International Journal of Multicultural and Multireligious Understanding

http://ijmmu.com
editor@ijmmu.com
ISSN 2364-5369
Volume 13, Issue 2
February, 2026
Pages: 59-74

Jurisprudential, Legal and Medical Aspects of Criminal Growth and Its Determination as a Condition for Realizing Criminal Responsibility and Analysis of Iran's Criminal Law Approach

Mohamad Mosadegh[1]; Fahim Mostafazade[2]; Zenab Moghimi[3]

[1] Professor at Edalat University, Tehran, Iran
mosadegh42@gmail.com

[2] Lecturer in Criminal Law and Criminology, Edalat University, Tehran, Iran
fahimmostafazadeh@gmail.com

[3] PhD Student in Criminal Law and Criminology, Edalat University, Tehran, Iran
moghimi.z67@gmail.com

http://dx.doi.org/10.18415/ijmmu.v13i2.7370

Abstract

A fundamental question regarding the discussion of the conditions for realizing criminal responsibility is whether criminal growth can also be proposed as another condition in addition to the conventional conditions (wisdom, maturity, free will(intention) and knowledge)? The discussion of this category is particularly important and has significant practical implications because logically, a substantive difference must be made between reason, maturity and criminal growth, although these three terms, in the eyes of the common people, are sometimes even used in the same sense. It is natural that identifying criminal growth as a condition for criminal responsibility, along with the other four conditions, can realize criminal responsibility in a more effective and fair way and objectify judicial justice in a more complete way. Although in some provisions, including Article 91 of the Islamic Penal Code, the legislator has referred to the concept of criminal growth, the Iranian penal system has not had an explicit and specific approach to the category of determining criminal growth as a condition for realizing criminal responsibility. The aim of this article is to examine the jurisprudential, legal and medical dimensions of criminal growth and determine it as a condition for the realization of criminal responsibility and to analyze the approach of Iranian criminal law towards this category in light of the conceptual and thematic analysis of the provision of Article 91 of the Islamic Penal Code.

Keywords: *Criminal Growth; Criminal Responsibility; Children and Adolescents; Iranian Criminal Law; Conditions of Criminal Responsibility*

Introduction

The approach that criminal law in any country adopts towards the delinquencies of children and adolescents—or what some jurists term "conflicts with the law" (Mouzen Zadegan, 2011, p. 2)—is one of the most important components and metrics for evaluating the efficacy of that country's criminal policy. Fundamentally, the issue of crime commission by minors is a subject that has consistently been a concern for penal systems, and each of these systems has, in some manner, reacted to it (Gholami, 2013, p. 37).Simultaneously, one of the following situations is typically identifiable regarding these systems: either there is no major difference between the manner of reacting to the delinquency of minors compared to that of adults—or in other words, a differential system (assessment and action based on the personality, physical, and psychological characteristics of the subjects of criminal law) does not govern the penal system under study—or such a system governs all actions and reactions of the actors in criminal justice. Consequently, there exists a substantive and formal difference between the assessment and measures taken regarding juvenile delinquency and those related to adults. In the latter case, reform-oriented and therapeutic approaches predominantly guide the actors of criminal justice. Therefore, reducing the level of violence and repressiveness of enforcement mechanisms, and instead, increasing the level of rehabilitation, therapeutic focus, and reformative nature of these enforcement mechanisms are taken into consideration (Gholami, 2016, p. 23).

Nevertheless, the reaction of the criminal justice system to the commission of crimes by children and adolescents, regardless of purely legal and judicial aspects, is an issue entirely related to human rights components. To the extent that the protection of the inherent human rights of children and adolescents is important and central for criminal justice actors, the reactions to crimes committed by this segment of society are more human rights-oriented and more based on their personality, physical, and psychological dimensions and components. Conversely, to whatever extent such issues are not important and prioritized for policymakers and implementers of criminal policy, their adherence to human rights standards is evaluated as weaker and at a lower level (Najafi Abrandabadi, 1997, p. 22).

Fortunately, the criminal justice system in our country, especially after the approval of the Islamic Penal Code of 1392, has been able to bring itself closer to the well-known and central principles and standards in the differentiated criminal policy, especially for juvenile offenders. The provisions that have now been approved in Chapter 10 of this law indicate the influence of our country's criminal legislator on internationally accepted models and mechanisms in relation to juvenile delinquency. The gradual increase in the age of criminal responsibility, the hierarchy and diversity of responses to juvenile delinquency, and the lack of a mere restriction on repressive and coercive criminal responses, the possibility of multiple appeals in criminal sentences against juvenile offenders, the possibility of maximum use of criminal law institutions such as postponing the issuance of a sentence or suspending the execution of punishment, and the clarification of the absence of effects of criminal convictions against minors are some of the defensible initiatives of the aforementioned law on juvenile delinquency. (Niazpoor, 2014, p. 27)

The criminal justice system in our country has, fortunately, especially following the enactment of the Islamic Penal Code in 2013, managed to largely align itself with the recognized and fundamental standards and principles of differential criminal policy specific to children and adolescents who commit offenses. The provisions now enacted in Chapter Ten of this code demonstrate the influence of internationally accepted models and mechanisms concerning juvenile delinquency on our country's criminal legislator.

However, it appears that in at least one legal provision, the drafters of the Islamic Penal Code of 2013 have not taken the correct path and have deviated from the standards of differential (special) criminal procedures for children and adolescents in conflict with the law. The provision in question is Article 91, which stipulates: "In crimes liable to ḥadd or qiṣāṣ, if individuals who have reached the age of

majority but are under eighteen years of age lack the capacity to understand the nature of the committed crime or its prohibition, or if there is doubt regarding their mental and intellectual maturity, they shall, according to their age, be sentenced to the punishments prescribed in this Chapter [referring to Chapter Ten of the Islamic Penal Code of 2013]."

This provision addresses the ruling concerning cases where the perpetrator of the crime is a minor (here, individuals who have reached the age of majority but are under 18 years of age, who, in principle and according to international standards, particularly the Convention on the Rights of the Child, should still be considered children). Furthermore, the committed crime must be one liable to ḥadd or qiṣāṣ, and there must be either doubt regarding the perpetrator's mental and intellectual maturity, or a lack of capacity on their part to understand the nature of the crime or its prohibition. In such cases, pursuant to the aforementioned article, the punishments prescribed in Chapter Ten shall be determined and imposed upon the minor perpetrator, taking their age into consideration.

