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Multiplicity of Judges in Iranian Criminal Courts

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Abstract: Multiplicity of judges which is called council judgment or collective judgment by some is the process of trial and arbitration in civil or criminal proceedings carried out by at least three judges, so that the verdict is accepted by all or the majority of them. This type of judgment is less investigated in detail and in an all inclusive manner in the existing legal and jurisprudence literature. In this study, major reasons raised by lawyers who are for and against judges' multiplicity are introduced. The reasons of those who are for it are considered more acceptable. With respect to the status of judgment in the present age (the age of Ghaybah) and the complexities of today's cases, collective judgment is supposed to have more strength compared to individual judgment. The important point in council judgment is the existence of a significant relationship between judge's multiplicity system and getting close to criminal justice. It means that applying council judgment system would reduce the probability of making mistakes in judgments and the parties would become content with the judgments. This study which investigates the topic of judges' multiplicity in Iranian criminal courts is presented in two parts. The first part is the introduction and states the concepts and general issues. Then, a history of council judgment and arbitration in Islam and Iran until the present time is presented. In the second part, the viewpoints of the scholars for and against the theoretical bases of judges multiplicity are taken into account and the issue is studied in laws and regulations.

Key words: Judges' multiplicity, judgment, collective judgment, council judgment, criminal courts

INTRODUCTION

Research questions

Major question

- Does the new criminal procedure code accept the principle of multiple judges?

Minor questions:

- What are the advantages and disadvantages of practically accepting the principle of multiple judges in Iranian criminal courts ?
- What is the reason for not generalizing the council of judges to all criminal cases?

Research hypothesis:

- The new criminal procedure code accepts the principle of multiple judges
- Increasing the accuracy of judgments due to multiplicity of opinions is one of the advantages of accepting the principle of multiple judges and lack of consensus is one of its disadvantages
- Investigating the reasons of not generalizing the council of judges to all criminal cases shows that typically the small number of judges is the major cause

DENOTATIVE MEANING OF "QADHA" (JUDGMENT)

"Qadha" is an Arabic word and has the meanings of judgment, speaking, ordering, creating, working and bringing to an end but the most well-known meaning of it is judgment. A judge settles disputes among people, i.e., proves rights or rejects claims. According to some Islamic rules, judgment is a governmental position and a judge acquires Welayah (supremacy) and mastery over individuals and their rights and judgment is a position given to a person by the holy prophet of Islam or by his true and legitimate successors. Al-Mousavi Al-Khomeini, Rouh-allah, Thrir-al-wasilah, Qom, Islamic Publications Institute, Community of Teachers, Bita.

The Latin word "jurisdiction" which refers to the topic of judgment is a more general term and has a wider semantic range compared to its Arabic counterpart since it also includes "realization of justice". In fact, this word is a combination of two elements: "juris" (which means

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"right") and "diction" (which is the noun form of the verb "dicere" (to say or to state). Thus, jurisdiction means "to state the right thing" or "to tell the truth". Therefore, if we want to use the Arabic equivalent of this term we have to use the word "Qadha" with another word and make combinations such as "Al-Qadha Belhaq" (Judging about the truth) or "Al-Qadha Beladl" (Judging about the justice).

Connotative meaning of judgment: About the term "judgment" we read in terminology of law that "A person who is busy judging among people and settling disputes can also be called a magistrate. According to Islamic jurisprudence, a judge is a person who rules the people and settles the disputes in cases of discord and conflict". Thus, the connotative and denotative meanings of judgment are the same and there is not any difference between them Madanian, Gholamreza, Ale Kajbaf, Hossein. Investigating Women's Judgment in Islam, National and International Law. Persian articles website. In addition, in some cases including the Iranian Civil Code and criminal and civil procedures, some other titles have been used to refer to the same post. In this sense, a governor, a supreme jurisconsult, a sheriff, an attorney general, a prosecutor, an interrogator, a justice of peace and a legal advisor are generally called judges. There have been different kinds of judges in the present and previous legal systems and according to Islamic rules: sitting judge, standing judge, investigating judge, confirmation judge, special judge, national judge, 7 religious judge, customary judge, chief justice, administrative judge, lower court judge, city court judge, province court judge, criminal court judge, administrative justice court's judge, family court judge, the supreme court judge, appointed judge, permitted judge, etc. The terminology of law considers trial or judgment as a discipline of legal science whose goal is to determine rules related to judicial authority, the authorities' competence and regulations about types of claims and execution of courts' decisions which is called "Qadha" in Islamic jurisprudence. Trial has different kinds: trial in its special sense, trial in its general sense, legal hearing, ordinary hearing, immediate hearing, criminal hearing , criminal proceedings, preliminary hearing, research proceedings or appeal, appeal trial, major and minor proceedings, summary proceedings, inspection hearing, private hearing, administrative hearing, etc.

