produce a result — for example, when several individuals jointly inflict blows on a victim, ultimately leading to death. In other instances, a natural or environmental factor interacts with human behavior; for example, when a person abandons an injured individual outdoors, and severe cold leads to death. The essential question here is which factor should be recognized as the principal cause and who should bear criminal liability (Hashemi, 2021).

In Imami jurisprudence, jurists often distinguish between the “direct agent” (*mubāshir*) and the “indirect cause” (*sabab*). The direct agent is the person who directly performs the harmful act, while the indirect cause is the one who prepares the conditions leading to the harmful result. According to a well-established jurisprudential rule, when the direct agent has capacity and free will, liability is assigned to him, and the cause is disregarded, unless the cause is stronger than the direct agent (Muhaqiq Halili, 1991). This principle has been reflected in Iran’s statutory law. Article 506 of the Islamic Penal Code of 2013 provides that: “If the direct agent in the commission of an offense is non-volitional, ignorant, a non-discerning minor, or insane, only the cause shall be liable” (Islamic Penal Code, 2013, Art. 506). This provision embodies the jurisprudential rule of the precedence of the stronger cause over the direct agent. However, the concurrence of causes is not always easily resolved — particularly when several causes coexist, and the extent of each factor’s contribution to the result is difficult to distinguish. On these points, there is considerable disagreement among legal scholars. Some have adopted the theory of the equality of causes, holding that all factors contributing to the outcome should be equally liable (Goldouzian, 2015). Others have endorsed the doctrine of the strongest cause, attributing liability only to the dominant factor (Ardebili, 2018).

The importance of judicial precedent in this context arises from the fact that the legislature alone cannot define all possible scenarios. Judges frequently encounter cases that do not clearly fall within the literal scope of statutory provisions. For instance, in cases where multiple blows have been inflicted and forensic experts cannot precisely determine the impact of each blow on the death, judges must rely on general principles and jurisprudential and statutory rules to decide the scope of criminal liability. Over time, such rulings can evolve into judicial precedent, supplementing statutory law (Sani, 2012). A prominent example of the role of judicial precedent can be seen in the decisions of the Supreme Court. In one unifying decision of the Supreme Court, it was held that when several individuals simultaneously participate in a homicide and it is impossible to attribute the fatal result to a particular direct perpetrator, all probable participants shall be held liable (Supreme Court of the Country, 1991). Although some scholars have criticized this approach as inconsistent with the principle of the individuality of criminal responsibility, it is defended from the perspective of safeguarding criminal justice and preventing impunity (Lotfi, 2023).

From a legislative perspective, the Iranian legislature has addressed the issue of multiple causes in certain provisions of the Islamic Penal Code of 2013. For example, Article 534 states: “Whenever two or more persons commit acts, each of which alone would suffice to cause the crime, and together result in the crime, all of them shall be sentenced to *qisas* (retribution) or *diyah* (blood money).” This article effectively adopts the theory of the equality of causes when several factors are sufficient to produce the criminal result. The provision demonstrates that, in some instances, the legislature has departed from the jurisprudential rule of the precedence of the stronger cause over the direct agent and has recognized equal responsibility for all

contributing factors. Nevertheless, judicial precedent remains decisive, as many criminal cases cannot be conclusively resolved by direct reliance on statutory text alone.

Therefore, the significance of the present research lies in demonstrating how judicial precedent has addressed and can continue to address the gaps in statutory law, providing clarity on criminal liability in cases of concurrent causes and contributing factors. Furthermore, the analysis of existing judicial practices can aid the legislature in future reforms by drawing on the judiciary's practical experience.

Methodologically, this study is descriptive–analytical. It first explores the theoretical foundations of concurrent causation in Islamic jurisprudence and Iranian statutory law, then examines relevant judicial decisions, including the Supreme Court's unifying opinions and advisory opinions of the Legal Department of the Judiciary. Finally, it offers recommendations to strengthen the coherence of judicial precedent and promote criminal justice. Thus, this article is neither merely a report of statutes and decisions nor a purely theoretical discussion; rather, it seeks to integrate foundational theory with the practical experiences of the courts to advance justice in the criminal law system.