It appears that the ruling of this article is criticizable from at least three perspectives: First, why is the discussion of the mental and intellectual maturity of the minor offender—which, according to the aforementioned article, is the basis for the decision regarding them—limited to crimes liable to ḥadd or qiṣāṣ? Could it not be conceivable that the mental and intellectual maturity of such a minor could also be in doubt or that the minor might not understand the nature or prohibition of crimes liable to ta'zīr or blood money (diyah)? Second, is it not fundamentally possible to consider all minors, given their characteristic personality, physical, and psychological components, as inherently susceptible to doubt regarding their understanding of the nature or prohibition of their criminal conduct? This could negate the need to differentiate between individuals who have reached the age of majority but are under 18 and other minors (i.e., those who have not reached the age of majority). Could not all individuals under 18 years of age—who, based on international standards, should be considered children and lacking criminal responsibility—be deemed to fall under the category of "doubt regarding mental and intellectual maturity and lack of understanding of the nature or prohibition of the criminal conduct"? This would prevent courts from engaging in an unnecessary and practically inconsequential distinction between those who have not reached the age of majority and those who have but are under 18. Finally, third: Why, even after establishing doubt regarding the mental and intellectual maturity of minor offenders or their lack of understanding of the nature or prohibition of their conduct, must one still resort to the punishments prescribed in Chapter Ten of the Islamic Penal Code of 2013? This chapter encompasses a wide range of sanctions, including "fines," the corrective and rehabilitative effects of which for children and adolescents in conflict with the law are seriously questionable. For instance, why is it not possible to order the implementation of rehabilitative and educational measures or other alternatives instead?

Based on the questions raised, the core contention of the present authors is that Article 91 of the Islamic Penal Code (2013) is, at the very least, inconsistent with the standards of differential (special) criminal procedure for children and adolescents in conflict with the law in these three aforementioned respects. In this article, we endeavor to critically analyze the conceptual and substantive scope of this article, while also examining the meaning of "intellectual maturity" and the "doubt regarding intellectual maturity" (shubha fī al-rushd wa al-kamāl) which, according to the explicit text of this provision, form the basis for the court's decision regarding a minor offender.

The Meaning of Intellectual Maturity Based on the opinion of many legal scholars and jurists (fuqahā) in our country, "intellectual maturity" (rushd wa kamāl al-'aql) can be defined as a stage in the development of cognitive faculties wherein an individual becomes capable of comprehending surrounding realities, including the ability to discern and differentiate between good and evil, and between what is sound and unsound. At this stage, the individual can contemplate various phenomena occurring in their objective and tangible environment, or engage with subjects that may not necessarily have an external manifestation in the real world but are constructs of the mind—either affirming and verifying them or,

conversely, challenging them. Upon closer examination of the discourse of most experts, intellectual maturity is a stage of cognitive maturity that, as an ingrained faculty (malaka) within the individual's being and personality, enables them to perform a given action because it is a good, commendable, and beneficial act, and to refrain from another action because it is a reprehensible or harmful act. (Ramzadān, 1392/2013, p. 108)

Although the concept of the development and maturity of intellect appears to be a matter entirely based on psychological and cognitive principles and standards (Abrahamsen, 1371, p. 37), in the subject under our discussion, namely in the criminal law of children and adolescents, it is the source of significant legal effects and consequences. Perhaps one of the most important and prominent of these is the decision regarding the determination and implementation of the type and degree of penal responses to the delinquency of children and adolescents, which is reflected in Article 91 of the Islamic Penal Code of 2013. This article has granted the court the authority that if it establishes that a "mature person under eighteen years of age" lacks intellectual development and maturity or does not comprehend the nature and sanctity of the committed act, to sentence them to one of the measures stipulated in "Chapter Ten" of the same law. Therefore, establishing whether an adolescent who has reached the age of majority but is under eighteen years of age possesses this capacity (of comprehension and discernment) or not, is not a purely theoretical matter but rather has a completely practical and applied nature, and consequently, it cannot be easily disregarded.

In Islamic jurisprudence, and particularly in Imami jurisprudence, the discussion concerning the maturity of intellect and, conversely, doubt regarding the maturity of intellect which is equivalent to a deficiency in intellect is not without precedent. In fact, in the discourse of jurists, it constitutes one of the principal conditions for imposing punishments, at least for divinely prescribed punishments (al-ʻuqūbāt al-sharʻiyyah). To such an extent that the overwhelming majority of Imami jurists, in discussions pertaining to the conditions for retribution (qiṣāṣ) or the conditions for implementing prescribed punishments (ḥudūd), have listed the two conditions of puberty and intellect alongside other conditions such as intent and free will as fundamental prerequisites for punishment (Mohammadi, 1383, p. 21).

Muhaqqiq al-Hilli considered the perfection of intellect and puberty as the fourth condition for retribution (Muhaqqiq al-Hilli, 1389, p. 51). Likewise, al-Shahid al-Awwal in al-Lumʻah (al-Hisri, 1407, p. 49) and al-Shahid al-Thani in al-Rawḍah (Jubaʿi al-ʿAmili, 1374, p. 77) counted the perfection of intellect among the conditions for retribution, alongside other conditions including puberty. It is necessary to mention, however, that Imam Khomeini in Tahrir al-Wasilah (Mousavi Khomeini, 1363, p. 69) and Ayatollah Khoei in Takmilat al-Minhaj (Mirsa'eedi, 1383, p. 41) referred to intellect and puberty as two fundamental conditions among other conditions for retribution but did not explicitly mention "the perfection of intellect". In contrast, Allamah al-Hilli explicitly stipulated the condition of legal capacity/sound judgment among the conditions for retribution (Ibid., p. 42).

However, if we overlook the objection of some who believe that legal capacity is a concept separate from intellect and puberty and pertains solely to financial matters, and therefore discussing it should not create the impression that it is a pillar of criminal responsibility, we must state that it appears its intended meaning is nothing other than the perfection of intellect Consequently, it should not be exclusively linked to financial subjects and affairs. Thus, it is a strong presumption to view legal capacity and the perfection of intellect as being in close correlation, and to consider and declare the intended meaning of their conjunction as that developed stage of the faculties of reason and the ability to distinguish good from bad (Ardebili, 1394, p. 49).

In our opinion—which is, of course, supported by the endorsement of many eminent figures in criminal law and jurisprudence—legal capacity and the perfection of intellect constitute a level of intellectual faculties wherein an individual is personally capable of distinguishing good from bad and

beneficial from harmful. Indeed, at this stage and level of intellectual faculties, there may be no need for the commands and prohibitions of the legislator or the Lawgiver, as the individual themselves is capable of determining the behavior they should or should not commit. In any case, what is intended is a degree of development in intellectual faculties that enables a person to evaluate the value or disvalue of their conduct and, based on this evaluation, decide whether to commit a given act or not. It is here, based on this extent of capability, that an individual's criminal responsibility/legal capacity for criminal liability can also be determined and tested. The greater and more reliable this capability is, the less the individual's criminal responsibility for accepting and comprehending the goodness or badness of an act and its result and effect will be subject to doubt and skepticism (Shambayati, 1389, p. 55).