Judgment is an official post for which persons are appointed and is not similar to religious authority which is definitely realized when conditions are met. "Qadha" (judgment) is a branch of walayah (supremacy) which is exercised by a judge and that is why some religious authorities have adopted the concept of walayah (supremacy) in its definition. In their view, judgment without walayah (supremacy) will not be effective. Religiously, judgment is the walayah (supremacy) of the rule for the ones who are qualified to issue verdicts about the details of religious laws through which the rights of the ones who deserve it is confirmed and satisfied. This meaning of judgment is closer to its lexical meaning. Thus, a judge will in fact put an end to a dispute through his verdict (rule).

There are two types of judges in Islamic jurisprudence and legal resources: the "appointed" judge and the "elected" judge who is called the "confirmation" judge. Confirmation judge or judgment privatization policy. Mohammad Saeed Qomashi.

HISTORY OF MULTIPLE JUDGES (COUNCIL JUDGMENT)

In the present legal system in Iran, except for some exceptional cases, the topic of multiple judges has not been predicted and single judge method is applied to carry out civil or criminal proceedings. It means that all crimes committed including Islamic legal constraints (such as imprisonment, whipping and cutting one's hand), retaliation and sanctions as well as all civil claims including transactions, marriage, divorce, inheritance, etc. are handled by a single judge. Akhundi (1993), criminal procedure, Tehran: Culture and Islamic Guidance Publications.

In fact, in the criminal justice system after the Islamic Revolution in Iran, the principle of single judge was dominant at the preliminary stage hearing until 1994 and even in the public and revolutionary courts' law act of 1994, the same principle has been observed at the preliminary stage. However, at the stage of objection to criminal sentences in the province's court of appeal, the law-maker has departed from the principle of single judge and has accepted multiplicity of judges. Goldoust, Jouibari, Rajab; General issues in criminal procedure, Tehran, Jungle, 2007, first edition. In fact, what is currently the criterion for taking action is that the principle of multiple judges in general, revolutionary and military tribunals has been accepted at the preliminary stage and at the stage of appeal, this principle of Islamic jurisprudence has been breached. In the provinces, courts of appeal and branches of the Supreme Court, the principle of multiple judges has been followed. In

addition, in criminal matters of a province, five judges participate while in customary proceedings in civil and criminal matters in most cases even in the preliminary court; multiple judges system is applied and three to five judges and in some countries up to seven judges is accepted. It seems that the aim of customary proceedings system approach as well as that of the supreme judicial authorities in Iran, in accepting multiple judges system is being fair in the proceedings and eventually issuing a just verdict. Since, it is evident that in a meeting of judges where each one of them is an expert in one branch of law and all contribute to the issuance of the verdict through consultation, we can better solve complex legal problems that are placed before judges during the proceedings. Therefore, although in the Iranian legal system, the supreme authorities' type of carrying out the proceedings in dealing with objections to the sentences issued by the preliminary courts is in the form of multiple judgment, applying this procedure also seems to be necessary at the preliminary stage in order to avoid the prorogation of the proceedings and presentation of a uniform process of proceeding.

PROS AND CONS OF MULTIPLE JUDGES' PRINCIPLE

Introduction: There are three major perspectives among jurists and lawyers about council judgment:

- Some believe in the absolute license of council judgment and think that judgment whether in the form of single judge or multiple judges is permitted
- Some are against council judgment and have absolutely rejected it. They have only accepted the judgment of a qualified single judge.
- Some have referred to the circumstances who are themselves divided in two groups:

Council judgment is permitted for confirmation judges (even several individuals can be confirmation judges). However, in cases other than confirmation judgment, council judgment is not permitted. Some other jurists believe that a judge can consult other judges before issuing a sentence but in the end the same judge must compose the verdict and issue the decision