## 2. Concept and Foundations of the Concurrence of Causes and Contributing Factors

The discussion of causes and contributing factors in criminal law has long been one of the most fundamental issues in determining causation. Causation refers to the link between the criminal act and the harmful result, and without establishing this link, criminal liability cannot be attributed to a person (Goldouzian, 2015). At the same time, the complexity of social life means that criminal outcomes rarely result from a single cause; rather, they typically occur through the interaction of multiple human and natural factors. Here arises the issue known in jurisprudence and law as the “concurrence of causes and contributing factors.”

In Imami jurisprudence, discussions of concurrent causes are found primarily in classical works on *diyyat* (blood money) and *hudud* (fixed punishments). Jurists generally distinguish between the “direct agent” (*mubāshir*) and the “indirect cause” (*sabab*). The direct agent is the one who directly and immediately commits the act, while the cause is the one who creates the circumstances or conditions for its occurrence. The well-known jurisprudential rule holds that “the direct agent is liable unless the cause is stronger” (Muhaiq Halili, 1991). This rule is based on the logic that, in a chain of contributing factors, the one with the more direct and effective role in producing the result should be held liable. However, determining whether a cause is “stronger” than the direct agent has always been controversial and practically difficult. For example, if someone digs a pit in a public passageway and another person pushes a victim into it, jurists generally hold the direct agent — the person who pushed — liable; but if the direct agent is a non-discerning child or insane, liability shifts to the one who dug the pit (Shahid Sani, 2001). This example shows the foundational importance of the capacity and volition of the direct agent in determining whether the cause prevails.

In Iranian statutory law, this jurisprudential rule is reflected in Article 506 of the Islamic Penal Code of 2013, which states: “If the direct agent in the commission of an offense is non-volitional, ignorant, a non-discerning minor, or insane, only the cause shall be liable.” This provision shows the legislature's adoption of the jurisprudential principle of the precedence of the stronger cause over the direct agent (Ardebili, 2018). However, a more challenging question arises when several causes act concurrently or successively in bringing about the result. In this regard, legal scholars have proposed three major theories:

First, the theory of the proximate or immediate cause, which holds that only the last and most immediate factor leading to the result should be held liable (Ardebili, 2018). This theory has also been recognized in French law and some other European legal systems.

Second, the theory of the equality of causes, which contends that whenever multiple factors have contributed to the result, all should be considered liable and equally responsible, even if their degree of influence differs (Goldouzian, 2015).

Third, the theory of the strongest cause, which maintains that only the most powerful cause should bear liability and other contributing factors should be excluded (Sani, 2012).

Each of these theories has its own advantages and drawbacks. The proximate cause theory is appealing for simplifying criminal liability but is often criticized for ignoring earlier but significant factors. The equality of causes theory better serves justice but is difficult to apply in practice, as determining the exact share of each factor is usually impossible. The strongest

cause theory is widely accepted in many jurisprudential texts but faces the challenge of reliably identifying which cause is indeed “stronger” (Lotfi, 2023).

The Islamic Penal Code of 2013 addresses these complexities in several provisions. Article 534 states: “Whenever two or more persons commit acts, each of which alone would suffice to cause the crime, and together result in the crime, all of them shall be sentenced to *qisas* or *diyah*.” This article clearly embraces the theory of the equality of causes in cases of multiple independent factors. Conversely, Article 506 embodies the principle of the precedence of the stronger cause over the direct agent. The coexistence of these two provisions indicates that the legislature has sought to adopt a combined approach, applying different theories depending on the circumstances rather than adhering exclusively to one (Mir Mohammad Sadeqi, 2019).