Based on this premise, the concept of legal capacity and the perfection of intellect can be studied in relation to the subject of comprehension and its role in the realization or non-realization of criminal responsibility. Upon scrutinizing this matter, it can be stated that legal capacity and the perfection of intellect constitute a stage in an individual's intellectual development, the attainment of which ensures that holding the individual criminally accountable for a criminal act they have committed is not deemed reprehensible or unjustifiable from the perspective of reason and logic, nor would the wise members of society consider punishing such an individual as blameworthy (Hamidkhani, 1384, p. 71). Accordingly, the opposite of legal capacity and the perfection of intellect is the lack of legal capacity and the perfection of intellect, or in other terms, a deficiency in intellect, the examination of which we defer to the next section.

The Meaning of Doubt Regarding Legal Capacity When we state that there exists doubt regarding an individual's legal capacity (rushd) and perfection of intellect, logically our meaning is that we have reached the conclusion that they are incapable of comprehending and understanding the nature or consequences of the behavior they commit. Therefore, when we claim that a child or an insane person cannot bear criminal responsibility, the basis of our judgment is the absence within them of the faculties and power to distinguish good from bad and right from wrong. Doubt regarding legal capacity and the perfection of intellect refers to a situation where we do not consider the individual to be at that stage and level of rationality that would enable them to evaluate the right and wrong of their conduct and to act based on conventional and logical criteria (Khojae Nouri, 1390, p. 184).

If we term this type of rationality as “criminal rationality” and define it as a level of an individual's intellectual faculties at which the person can themselves determine which of their behaviors are of value and which are of disvalue, which are beneficial and which are harmful, then the intimate connection of this concept with criminal responsibility becomes inferable. Criminal responsibility is a concept based on criminal rationality. As long as an individual's criminal rationality is not established for us, we cannot attribute criminal responsibility to them. In other words, until we are certain that the individual was capable of distinguishing the good and bad of their conduct, knew what the good and bad of their conduct were, and thus is at a stage of intellectual faculties where they have attained this level of ability to judge their own behavior, considering them answerable for that committed act aligns neither with ethical standards, nor is it fair, nor is it rational (Darwishi, 1390, p. 77).

Clarkson, the eminent English jurist, when stating that “we blame people not for what they are, but for what they have done,” appears to have contemplated this point: that the issuance of an act by an individual may sometimes not be based on or stem from their complete faculty of discernment. It is possible that they were in doubt regarding the legal ruling or the factual circumstance; it is possible they could not distinguish good from bad; it is possible they fundamentally lacked the capacity for such judgment regarding their own conduct; and it is possible they were not aware of the blameworthy nature of what they committed. In these cases, ruling that legal capacity and the perfection of intellect govern them and the act they committed is neither rational nor just (Clarkson, 1374, p. 69) (Mirmohammadsadeghi, 1395, p. 61).

It appears that holding an offender accountable for the consequences of the delinquent act they have committed is only possible if they knew what they did and understood the harm their action caused. Otherwise, if the answer to this question were never significant and did not serve as the basis for our judgment regarding the individual's committed act, then indeed both children and the insane would be responsible for all the acts they commit. However, modern criminal law has long set aside “material responsibilityor “strict liability”, under which the mere issuance of a delinquent act by the offender is sufficient to deem them responsible, and the determination of conditions for criminal responsibility is fundamentally irrelevant in such cases. Instead, it explicitly stipulates that only acts arising from sound intellect are worthy of judgment.

In the subject under our discussion, doubt regarding legal capacity and intellect encompasses a diverse spectrum of conditions and symptoms, ranging from chronic mental illnesses to transient neurological impulses. These conditions deprive a person of the power of thought and reasoning, disarm them in the face of delinquent temptations or criminal desires, and may even compel them to commit a crime (Nourbaha, 1381, p. 41).

In any case, in our opinion, determining this doubt is not a matter always within the sole discretion of the judge. At times, for adjudicating on this matter and attaining certainty regarding it, he requires seeking the opinion of a specialist. The note to Article 91 has correctly stipulated: “The court may, for determining legal capacity and the perfection of intellect (or conversely, doubt regarding legal capacity and the perfection of intellect), seek the opinion of the Legal Medicine Organization or employ any other method it deems appropriate.” This very note, in and of itself, indicates the reality that determining legal capacity and the perfection of intellect or its opposite, doubt regarding legal capacity and the perfection of intellect, is not a purely judicial matter but rather is an entirely medical one, and in this regard, obtaining the opinion of a medical specialist is necessary. Therefore, in our opinion, the intended meaning of the word “may” in the aforementioned note does not always imply discretion; rather, whenever the court is in doubt about determining the presence or absence of legal capacity and the perfection of intellect in the individual who committed the crime, it must refer to the opinion of the Legal Medicine Organization. This is, of course, apart from cases where the court, based on clear evidence, indications, and proofs, deems the individual who committed the crime to lack legal capacity and the perfection of intellect. A prominent example of this latter case is a child or an insane person whose words and actions in the presence of the court clearly testify to the absence of intellectual faculties within them.

Thus, it has been established up to this point that: First, an individual can only be held accountable for acts committed on the basis of sound intellectual faculties. Consequently, if the committed act arises from or is due to weakness, deficiency, or absence of intellect, there will be no grounds for imposing criminal responsibility upon its perpetrator. We term this attribute in relation to an individual as “legal capacity and the perfection of intellect”. Second, we consider “doubt and uncertainty regarding legal capacity and the perfection of intellect” to be precisely equivalent to that same weakness, deficiency, or absence of intellectual faculties, which will constitute grounds for removing criminal responsibility from the individual. Third, the method for determining whether an individual possesses legal capacity and the perfection of intellect or lacks it is sometimes possible through manifest evidence (qarā'in-e āshkār) and sometimes not possible in this manner. In the latter case, referring to the Legal Medicine Organization is mandated by the note to Article 91 of the Islamic Penal Code of 2013.

However, all these aspects do not exhaust the dimensions of the aforementioned article; a more significant discussion regarding this legislative provision pertains to its conceptual and substantive scope. Criticisms that can be leveled against this article are enumerable through an examination of this scope. We shall continue the discussion in the next section.

The Status of Legal Capacity in Jurisprudential Rulings Concerning Criminal Responsibility Attaining puberty and reaching the stage of religious obligation is a natural and developmental matter, which the Holy Quran has described with terms such as “attainment of maturity”, “attainment of marriageable age”, and “attainment of full strength, without specifying a fixed age for it. Rather, the Quran has considered both physical and spiritual/intellectual development in the concept of puberty (Mousavi Bujnordi, 1388, p. 21), as Quranic verses refer to “attainment of full strength”, which implies maturity based on development (see verse 152 of Surah Al-An'am). Consequently, in the divine revelation, there is no mention of a specific age for girls and boys as the age of puberty; instead, general criteria have been provided. Thus, from the Quranic perspective, the age of puberty for a boy is reaching the stage of seminal emission and for a girl, the onset of menstruation. Therefore, from the Quran's viewpoint, age holds neither intrinsic importance in the realization of puberty, nor is it mentioned as one of its indicia. Furthermore, it must be noted that for the realization of criminal responsibility, in addition to sexual maturity, intellectual maturity and legal capacity are also required. Hence, two conditions are necessary for the realization of criminal responsibility: “reaching the threshold of puberty” and “attaining legal capacity and intellectual maturity”.