The first topic: reasons for not permitting council judgment from lawyers' perspective: One of the disadvantages of multiple judges system is economic concern about it. It is said that this system is not cost-effective. In addition, such a system will slow down the proceedings. According to experts' calculations, under equal conditions, working efficiency of one person is higher than that of a group. In contrast, some people believe that multiple judges' method has advantages which are more than its disadvantages. According to these people multiplicity of judges prevents big mistakes and minimizes errors. Presence of multiple judges creates the possibility of consultation and interlocution among them and allows them to use each other's experiences; particularly with respect to the fact that in the realm of criminal proceedings, the reasons are not reckoned and the judge is not forced to accept special causes. Therefore, consulting other colleagues will add more insight to his decision-making. Although in legal proceedings the reasons are reckoned, sometimes the cases and the parties' reasons are so complex that a single judge cannot understand the issues in full depth; thus, he needs to consult other judges and exchange opinions with them. Regarding the benefits and advantages of this type of judgment, it must be said that this important issue needs to be investigated more. Soltani; Abbasali; Shadkam, Zeinab; "Explicating the status of multiple judges theory in Islamic jurisprudence and Iranian statute", Theology and Islamic Knowledge Quarterly.

Lawyers have presented two reasons for their disagreement with council judgments: some of these reasons refer to the quality and manner of doing the proceedings and trials which are considered as the form problems and some others are related to the decision-making process and the result of the proceedings which are called natural problems.

The second topic: reasons stated by the proponents of multiple judges' principle: Since, the origin of presenting discussions related to multiple judges' principle in Iranian law, is developing regulations by the law-maker in this area and besides that according to the fourth principle of the Islamic Republic of Iran's Constitution, all rules and regulations must be based on Islamic teachings. Therefore, under this topic, we will first refer to the history of this institution in the judicial history of Islam and then, we will deal with the legal procedure of council judgment in Iranian law.

Proponent lawyers' reasons

A: possibility of social participation and higher acceptability of the judicial system: Now a days in many of the civilized societies, understanding the importance and the effectiveness of collective wisdom can contribute

to the improvement of all aspects of life including the field of judgment. This collective wisdom can be seen in the formation of juries, boards of conciliation and arbitration councils in proceedings and will naturally contribute to a great extent to the health of the judicial system. Creating institutions such as arbitration, arbitration council, justice council, conciliation council and jury, are all efforts to realize this thought. Soufiabadi, Mahmoud; "Investigation and comparison of the first section of the jury's new law"; Kanoon publications, October and November.

Manifestation of public opinions in courts and increase in the validity of judicial proceedings: According to the proponents of multiple judges' principle, the existence of arbitration councils and conciliation councils whose members are from different judges in a society would cause the proceedings to take a democratic shape and public opinions manifest in proceedings; thus, these judicial councils, would state people's expectations of justice and judgment. In addition, presence of multiple judges with different thoughts and sociopolitical perspectives in courts is a beautiful manifestation of public opinions and the judgments made in this manner represent public opinions and people's expectations of the judicial system. It may be that the verdicts issued based on such judgments create an evolution in criminal legislation besides satisfying public conscience; thus it has many judicial and political advantages. Akhundi (2005) organization and the jurisdiction of criminal authorities. Printing organization and publication at the ministry of culture and Islamic guidance.

Accelerating the proceedings and decision-making: One of the points raised against the principle of multiple judges is the prorogation of the proceedings. On the contrary, some scholars believe that this might be the case at the beginning but if this principle is adopted and turned into a common procedure, such a result would not occur and gradually a fixed trend would be established. Moreover, some experts believe that the principle of multiple judges can accelerate decision-making and issuance of the verdict in some complex crimes. Thus, contrary to the view of some scholars who believe that judgment in a council form would lead to the prorogation of proceedings, presence of experts in different fields will considerably help the presiding judge to quickly investigate the crime, search for its causes and eventually issue a verdict in the least possible time (Akhundi, 2006).

Further ensuring the realization of justice: Since, individual judgment and arbitration-focused execution of proceedings-confuses the judge in the complexities of some crimes, it is necessary to reduce personal judgment mistakes with the help of various experts and judges in affirming crimes and encountering their reality. Therefore, presence of several judges in the proceedings in the form of arbitration and judgment councils can reveal the real nature of issues and help the judge in the procedure (Hashemi, 2007; Goldoust, 2007).