From a jurisprudential perspective, some scholars have argued that when multiple causes interact, one should distinguish between culpable (aggressive) and non-culpable causes. Culpable causes are those accompanied by wrongful intent or aggression, while non-culpable causes merely provide conditions or background. Based on this distinction, if several culpable causes coexist, liability is distributed among them; but if one cause is culpable and another is not, responsibility rests with the culpable one (Tabatabai Yazdi, 1996). This view is significant in contemporary criminal law because it closely relates to the analysis of criminal intent and the mental element of liability.

Among modern Iranian legal scholars, some maintain that the theory of the equality of causes is closer to justice, especially where multiple human actors have contributed to a homicide and the division of their share is practically impossible. Otherwise, some perpetrators may escape punishment. Conversely, others emphasize that unconditional acceptance of this theory conflicts with the principle of the individuality of criminal liability and argue that, in such cases, it is better to rely on the strongest cause doctrine or other standards such as foreseeability and social justice (Ardebili, 2018; Goldouzian, 2015).

From the standpoint of general legal principles, it is important to remember that causation is a factual and empirical matter, not merely a legal or conventional construct. Therefore, although legislators or judges may set rules to determine liability, such rules must remain consistent with the actual logic of causal relations in nature. For example, it would be unjust to equate a remote, weak factor with the principal, direct cause when assigning criminal responsibility (Katouzian, 2004).

Accordingly, the theoretical foundations of concurrent causation are always situated at the intersection of two competing values: on one hand, criminal justice requires recognizing all significant contributing factors; on the other, the principle of individual criminal responsibility demands that each person be held liable only to the extent of their actual contribution. The core challenge is finding a fair balance between these two values. Ultimately, it is evident that neither abstract legal theory nor statutory provisions alone can resolve every complex scenario. Practical cases demonstrate that identifying the primary cause or accurately apportioning responsibility is often impossible. Under such circumstances, judicial precedent becomes crucial, allowing judges to interpret general principles and respond to the demands of justice when clarifying the boundaries of criminal liability. Therefore, examining the theoretical underpinnings of concurrent causation is an essential preliminary step to analyzing the role of judicial precedent in this field.

### 3. Effects of Concurrent Causes on Criminal Liability

The concurrence of causes and contributing factors in the criminal justice system has extensive and multifaceted effects on the determination of criminal liability. The first and most significant effect is the complexity of assessing the degree of responsibility of each factor. When several causes contribute to the commission of a crime, the judge faces the issue of attributing the harmful result and must determine who is responsible and to what extent. Without clear criteria, the risk of issuing unjust judgments increases (Katouzian, 2004). This complexity is especially evident in intentional and unintentional crimes, as the mental element in intentional offenses determines the severity of liability, while in unintentional offenses, the degree of fault or negligence is decisive (Ardebili, 2018).

One important consequence of concurrent causes is the difficulty in distinguishing between the direct agent and the cause. As established in Imami jurisprudence, the direct agent is the one who performs the harmful act, and the cause is the one who creates the conditions for it. However, when multiple effective factors act simultaneously, identifying the direct agent becomes challenging. For example, if two individuals assault a victim who later dies, it may be impossible to determine which blow

caused the death. In such situations, judicial precedent intervenes and may hold all contributors liable or, by relying on jurisprudential principles, identify the primary cause (Sani, 2012).

Another effect concerns the severity of punishment. In Iranian criminal law, punishment is determined based on the degree of each actor's involvement and the type of offense. In cases where multiple causes overlap, if the judge cannot allocate each party's share, punishment for all may be reduced, or some offenders might remain unpunished. Articles 534 and 506 of the Islamic Penal Code of 2013 attempt to address this gap; Article 534 equalizes the responsibility of all independent causes of the criminal result, while Article 506 applies the principle of the precedence of the stronger cause over the direct agent. These two provisions show that the legislature has confronted the theoretical tension and sought to establish balance (Goldouzian, 2015).