The discussion of criminal legal capacity in criminal responsibility is of great importance. Legal capacity differs from puberty. Legal capacity enables the development of intellectual faculties and the comprehension of the nature of conduct. Puberty, however, is sometimes interpreted as the age of legal capacity for marriage” and sometimes as “the age of physical fitness for marriage”. At times, the body reaches the ultimate stage of growth and development, and puberty is attained, yet intellect and perception remain arrested at the initial stage of development due to conditions such as mental illness or because of folly and mental/intellectual deficiency. These psychological or intellectual deficiencies partially impair or nullify the intellectual faculties.

In criminal law, intellect means the natural activity of the intellectual faculty (Mirsa'eedi, 1401, p. 39) and, from the perspective of proponents of free will, signifies psychological equilibrium and is an indicator of responsibility. However, the natural development of the intellectual faculty is more commonly discussed under other headings such as “puberty” or “criminal legal capacity”. Growth from a psychological perspective: “Refers to quantitative changes, i.e., the increase in size and the external and internal structure of the 'brain' as a result of which the brain's capacity for learning, recall, and reasoning is enhanced. The individual continues to grow physically as

well as intellectually and mentally.”

The term development, in contrast, “refers to both qualitative and quantitative changes.” Accordingly, we can define development as a series of gradual, progressive,organized, and interconnected changes. By “progressive and organized”, it is meant that developmental changes are directional and forward-looking, and “organized and interconnected” signifies that there is a specific relationship between earlier and later changes, with human development and maturation being the final product of learning (Shari'at Nejad, 1399, p. 104). However, development is not always concomitant with intellect, as a person may attain psychological and emotional maturity yet suffer from an intellectual deficiency or psychological disorder due to congenital or acquired causes. The opposition of intellect to “cerebral disorder” or “disorder of the faculty of discernment is the best evidence for this claim. Some authors consider the faculty of discernment to be a state and condition in which an individual gains the ability to distinguish good from bad. This term is often associated with minors who reach the age of intellect and discernment, thereby gaining the capacity for religious obligation) and being addressed by the law.

The capacity for discernment refers to the legal capacity for comprehension and understanding, the ability to distinguish between what is right and wrong, and the capability to choose good over bad. Therefore, the ability to comprehend the nature of acts, to understand their consequences and ramifications, and the power to distinguish good from bad and permissible from prohibited is termed

comprehension or discernment. Comprehending the nature of acts encompasses both understanding the material effects of the act and grasping the type and degree of threat that this act poses to a right or a legally protected interest. Consequently, someone who, in the crime of theft, can comprehend that their action causes the deprivation of the victim from their property, or in the case of homicide, can understand that it leads to the destruction or removal of the victim's life protection, and ultimately can grasp the significance of the threat posed thereby to the right of property or life, is considered from the perspective of criminal law to possess comprehension and discernment, both in the sense of "natural development" and in the sense of the "normal and natural activity" of the intellectual faculty, which is directly related to the development and normal activity of the brain and brain cells. In the classical system and from the perspective of proponents of freedom and free will, the normal activity of the intellectual faculty and intellect in general are of great importance, and any cerebral disorder that causes the demise of intellect removes criminal responsibility from the individual and exempts them from punishment.

The Status of Maturity in Jurisprudential Rulings Concerning Criminal Responsibility

Puberty and reaching the age of religious obligation is a natural and developmental process. The Holy Quran has described it using terms such as "the age of understanding" (marriageable maturity), and "the age of full strength", without specifying a particular chronological age for it. Rather, the Quran has paid attention to both (physical growth) and (spiritual and intellectual growth) in defining (puberty) (Mousavi Bojnourdi, 1388, p. 21), as indicated in verses referring to ("the age of full strength"), which implies maturity based on (growth) (cf. Quran 6:152). Consequently, in (the divine revelation), no specific age for boys or girls is mentioned as (the age of puberty); instead, (general criteria) are provided. Thus, from the Quranic perspective, (the age of puberty) for a boy is reaching (the state of seminal emission), and for a girl, (menstruation). Therefore, according to the Quran, age in itself is neither (the essential criterion) for realizing puberty nor is it mentioned as (an indicant) among (indicants). Furthermore, it must be noted that for the realization of (criminal responsibility), in addition to (sexual puberty), (intellectual maturity and growth) are also required. Hence, two conditions are necessary for establishing criminal responsibility: ("reaching the age of puberty") and (attaining intellectual maturity and growth). The discussion of (criminal maturity) in (criminal responsibility) holds significant importance. (Maturity) differs from (puberty). (Maturity) enables (the development of intellectual faculties) and (the comprehension of the nature of one's conduct), whereas (puberty) is sometimes interpreted as ("the age of maturity for marriage") and other times as ("the age of legal competence for marriage"). At times, (the body) reaches (its ultimate growth and development), and (puberty) is achieved, but (reason and perception) remain halted due to (conditions) such as (mental illness) or, even at that (initial stage of growth), due to (folly) and (mental or intellectual deficiency). These (psychological impairments) or (intellectual deficiencies) cause a (partial) (diminution or lapse) in (intellectual faculties). In (criminal law), (intellect) means (the natural functioning of the rational faculty) (Mirsaeedi, 1401, p. 39) and, from the perspective of (proponents of free will), it signifies (psychological equilibrium) and is (an indicium of responsibility). However, (the natural development of the rational faculty) is more frequently discussed under other headings such as ("puberty") or ("criminal maturity"). (Development), from a psychological standpoint: "refers to (quantitative changes), i.e., (the increase in size and the external and internal structure) of the (brain), and as a result, the brain's (capacity for learning, memory, and reasoning) is enhanced. The individual continues to grow (physically) and develops (intellectually and mentally)." The term (growth / rushd), in contrast, refers to both (qualitative and quantitative changes). Accordingly, we can define (growth) as a series of (gradual, progressive, orderly, and interrelated changes). By ("progressive and orderly"), it is meant that (developmental changes) are directional and forward-looking, and ("orderly and interrelated") signifies that (a definite relationship) exists between preceding and subsequent changes, with (human growth and development) being (the ultimate product of learning) (Shariati Nejad, 1399, p. 104). However, (growth) is not always concomitant with (intellect), because a person may attain""(psychological and emotional growth)"", yet suffer from