Discovering the reality by a group of judges: Collective wisdom compared to individual wisdom, would lead to more logical decision-making in order to access reality. A group of judges will make fewer mistakes in the proceedings and issues more reliable verdicts. There is a famous saying that goes like this: "Everyone knows everything" and this saying applies to the case of council judgment. In addition, novice or low-experienced judges can easily and optimally use other judges' precious experiences and reach the reality and depth of the issue in the least possible time.

Ensuring impartiality in issuing the decisions: If the principle of judges' multiplicity is observed, we can be more hopeful that the government will participate less in the process of judgment. In other words, this kind of judgment can show that governments are impartial in their judgments and the proceedings and the issuance of verdicts are closer to reality. People's participation in proceedings will help the judiciary become independent of the government and thus the judiciary system can preserve its independence of the governmental system and protect the rights of the people rather than those of the government. In addition, in the case of single judgment, there is the possibility of enticing the judge through bribery or threatening. Therefore, by applying the multiple judges' principle and using a group of judges to make the decision, the possibility of enticement would be minimized if not reached to zero. In this manner, the ground is paved for better judgment; since the issued sentence is the product of a group or council of arbitration's work and if one judge or the minority of judges has an opposing opinion, they still accept and sign the majority's decision (Zarrabi, 1993).

RELATIVE SATISFACTION OF THE CONVICTED

The judiciary system would better use various judges and experts who have different tastes and who have autonomous opinions before governmental authority in the form of dispute resolution councils, justice houses, arbitration councils, etc., in order to attract public trust. This way we can trust the administration of justice in the judiciary system; since the convicted people see that

judgment has been carried out not by a single judge but by a group of expert judges and the possibility of making mistakes or errors is altogether very low in this type of judgment.

SINGLE OR MULTIPLE JUDGMENTS AFTER THE ISLAMIC REVOLUTION

After the Islamic revolution, the first law enacted in this regard was apparently the regulations of revolutionary courts according to which the courts had to follow multiple judges' method. Finally, the law of general courts' formation which was enacted by the Revolution Council in 1979 even extends multiple judges' method to misdemeanor courts. Thus, the lawmakers stepped towards the collectivization of courts.

In 1981, a law regarding the reform of some articles in the code of criminal procedure was enacted. According to this law, criminal courts of and were held applying single judge method for the first time. In order to prevent the disadvantages of single judgment method, the authors of the so-called law had provided that there must be consultants in criminal courts. Presence of a consultant in criminal court 1 which had replaced the former criminal court was mandatory and in criminal court 2, it was optional. A consultant's presence was necessitated so that a single judge consults a lawyer at trial time and at the time of issuing a verdict to become aware of the natural and procedural issues. This way the disadvantages of the single judgment method would be reduced.

From the same time, single judgment method became widespread in Iranian criminal courts and until today, any act of law (in general and revolutionary courts, military courts 1 and 2, special court for the clergy and any other criminal court) has been carried out through single judgment method except the provinces' court of appeal which applies multiple judges' method according to Article 20 of the law under investigation.

Article 14 of the same law, has required most expressly applying single judge method. It has even neglected the presence of a consultant in the courts and considered sufficient the presence of a chief or a substitute judge. Thus, general and revolutionary courts had simple organizations and consisted of a court master who can be either the head of a branch or a substitute member. When the head judge is present the substitute member deals with the cases that are referred to him by the head. Therefore, light and simple cases must naturally be referred to judges. These can be issues like examinations of the site, local investigations and interrogating the witnesses. However, unfortunately branch heads do not act in this way and refer the difficult cases to the lower judges.

When the branch head is not present in the workplace or cannot be present, the substitute judge plays the role of the head and will have all the judicial authority of the branch head. He will have total autonomy in giving opinions, issuing verdicts and making decisions and is by no means responsible to follow the absent branch head or other authorities' opinions.