In unintentional offenses, the impact of concurrent causes is even more complex. For example, in traffic accidents, a crash may result from both a driver's negligence and a mechanical defect in the vehicle. Determining the extent of liability for each factor in such cases is difficult, and judges may rely on customary and expert standards to apportion responsibility. Ignoring these complexities can undermine criminal justice (Lotfi, 2023).

Concurrent causes also affect preliminary investigations and adjudication. When multiple factors contribute to the result, it becomes necessary to collect precise evidence, hear witness testimonies, and conduct detailed expert examinations. This extends the duration of proceedings and increases litigation costs. Therefore, thorough analysis of concurrent causation is essential to reduce judicial error and enhance decision-making accuracy (Hashemi, 2021).

Another significant effect relates to crime prevention and criminal policy. If criminal liability is not properly apportioned among multiple factors, the preventive function of punishment diminishes. For example, if a lesser contributor to a crime is acquitted due to unclear liability, the preventive impact may weaken. Thus, accurate attribution of each factor's role can serve as a tool for social deterrence (Ardebili, 2018).

From a jurisprudential standpoint, concurrent causes can also complicate the calculation of *diyyat* (blood money) and *hudud* (fixed punishments). Jurists have often applied the principle of the precedence of the stronger cause, provided that the dominant cause can be identified (Muhaqiq Halili, 1991). This principle aligns with justice because it holds primarily accountable the factor with the greatest role in producing the result and disregards weaker contributing factors. However, as judicial experience has shown, identifying the strongest cause is not always straightforward and requires both qualitative and quantitative assessment.

The effects of concurrent causes also extend to determining discretionary punishments (*ta'zir*). For example, in discretionary crimes, the degree of each actor's involvement can influence whether punishment is aggravated or mitigated. Article 190 of the Islamic Penal Code of 2013 empowers judges to adjust the penalty proportionally to each party's share of responsibility. This legislative flexibility shows awareness of the complexities caused by concurrent causes.

In practical cases, judges often face situations where overlapping causes make decision-making difficult. For instance, in a case involving multiple participants in an armed robbery where one of the acts resulted in the victim's death, the Supreme Court, in its Unifying Decision No. 537, held that all actors with an effective role are liable (Supreme Court of the Country, 1991). This approach demonstrates the Court's inclination toward equal liability to ensure justice and prevent offenders from escaping punishment.

Psychological and behavioral factors are also relevant. When multiple individuals participate in a crime, their intent and motivation affect the assignment of liability and the severity of punishment. Judges can consider the intensity of each participant's intent and role in tailoring appropriate sanctions. In this respect, analyzing causes and contributing factors helps ensure that criminal justice is individualized and rational (Sani, 2012).

Overall, concurrent causes and contributing factors have multidimensional implications for criminal liability. These include difficulty in distinguishing between direct agent and cause, complexity in determining punishment, longer and more expensive proceedings, and consequences for deterrence and criminal policy. Therefore, studying the effects of concurrent causation is significant not only theoretically but also practically for judges, lawmakers, and criminal law scholars. Such analysis underscores the need for both legislative clarity and robust judicial precedent to guide the fair apportionment of liability and informs the next section of this article — the role of judicial precedent in defining the scope of criminal liability.

#### 4. The Role of Judicial Precedent in Defining the Scope of Criminal Liability

The role of judicial precedent in the Iranian legal system — particularly in the field of criminal law — is of great importance because the legislature cannot foresee every complex and diverse situation that arises in social life. One such area is the determination of the scope of criminal liability when several causes and contributing factors interact in the commission of a crime. As discussed in previous sections, the concurrence of causes creates ambiguity in identifying the direct agent and the cause, in apportioning each individual's liability, and in determining the appropriate punishment (Ardebili, 2018). In such situations, judicial precedent can fill legislative gaps by articulating practical criteria and providing unified models to ensure criminal justice.