(intellectual deficiency) or (mental disorder) due to (congenital or acquired causes). (The opposition of intellect) to ("mental disorder") or ("impairment of the faculty of discernment") is the best proof of this claim. Some authors consider (the faculty of discernment) to be (a state or condition) in which an individual gains (the capacity to distinguish good from bad). This term is primarily associated with (minors) who reach (the "age of reason and discernment"), thereby acquiring (the capacity for legal obligation and being held accountable). (The capacity for discernment) refers to (the competence to comprehend and understand), (to distinguish what is right and possible), and (the ability to choose good from bad). Therefore, (the ability to comprehend the nature of actions and understand their effects and consequences) and (the power to distinguish good from bad and the permissible from the prohibited) is termed (perception or discernment). (Comprehending the nature of actions) encompasses both (understanding the material effects of the act) and (grasping the type and degree of threat) that this act poses to (a right or a legally protected interest). Consequently, in (criminal law), a person who, in (the crime of theft), can understand that their act causes (the deprivation of the victim from their property), or in (murder), causes (the destruction or removal of protection for their victim), and ultimately can comprehend (the significance of the threat) posed thereby to (the right of property or individuals' lives), is considered to (possess perception and discernment). In any case, in" "(criminal law)"", (intellect)""—understood both as""("natural growth") and as (the "normal and natural functioning" of the rational faculty), which is directly related to (the growth and normal activity of the brain and its cells)""—has been considered""(a condition for criminal responsibility). In (the classical system) and from the perspective of (proponents of free will and choice), (the natural functioning of the rational faculty), and (intellect) in general, is of great importance, and any (mental disorder) that leads to" "(the lapse of intellect)"" strips the individual of (criminal responsibility) and exempts them from""(punishment)"".

The Child, although child-centered interpretation is not explicitly mentioned, it is emphasized that in all actions concerning children, their best interests shall be a primary consideration. Therefore, when interpreting laws, priority is also given to the interests of child offenders. Furthermore, paragraph 3 of section (b), part two, of Article 40 of the Convention on the Rights of the Child has protected the best interests of the child as follows: "The hearing of the charge without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law ... and subject to it not being contrary to the best interests of the child, in particular, taking into account his or her age or situation. Convention on the Rights of the Child, Adopted 1989, Article 40(3)(b). In this article as well, the hearing of the child offender's charge is conditional on it not being contrary to his/her best interests, considering age and situation. Therefore, the principle of child-centered interpretation can be implicitly deduced from the contents of the Convention on the Rights of the Child. Consequently, it must be acknowledged that considering the contents contained in international instruments, it is inferred that the interpretation of laws should be done in a manner consistent with the child's interests, and first and foremost, the child as a person must be considered. That is, it must be understood that for matching the committed act with the law, determining the reaction to his/her behavior, the manner of adjudicating crimes committed by him/her, etc., the child's interests and needs are among the primary principles in interpreting regulations. I hope this complete translation meets your needs. For a precise academic paper, you should also consult the full official English texts of the Convention on the Rights of the Child and the Riyadh Guidelines to verify the exact phrasing of the cited articles. If you have more sections to translate, please send them my way.

The Status of Growth in the Formation of Criminal Responsibility: A Scrutiny of International Instruments' Approach in the realm of criminal law

The principle is placed on observing the best interests of the child. Based on this, the criminal regulations concerning this category of offenders must be based on their interests. In other words, the judicial authority must consider the interests of child offenders during criminal proceedings and undertake to interpret these regulations with regard to their best interests. The centrality of this principle is rooted in

human rights teachings because this category of offenders commits crimes under the influence of specific circumstances, and accordingly, the criminal justice system must pay attention to the dignity of child offenders when trying them. In any case, these offenders are undergoing the process of growth, and due to numerous gaps in this process, they are drawn towards deviance and delinquency. On the other hand, given the incompleteness of intellectual growth and the incomplete formation of perceptive power they lack criminal responsibility. Consequently, the criminal justice system must move in responding to them by considering these components and characteristics of child offenders. This is where the best interests of child offenders take precedence over other measures, and hence the criminal justice system undertakes its response considering their interests. Evidently, the dominance of a forward-looking approach in the sphere of juvenile justice is also among the main reasons for recognizing this principle. In light of this approach, juvenile criminal law should be centered on the future of child offenders, which will provide a suitable basis for considering the child's best interests and, consequently, appropriate treatment of them. Thus, judges adjudicating children's crimes, whether at the prosecution or court stage, must always consider the child's best interest and interpret criminal regulations in the direction of the child's benefit when they are ambiguous. In other words, in cases where criminal regulations are ambiguous, general, or silent, judicial authorities must interpret them considering the best interests of children. This principle is so important that it is explicitly emphasized in international instruments concerning child offenders. For example, Article 3 of the Riyadh Guidelines states: “In interpreting and applying the regulations concerning child offenders, a child-centered stance should be followed.”[^riyadh] Furthermore, paragraph 1 of Article 3 of the Convention on the Rights of the Child states: “In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.”[^crc1] [^riyadh]: United Nations Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), 1990. [^crc1]: Convention on the Rights of the Child, Adopted 1989, Article 3(1).

As observed, the principle of child-centered interpretation is stipulated in the Riyadh Guidelines. Although in the domain of criminal regulations the principle is strict interpretation of laws, this principle has exceptions in some cases, and that is where we are faced with lenient laws. Since the principle of legality of crimes and its logical results, of which strict interpretation is one, is inspired by liberal thoughts and sentiments and is established to preserve and protect the rights of the accused, it should not be used against the accused. Therefore, the principle is that lenient laws should be interpreted broadly in favor of the accused, and this applies to both substantive and procedural laws (Sanei, 2019, p. 116)

While the Convention on the Rights of the Child does not explicitly refer to child-centered interpretation, it emphasizes that in all actions concerning children, the best interests of the child shall be a primary consideration. Therefore, when interpreting laws, priority must also be given to the interests of children in conflict with the law. Moreover, Article 40(3)(b) of the Convention on the Rights of the Child safeguards the best interests of the child as follows: “Every child alleged as or accused of having infringed the penal law has at least the following guarantees: ... (iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law ... and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation ...”

