

Investigation of causality in killing the perspective of Imamieh jurisprudence and Iranian law

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In the jurisprudential term, 'cause' is something that is wasted with and through it, but for another reason, such that if it did not, the cause would not have any effect. Islamic jurisprudence has considered loss or injury as either stewardship or reprisal, and has called the charge "incident" or "cause" in such a way that "stewardship" is the cause of loss and direct loss, and the "prosecution" of creating something. It is the waste that results it, in that sense it is the condition and cause - in its own sense. However, jurists have in some cases tried to distinguish between cause and condition. a legal point of view, it can be said that the crime or documented damage was caused by it, and according to jurists and jurisprudence, the offense of committing a crime, including committing the crime, commits a criminal act. Directly and by the will of his will and the members of his body, or to commit his criminal intent against another by means of other means such as knives, swords, or any other deadly means, such that There should be no difference between his criminal act and the injury or death of a pawnbroker against another intermediary. The most important research questions are: What is the approach of Islamic penal code 1392 to the issue of causality in the killings? What is the difference between the Islamic penal code of 1370? The findings of the research show that, according to the jurisprudential principles, in the event of gathering the cause of the steward, the steward was the guarantor of the murder, unless it caused the steward, and also in the Islamic Penal Code of 2013, if the documented crime was the cause of the steward. The effect of the factors is equal, the equality of responsibility is in place, and if the impact is different, each of the factors will be responsible for the impact of their behavior. On numerous gadgets.

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