In Iran's legal system, the Supreme Court and public courts play a decisive role in clarifying criminal liability through the issuance of unifying decisions (*aray-e vahdat-e rooyeh*) and advisory opinions. These rulings analyze specific cases and rely on both jurisprudential and statutory principles, thereby offering a framework for judges dealing with similar cases. For example, in Unifying Decision No. 537 of the Supreme Court, where several individuals were involved in a homicide but the exact share of each person in causing death could not be established, the Court held all contributing participants liable, treating them as co-offenders (Supreme Court of the Country, 1991). Although this approach has faced criticism from the standpoint of the principle of individualized criminal responsibility, many scholars have supported it because it prevents impunity and upholds social justice (Lotfi, 2023).

One of the most significant functions of judicial precedent is interpreting and adapting statutory provisions to complex scenarios not explicitly covered by law. Article 506 of the Islamic Penal Code of 2013 establishes the precedence of the stronger cause over the direct agent, but in many complex cases, determining the "stronger cause" is highly challenging. Judicial precedent assists judges by providing practical benchmarks and drawing upon past judicial experience, allowing them to issue reasoned and equitable decisions (Goldouzian, 2015).

Judicial practice also plays a crucial role in apportioning liability and determining the share of each factor in the commission of a crime. For instance, in cases of theft or homicide involving multiple participants where the direct or indirect contribution of each actor is unclear, the Supreme Court has evaluated the impact of each party's behavior and assigned proportionate punishment accordingly (Sani, 2012). Such practice not only advances criminal justice but also creates consistency and reduces conflicting decisions across courts.

Another important function of judicial precedent is providing solutions to the theoretical tension among different causation doctrines. As discussed earlier, the proximate cause theory, equality of causes theory, and strongest cause theory each have strengths and weaknesses. Judicial precedent, by examining previous rulings and analyzing the unique circumstances of a case, can determine which theory is most appropriate and what share of liability should be assigned to each factor (Ardebili, 2018).

In many cases, judicial precedent helps judges balance individual justice with social justice. For example, when the acquittal of a contributing actor due to insufficient proof of their share could have negative social implications, the Supreme Court has favored an equal liability approach to prevent injustice and maintain deterrence (Lotfi, 2023).

Analysis of judicial rulings shows that judges often rely on multiple criteria when determining each actor's responsibility. These include the degree of causal influence, foreseeability of the result, intent and wrongful purpose, and whether the involvement was direct or indirect. For example, in a case where one person injures the victim and another creates circumstances that accelerate the victim's death, the judge may allocate liability and punishment based on the intensity of each factor's role and its causal relationship (Hashemi, 2021).

One key advantage of judicial precedent is its adaptability to real-world complexity. Whereas legislators cannot anticipate every possible scenario, judges can use established precedent to render fair and context-sensitive judgments. This flexibility enhances the responsiveness of the legal system and ensures that criminal justice is effectively implemented in practice (Goldouzian, 2015).

Judicial precedent also sets forward-looking models. When a well-reasoned judgment is repeatedly applied, it gradually evolves into a stable line of precedent, guiding other judges in similar cases. This process promotes uniformity of rulings and reduces contradictory judgments (Sani, 2012).



In addition to its interpretive and preventive functions, judicial precedent can influence legislative reform. When judges confront gaps or ambiguities in statutory law, their reasoned decisions and reported experiences can provide feedback to lawmakers. Such feedback helps ensure that future legislative amendments are clearer, more effective, and better aligned with practical judicial needs (Lotfi, 2023).

Another critical dimension of judicial precedent is its role in bridging jurisprudential principles with modern statutory law. Imami jurisprudence provides valuable doctrines for determining the relationship between direct agents and causes, but complex modern cases require reinterpretation and contextual adaptation. Judicial precedent achieves this by carefully analyzing cases and aligning classical principles with contemporary realities, preventing conflict between jurisprudential theory and practical adjudication (Muhaiq Halili, 1991).