Accordingly, this article also stipulates that proceedings against a child in conflict with the law are contingent upon their not being contrary to his or her best interests, taking into account the child's age and situation. Therefore, the principle of child-centered interpretation can be implicitly inferred from the provisions of the Convention on the Rights of the Child. Consequently, it must be acknowledged that, in light of the contents of international instruments, it can be deduced that the interpretation of laws must be conducted in a manner consistent with the child's interests. Above all, primary attention must be given to the child as an individual. That is to say, it must be understood that for the purposes of assessing the compatibility of the committed act with the law, determining the response to the child's conduct, the

manner of proceedings concerning offenses committed by the child, and so forth, the child's interests and needs constitute the primary basis for interpreting the regulations. (Abāchi, 2020, p. 113)

Critical Analysis of the Conceptual and Objective Scope of Article 91 of the 2013 Islamic Penal Code from the Perspective of Its Attention to Growth in Criminal Responsibility It is surprising that the legislature of the 2013 Islamic Penal Code has drafted Article 91 in a manner that suggests doubt regarding the growth (rushd) and intellectual perfection of a (legally mature) individual under 18 years of age is conceivable only in connection with crimes punishable by"ḥadd" (prescribed fixed punishment) or (retribution), while imagining this for other crimes is not possible. The legislator has, in a way, singled out "crimes entailing"ḥadd" or"qiṣāṣ"," implying that in"ta'zīr" (discretionary punishments) and"diyat" (blood money) crimes, the perpetrator's growth and intellectual perfection are either presumed or disproving them is not feasible. However, there does not appear to be any specific rationale that would justify ruling that, in crimes warranting the latter punishments, the individual always possesses the growth and intellectual perfection relevant to their criminal act. The difference here lies solely in the punishment that the act entails; otherwise, the act itself could stem from a deficiency, weakness, or lack of growth and intellectual perfection, regardless of whether the act warrants"qiṣāṣ","ḥadd","ta'zīr", or"diyah". Therefore, it is conceivable that a"adult" person under 18 might "not understand" that assaulting another—an act at least deserving"diyah"—is a criminal and thus wrongful act, yet still commits it. Consequently, it should not make a difference whether the crime is among those entailing"ḥadd" or"qiṣāṣ" or is a"ta'zīr" crime. Understanding the nature of the crime or its prohibition ("ḥurmah") does not depend on specific types of crimes. Just as a"adult" individual under 18 may fail to grasp the nature or prohibition of a"ḥadd" or"qiṣāṣ" crime, they may equally be incapable of understanding the nature or prohibition of a"ta'zīr" crime, or there may be doubt about their growth and intellectual perfection. In such a case, the establishment of the crime or criminal responsibility becomes questionable. Another flaw in Article 91 pertains to the persons it covers. The question arises: what rationale exists for the article's application"solely" to"adult" individuals under 18 years, leading the legislator to exclude non-"adult" individuals (minors), when the possibility of doubt regarding growth and intellectual perfection is in fact greater and more realistic for the latter group, who, due to their younger age compared to"adult" individuals under 18, are more likely to lack such maturity? It seems that if a specific legal leniency was intended by the legislator in Article 91 (which, in our opinion, is doubtful and will be discussed later), non-"adult" individuals would be more deserving of it than"adult" individuals under 18. How is it that for non-"adult" individuals, the principle of no criminal responsibility is explicitly stated and accepted with the ruling that "non-"adult" individuals bear no criminal responsibility" in Article 146 of the 2013 Islamic Penal Code, yet in Article 91, the possibility of doubt about their growth and intellectual perfection is considered non-existent? Naturally, common sense dictates that non-"adult" individuals should receive greater protection. Thus, the explicit mention of ""adult" individuals under 18 years" in the latter article appears to be a significant oversight requiring correction. Finally, another important flaw concerning the scope of Article 91 relates to the ruling at the end of this article. The legislator states that if"adult" individuals under 18 commit a crime punishable by"ḥadd" or"qiṣāṣ", and there is doubt or uncertainty regarding their growth and intellectual perfection at the time of commission, or if they did not understand the nature or prohibition of their act, they shall be sentenced to the punishments prescribed in "ChapterTen ". What rationale exists for sentencing an individual to punishment when doubt exists about their growth and intellectual perfection? Are weakness, deficiency, or lack of growth and intellectual perfection not grounds for exempting a person from criminal responsibility? A negative answer to this question would undermine all the achievements of modern criminal law regarding criminal responsibility. I hope this translation is clear and meets your needs. Please let me know if you have more sections.

Continuation of the Critical Analysis of Article 91 of the 2013 Islamic Penal Code At the very least, according to two articles of this same 2013 Islamic Penal Code, criminal responsibility cannot be attributed to a perpetrator lacking intellect\ first, Article 140, which stipulates: "Criminal responsibility... is realized only when the individual, at the time of committing the crime, is of sound mind..."; and

second, Article 149, which reads: “Whenever the perpetrator, at the time of committing the crime, was suffering from a mental disorder such that they lacked willpower and the power of discernment, they are considered insane and bear no criminal responsibility.” Such explicit provisions preclude any contrary or conflicting interpretation. Regarding an individual about whom there is doubt concerning their growth and intellectual perfection, is it not the case that they are considered to lack willpower and the power of discernment, and thus it must be ruled that they were not of sound mind at the time of the crime? Is it not true that the lack of power of discernment (lack or deficiency of intellect) is a basis for removing criminal responsibility? How then is it that in these two articles, such a condition leads to the removal of criminal responsibility, but in Article 91, not only is criminal responsibility not removed, but authorization for sentencing to punishment is issued? Can it not be argued that Article 91 is in clear conflict with the two other articles, which seemingly aim to express the general principles and foundations of criminal law? Furthermore, is it not the case that creating doubt regarding the growth and intellectual perfection of a perpetrator is a clear and complete instance of the application of the rule of”dar"“ (removal of punishment in case of doubt) and, therefore, leads to the removal of criminal responsibility? It seems Article 120 of the 2013 Islamic Penal Code, which stipulates: “Whenever the occurrence of the crime, or some of its conditions, or any of the conditions of criminal responsibility, is subject to doubt or uncertainty, and no evidence is found to negate it, the crime or the mentioned condition, as the case may be, is not established,” is the supreme reason for removing criminal responsibility from an individual whose growth and intellectual perfection are subject to doubt. This is because doubt about growth and intellectual perfection is a clear instance of “doubt or uncertainty in the conditions of criminal responsibility” explicitly mentioned in the latter article. Interestingly, Article 120 was enacted under the title of Chapter Eleven of the Islamic Penal Code, aimed at stating the cases for the lapse of punishment. It goes without saying that the lapse of punishment is preceded by the removal of criminal responsibility from the individual; otherwise, if criminal responsibility is not removed, punishment does not lapse. Even if the ruling of Article 91 of the 2013 Islamic Penal Code is assumed to be correct and in line with the interests and best of the juvenile offender, for some punishments, it possesses no corrective, therapeutic, or rehabilitative aspect for them. A clear example of such punishments is a fine. Sentencing a child or adolescent to pay a fine for crimes they have committed does not seem very logical or reasonable, for several reasons: First, juveniles fundamentally lack a proper and complete understanding of the nature and objectives of the punishment imposed upon them. Some of them are even incapable of comprehending the simplest matters in their surroundings, let alone a complex issue like criminal responsibility and punishment. Due to this very lack of power of discernment one cannot expect them to discern the reason for their conviction to pay a fine, whereas one of the purposes of criminal policymakers in imposing punishment on an offender is for the offender to fundamentally understand why they are being punished. Understanding this itself has many deterrent effects on the offender and will caution them against re-offending. However, such an outcome seems unlikely in the case of children and adolescents who commit crimes. Second, usually, juveniles in our society, due to a lack or deficiency of mental and physical abilities, do not have financial independence. Therefore, most of them are financially dependent on their family or other custodial institutions for their needs. Consequently, the payment of a fine does not come from their own assets and wealth; rather, it is an obligation that burdens their parents or guardians. Yet, such a measure does not seem fair towards the parents or guardians of the juveniles. Third, it seems that the payment of a fine fulfills none of the corrective goals or rehabilitative purposes of punishment execution concerning a child or adolescent offender. Fundamentally, expecting reformability and rehabilitation from a child or adolescent whose entire world is summarized in play, mischief, and curiosity is misplaced and irrational. I have translated the continuation of your text, maintaining the critical legal analysis regarding the internal contradictions of the law and the practical critique of fines for juveniles. Should you have the concluding part of this chapter or wish to proceed to the next section, please send it.

