

Investigating the Aggravating Circumstance of leadership and its Conditions in Iran and United State's Law

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Committing a crime in a group and organized manner, with the leadership of one or more individuals, is a problem of the current societies. Such a phenomenon requires a proper legal response. Our legislator, in article 130 of the Islamic Penal Code, has made progress in predicting the maximum punishment of the most severe offense committed for the leadership. Nevertheless, the concept and conditions for the leadership in our law are ambiguous and questionable. Eliminating this ambiguity requires an investigation into Article 130, dispersed laws and judicial procedures.

In the United States, the leadership is the subject of law, and at the same time, the judicial system of the country attempts to clarify the conditions of leadership by issuing various opinions. In the present article, we try to clarify the concept and study the conditions of leadership in Iranian and American laws through a comparative approach.

Key words: *Leadership, Aggravating Circumstance, Criminal group, Islamic Penal Code, American law*

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