In conclusion, judicial precedent plays a complementary and corrective role alongside codified law and theoretical doctrines, especially in cases of concurrent causation. Extensive analysis of judicial practice shows that adherence to reasoned precedent enables judges to more accurately assign liability, apply proportionate punishment, and ensure the fair administration of criminal justice in practice.

## 5. Challenges, Criticisms, and Recommendations

Despite the extensive analysis of the role of judicial precedent in defining criminal liability and its undeniable benefits, several challenges and criticisms persist. One of the main challenges is the “lack of consistency in judicial practice” across different courts and even within the same level of courts. In similar cases, judges may issue divergent rulings, creating public distrust and confusion among judges and attorneys. For example, in cases where multiple causes simultaneously result in death or injury, some courts have applied the equality of liability approach, while others have prioritized the strongest cause (Lotfi, 2023). Such inconsistencies can lead to contradictory judgments and undermine criminal justice.

Another significant challenge is the “ambiguity in apportioning each factor’s share of liability.” In cases of concurrent causation, the exact contribution of each participant is often difficult to determine. This issue is particularly evident in complex crimes such as organized offenses, mass killings, or severe traffic accidents. The inability to measure individual shares accurately can compromise justice in practice and sometimes compel judges to make approximated decisions (Ardebili, 2018).

A further theoretical criticism concerns the “lack of full coherence between jurisprudential and statutory foundations and judicial precedent.” Although Imami jurisprudence offers principles such as the precedence of the stronger cause over the direct agent (Muhaiq Halili, 1991), some judicial decisions — especially in cases where multiple causes have similar degrees of influence — have adopted the equality of liability approach, deviating from this jurisprudential principle (Sani, 2012). This inconsistency challenges the theoretical coherence of the criminal justice system and signals the need for greater alignment.

Another obstacle is the “limited resources and information available to establish causation with precision.” Judges require accurate and well-documented evidence to determine criminal responsibility. In many cases, inadequate evidence or deficiencies in forensic and expert reporting can result in flawed judgments. This demonstrates the need to strengthen judicial and scientific infrastructure to support precise causal analysis (Hashemi, 2021).

A practical problem is the “pressure of time and high caseloads.” Handling complex cases involving multiple causes requires careful and time-intensive analysis. However, with rising caseloads and limited time, judges may struggle to examine all aspects thoroughly and apply consistent precedent, which may lead to unjust or insufficient decisions (Lotfi, 2023).

From a theoretical and philosophical standpoint, some criticize the adoption of the equality of liability approach as conflicting with the principle of individualized criminal responsibility (Katouzian, 2004). While this approach promotes social justice and prevents impunity, it can result in punishing an individual whose actual contribution to the crime was significantly less than that of others. This tension underscores the need to develop clear, practical criteria for determining each factor’s share of responsibility.

Nevertheless, judicial precedent remains irreplaceable in clarifying criminal liability. Practical experience shows that thorough analysis of past rulings can foster greater consistency and coherence. For example, the Supreme Court, by issuing well-reasoned and documented unifying decisions, has provided judges with reliable guidance and reduced discretionary divergence (Supreme Court of the Country, 1991).

Based on these challenges and critiques, several recommendations can be proposed to improve the function of judicial precedent:

First, strengthen the issuance and wide dissemination of unifying decisions. If judges and attorneys have full access to these decisions and consistently follow them, the likelihood of contradictory rulings will diminish, enhancing fairness and predictability (Goldouzian, 2015).

Second, develop scientific and expert-based criteria for assessing each factor's share of liability. Greater use of expertise in forensic medicine, psychology, and behavioral sciences can provide robust analytical tools for judges and make decisions more reasoned and evidence-based (Ardebili, 2018).

Third, promote stronger integration between jurisprudential principles, statutory law, and judicial precedent. This can be achieved by organizing specialized training for judges, drafting internal judicial guidelines, and supporting applied research in criminal law. Such measures ensure that judicial reasoning is consistent with both theoretical doctrines and practical legal standards (Muhaiq Halili, 1991).