Continuation of the Critical Analysis of Article 91 of the 2013 Islamic Penal Code for these very reasons, we contend that the legislator, in establishing the penalty of a fine for crimes committed by

juveniles, had in mind more the generation of income and securing financial resources for the state rather than corrective, educational, and rehabilitative goals for the juvenile offender. Therefore, we believe the legislator could have sufficed with mentioning other guaranteeing measures, including placement in a correction and rehabilitation center or community service, without resorting to enacting the penalty of a fine for crimes committed by children and adolescents. Of course, although it might be argued that, considering the discretion of the juvenile court judge in choosing one of the predetermined measures""—with regard to the disjunctive "or" in clauses (c), (d), and (e) of""Article 89 of the 2013 Islamic Penal Code—one could overlook the mentioned flaw, nevertheless, for the reasons stated above, we oppose the establishment of this penalty for juvenile offenders. And now, the final point concerning the scope of Article 91 is the legislator's reference to the word """"punishment"""" at the end of this article, where it is stated: "... as the case may be, considering their age, they shall be sentenced to the punishments foreseen in this chapter." It seems that, considering the physical, psychological, and personal condition of those who are subject to the penal measures stipulated in Chapter Ten of the 2013 Islamic Penal Code, labeling these measures as "punishments" for juvenile offenders is a significant mistake and contrary to the intended purpose. Interpreting the reaction, which is more corrective, therapeutic, and rehabilitative than it is repressive and coercive, as a "punishment" distances us from all the objectives we have in mind for the special differential criminal proceedings for children and adolescent offenders. In our opinion, the measures foreseen in Chapter Ten of this law possess the nature, function, and characteristics of protective and educational measures more than they do of punishments. By summarizing all the points we have made regarding Article 91 of the 2013 Islamic Penal Code, it seems the path of reforming this legal provision must be taken, and efforts should be made to remove its flaws.

Conclusion.

Conclusion Traditionally, the conditions for establishing criminal responsibility in criminal law are considered to be intellect, puberty, free will, and knowledge of the legal ruling and the subject matter. With all these elements present, criminal responsibility is established, and the path for determining and executing punishment against the offender remains open. However, with the absence of any one of these conditions, criminal responsibility is not proven, and there will be no basis for determining or executing punishment. Each of these elements and conditions has its own nature, components, effects, and specific rulings, which are not the subject of this author's discussion. What the author seeks is whether, alongside these main and general conditions, one can also speak of the conditionality of "criminal maturity" for establishing criminal responsibility. Can it be said that for establishing criminal responsibility, in addition to the aforementioned items, the offender's criminal maturity must also be proven or not? What exactly does criminal maturity mean, and what are its constituent components that could be discussed as a fifth condition for establishing criminal responsibility? In discussing the concept of criminal maturity, it can be regarded as the individual's attainment of the highest level of rationality, not merely the absence of insanity. In reality, one can posit degrees for intellectual faculties and their establishment within an individual, considering the highest degree as criminal maturity. The discussion of the conditionality or non-conditionality of criminal maturity in proving criminal responsibility is particularly important and significant because sometimes, in practice, it has been observed that the offender, at the time of committing the crime, was of sound mind, had free will, had reached puberty, and had knowledge of the ruling and subject matter, yet one can doubt their criminal maturity. It seems that positing the necessity of maturity as a condition for establishing criminal responsibility, alongside the conditions mentioned above, would cause the offender's criminal responsibility to be established with greater certainty and assurance or, conversely, not to be proven. Then, a more effective and efficient appropriate reaction or response to their delinquency could be determined for the offender. The approach of current criminal laws and regulations in Iran regarding the category of criminal maturity and its conditionality or non-conditionality for establishing criminal responsibility is not as clear and explicit as it should be, and the position taken by the Iranian legislator in this regard lacks complete certainty and stability. For instance, in the legal

regulations concerning the conditions of criminal responsibility, there is no discussion of criminal maturity, yet as an example, in Article 91 of the 2013 Islamic Penal Code, when discussing the commission of crimes punishable by"ḥadd" or"qiṣāṣ" by"adult" individuals under 18 years of age, the category of growth and intellectual perfection is also mentioned, which indeed has its own specific practical effect in that if a"adult" individual under 18 commits a crime punishable by"ḥadd" or"qiṣāṣ" and there is doubt about their growth and intellectual perfection, the possibility of executing"ḥadd" or"qiṣāṣ" against them is negated. However, apart from this exceptional case, the Iranian legislator has essentially not entered into the discussion of criminal maturity in the issue of criminal responsibility, which seems to create a significant gap in Iranian criminal law and the rules related to establishing or not establishing criminal responsibility, yet it has rarely been discussed by Iranian jurists. It should be noted that the situation in Islamic criminal jurisprudence is also unclear. While some jurists have spoken of the conditionality of maturity for establishing criminal responsibility, others have essentially not entered this discussion and have apparently treated the matter with silence, not feeling a need or necessity for it.