Fourth, enhance judicial training and capacity-building to handle complex concurrent causation. Since determining each factor's share requires both legal and technical expertise, specialized education can improve accuracy and quality in judicial decisions (Sani, 2012).

Fifth, revise and refine statutory provisions using feedback from judicial practice. Experience from courts can inform lawmakers, helping to remove ambiguities and fill gaps. For example, explicitly defining measurable standards for apportioning liability in future criminal law reforms can reduce judicial disagreements and strengthen fairness (Lotfi, 2023).

In conclusion, while judicial precedent plays a vital and complementary role in determining criminal liability — especially in complex cases of concurrent causation — it faces challenges such as inconsistency, theoretical tension, and evidentiary limitations. By expanding unifying decisions, employing scientific expertise, harmonizing jurisprudence with statutory frameworks, enhancing judicial education, and using judicial experience to reform the law, the system can reduce these challenges. Such improvements would not only preserve individual justice but also promote social justice and strengthen coherence in the criminal justice system.

## 6. Conclusion

The analysis of concurrent causes and contributing factors in criminal law and the role of judicial precedent in defining the scope of criminal liability reveals that this field combines both theoretical and practical complexities. The examination of jurisprudential, statutory, and judicial foundations shows that criminal liability is not limited to direct and immediate acts but rather depends on the interplay of multiple contributing elements. In practice, harmful outcomes usually result from the combination of several human or natural causes, and accurately determining each factor's share requires careful analysis supported by reliable scientific and judicial standards.

A review of Iranian judicial practice shows that the Supreme Court and general courts, through issuing reasoned judgments and unifying decisions, have managed to fill many legislative gaps and offer practical criteria for assigning criminal liability. For instance, Unifying Decision No. 537 of the Supreme Court, by recognizing the liability of all contributing actors in a homicide case, created a model for similar situations. These rulings not only ensure social justice but also help prevent offenders from escaping punishment. However, several challenges and criticisms remain, including inconsistency in rulings, ambiguity in determining each factor's share, time pressure and heavy caseloads, and incomplete alignment between jurisprudential and statutory foundations and judicial practice. These challenges demonstrate that without practical and legislative reforms, the role of judicial precedent may remain limited, leaving room for inconsistent or unjust decisions.

In summary, combining theoretical principles, statutory provisions, and judicial practice provides a coherent framework for defining criminal liability. The simultaneous use of jurisprudential, legal, and expert criteria, along with the practical experience of courts, enables the issuance of precise and fair judgments. This approach protects individual rights, strengthens social justice, and supports crime prevention. Therefore, the future path involves enhancing the system of unifying decisions, improving judicial training, fostering better harmony between jurisprudential and statutory sources, and reforming related laws. These actions will not only make it possible to analyze and determine liability in complex cases with greater precision but also increase the coherence of the legal system, the stability of judicial precedent, and public trust in criminal justice.



To address these challenges, several practical and legislative recommendations can be made. First, strengthen the publication and adoption of unifying decisions so that judicial inconsistency decreases and judges can rely on shared standards in similar cases. Second, integrate scientific and expert-based methods, especially in analyzing causation and allocating liability among contributing factors, to increase the accuracy of judicial decisions.

Third, ensure greater coordination between jurisprudential rules, statutory provisions, and judicial practice. This can be achieved by drafting practical guidelines, expanding specialized judicial training, and supporting applied research to guarantee both theoretical and practical coherence within the criminal system.

Fourth, focus on advanced training for judges in analyzing complex concurrent causation, particularly in collective or organized crimes, to improve precision and fairness in judgments.

Fifth, revise and refine statutory provisions related to the apportionment of liability and criminal responsibility. Insights drawn from judicial practice and real cases can provide valuable feedback for lawmakers, reducing ambiguity and legislative gaps. Such measures will strengthen legal coherence, prevent conflicting rulings, and promote fairness and public confidence in criminal justice.

### **Ethical Considerations**

All procedures performed in this study were under the ethical standards.

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