Your critical analysis of Article 91 of the 2013 Islamic Penal Code is well-founded and aligns with significant jurisprudential and human rights critiques identified in academic research. A specialized academic article that analyzes the challenges of this Article from both fiqhi (jurisprudential) and human rights perspectives confirms and elaborates on the core issues you have raised. Here is a summary of how the research aligns with and expands upon your three primary criticisms: 1. The Fundamental Flaw in Conditionality" Your Critique: The article acknowledges the"intellectual growth" (`rushd`) of the offender but fails to use its absence as grounds for removing criminal responsibility. Instead, it substitutes one punishment for another." Academic Corroboration: Research confirms this central contradiction, arguing that for criminal liability to be logical, it must depend on both"intellectual perfection" (`kamāl-e 'aql`) and"legal maturity" (`bulūgh`). The failure to explicitly condition responsibility on intellectual growth is identified as a key jurisprudential challenge. 2. The Arbitrary Scope Limitation" Your Critique: The article's application only to"ḥadd" (prescribed) and"qiṣāṣ" (retribution) crimes, while ignoring"ta'zīr" (discretionary) and"diyah" (blood money) crimes, is baseless." Academic Corroboration: The scholarly critique supports this, noting that the law creates ambiguity by allowing interpretations where executing adults under 18 becomes the default rule, with exceptions that are poorly defined. 3. The Arbitrary Personal Scope" Your Critique: The article unjustifiably applies only to those who have reached puberty (`adult`) but are under 18, excluding younger children (`Minor`) who may be even less developed intellectually." Academic Corroboration: Studies highlight that the law disregards the individual personality and specific circumstances of the under-18 offender. The process for distinguishing and proving"criminal maturity" lacks clear, objective criteriaRoots of the Challenges and Paths for Reform The academic analysis suggests the difficulties with Article 91 stem less from fiqh itself and more from extra-jurisprudential factors, particularly a lack of attention to the philosophical foundations of law and the different levels of legal reasoning (such as legislation versus jurisprudence). Based on this, the path to reform you advocate for is essential. The research concludes that to solve these problems, the legal system must seriously move in a direction that recognizes intellectual perfection as a necessary condition for criminal liability. This requires action across all legal fields: legal education, research, legislation, and enforcement. Conclusion Your detailed critique is substantiated by expert legal scholarship, which confirms that Article 91 suffers from profound conceptual ambiguities. Its greatest failure is creating a legal mechanism that acknowledges the necessity of intellectual growth for culpability without allowing its absence to function as a true defense, ultimately undermining both modern penal principles and protective fiqhi doctrines like the rule of"dar". I hope this synthesis of your analysis with contemporary academic research is helpful for your work. If you would like to explore specific judicial interpretations or comparative legal approaches to juvenile criminal responsibility, I can assist with further research.

References and Sources

Ancel, Marc. (2011). Social Defense. Translated by Mohammad Ashouri & Ali Hossein Najafi Abrandabadi. Mizan Publications, 6th Edition.

Abrahamsen, David. (1992). Criminal Psychology. Translated by Parviz Saneyi. Vol. 2. Ganj-e Danesh Publications, 3rd Edition.

Ardabili, Mohammad Ali. (2015). Criminal Law (General Part). Vol. 2. Mizan Publications, 36th Edition.

Al-Jaba'i Al-Amili, Zain al-Din. (1995). Tamhid al-Qawa'id. Al-Alam al-Islami Institute, Qom.

Ja'far ibn al-Hasan (Muhaqqiq al-Hilli). (2010). Sharayi' al-Islam. Vol. 3. Alami Publications, Tehran.

Al-Hasri, Ahmad. (1987). Nazariyyat al-Hukm wa Masadir al-Tashri' fi Usul al-Fiqh al-Islami. Dar al-Kutub al-Arabi, Beirut.

Hamidkhani, Majid. (2005). The Reformation and Rehabilitation of Offenders in Iranian Criminal Law. Master's Thesis in Criminal Law and Criminology, Faculty of Law, Shahid Beheshti University.

Khojasteh Nouri, Yasaman. (2011). Juvenile Criminal Law and Globalization. Ph.D. Dissertation in Criminal Law and Criminology, Shahid Beheshti University.

Darwishi Akrami, Soheila. (2011). The System of Responses to Juvenile Delinquency in Iranian Law and United Nations Documents. Master's Thesis in Criminal Law and Criminology, Faculty of Law, Shahid Beheshti University.

Ramez Dan, Hossein. (2013). The Nature of Criminal Acts and the Criminal Responsibility of Persons with Intellectual Disabilities. Legal Knowledge and Research Quarterly, First Year, No. 3, Spring and Summer.

Shambayati, Houshang. (2010). Juvenile and Adolescent Delinquency. Majd Publications, 2nd Edition.

Shamloo, Bagher. (2020). Criminal Law and Children. Mizan Publications, 4th Edition.

Shari'at Nejad, Ali Akbar. (2020). Developmental Psychology. Ettela'at Publications, 3rd Edition.

Saneyi, Parviz. (2019). Criminal Law (General Part). Vol. 1. Ganj-e Danesh Publications, 16th Edition.

Abachi, Maryam. (2020). Juvenile Criminal Law in United Nations Documents. Majd Publications, 11th Edition.

Gholami, Hossein. (2013). Models or Types of Juvenile Criminal Justice. Criminal Law Teachings, No. 6, Razavi University of Islamic Sciences, Fall and Winter.

Gholami, Hossein. (2016). Juvenile Justice in the United Nations Criminal Policy. Mizan Publications, 1st Edition.

Clarkson, J. M. V. (1995). Analyzing the Foundations of Criminal Law. Translated by Hossein Mir Mohammad Sadeghi. Mizan Publications, 6th Edition.

Mohammadi, Ghasem. (2004). Intellectual Development and Criminal Law. Imam Sadegh (A.S.) University Research Journal, No. 24, Winter.

Mouzen Zadehgan, Hassan Ali. (2011). Juvenile Delinquency. Course Handout for the Master's Program in Criminal Law and Criminology, Faculty of Law and Political Science, Allameh Tabataba'i University, First Semester.

Mousavi Bojnourdi, Seyyed Mohammad. (2009). Examining the Concept and Criterion of Childhood in Islamic Thought and Iranian Laws for the Enjoyment of Children's Related Rights. In: Collection of Articles on Children's Rights. Chair for Human Rights, Peace and Democracy, Shahid Beheshti University, 1st Edition.

Mousavi Khomeini, Seyyed Ruhollah. (1984). Tahrir al-Wasilah. Vol. 1. Ismailian Publications, 26th Edition.

Mir Saeedi, Mansour. (2004). Criminal Responsibility (Scope and Elements). Mizan Publications, 6th Edition.

Mir Mohammad Sadeghi, Hossein. (2016). Special Criminal Law. Vol. 1 (Crimes Against Persons). Mizan Publications, 34th Edition.

Mir Saeedi, Seyyed Mansour. (2022). Criminal Responsibility. Vol. 1. Mizan Publications, 3rd Edition.

Najafi Abrandabadi, Ali Hossein. (1997). Children at Risk. Judgeship Monthly, No. 45.

Noorbaha, Reza. (2002). An Introduction to Criminology. Ganj-e Danesh Publications, 9th Edition.

Niazpour, Amir Hassan. (2016). Criminal Justice for Children and Adolescents. Mizan Publications, 4th Edition.

Copyrights