Doing all necessary actions and investigations the second important point stated in article 14 is doing all necessary actions and investigations from the beginning of a case to its end by the head of the court himself. Apparently, the law-makers' purpose is that the judge must personally carry out the stages of detection, prosecution, investigation, trial and sentence execution. As stated, the main aim of composing this law is to do the same thing. In other words, according to the regulators of the law under investigation, it is desired that there would not exist any prosecution office to follow the one who has committed a crime. In this case, there would not be any inspectors to carry out the preliminary investigations and indictments will not be issued. All these, will be performed by the person who is the court's head. The important and essential difference in the method adopted by the general and revolutionary courts and the previous methods is the same point. In fact, a court's head has total authority in dealing with criminal trials and no other judge takes part in the trials. This is one of the significant and basic disadvantages of general and revolutionary courts' system in criminal trials. Although participation of various judicial authorities sometimes slows down the proceedings, it has the important advantage that judicial mistakes are prevented and the protection of citizens' rights is ensured.

MULTIPLE JUDGES IN CRIMINAL COURTS AFTER THE REVOLUTION

Necessity of consultation is most perceptible in judgment which is one of the most important social matters and has many effects on personal, financial and occupational aspects of individuals' lives. Consultation must be carried out and besides that an opinion that is the result of this consultation must somehow become binding, because first of all, each one of the members in the judiciary board deal with the case feeling responsible to give accurate opinions and secondly undue influence on one person is prevented. When there is a multiplicity of judges, exerting influence is at least very difficult and exceptional if it is not impossible.

Before the victory of the Islamic Revolution in the Islamic Republic of Iran's judicial system, criminal and province courts, the criminal tribunal, government employees and military courts applied multiple judges' method and misdemeanor, misdeed and delinquent juvenile courts used single judge method.

The law of general courts' formation enacted by the Council of Revolution had also provided the multiple judges method and even the revolutionary courts dealt with the crimes using multiple judges' method. However, after the enactment of the rule to reform some articles of the criminal procedure code and the establishment of criminal and legal courts 1 and 2, multiple judges' method became obsolete and currently single judge method is dominant in the arena of perspectives about the topic. Only the Supreme Court's branches still deal with the cases applying multiple judges' system.

What must be kept in mind in multiple judges' system is that the minimum number of members dealing with the case must be three. Of course in dealing with more serious crimes five judges must participate. In any case, the number of judges must be odd so that a definite result is achieved.

Principle 168 of the Islamic Republic of Iran's Constitution inspires the existence of a democratic institution called the jury. This principle provides:

"Dealing with political and media crimes must be carried out publicly and is performed in the presence of the jury and within the courts of justice."

Islamic Republic of Iran's Constitution which considers a great share for the role of the people in its statements has required the jury to take part in the arbitrations in its 168th principle and has necessitated its presence in dealing with political and media crimes. The negotiations of the religious elite in their final examination of the Constitution indicate that the jury has both an Islamic background and jurisprudential content. In addition, since the trial session is public in the presence of the jury, it can prevent much corruption, hardship and dictatorship. At the 62nd session of the elite about the enactment of principle 168, the opponents of the existence of a jury stated that this institution in its western form which consists of non-lawyers or non-jurisprudents does not have an Islamic background.

However, regarding Islamic records, we see in the history of Islam that a group of elites reminded judges' mistakes and protected them against mistakes and errors. It needs to be mentioned that if we put the name of the jury on this group, their opinion is not binding according to Islamic rules, because they do not give their opinions as the issuance of verdicts. But the nature of a jury's decision-making is stating a sentence and not solely a consultant or an expert opinion. It was suggested that if this group consist of persons who are appointed by the Vali-e-Amr (the Supreme Leader) and who are religious authorities themselves and are to some extent competent scholars in legal matters, such a jury can be acceptable according to Sharia (the Islamic Law). The problem of not being in accordance with Islamic rules would be solved by stating in the text that the jury will act on the basis of Islamic criteria.

But in fact, the law of the media Act of 1979 provided a jury whose members do not satisfy the so-called condition and the constitution devisers were not content with that law.

The jury is an institution that is present in some criminal trials and is of supplementary help to the accused person. This group, cooperates with the judges of the criminal courts in dealing with some crimes under certain conditions. The origin of this idea is the country of England.

Participation of the jury in criminal courts causes the trials to take a democratic aspect and manifest public opinion. In fact, since members of the jury are representatives of the majority of the people, they meet people's expectations of justice and show that what types of judgments the society demands. In other words, the verdicts issued with the participation of the jury, are representative of public opinions and are indicative of people's expectations of the judiciary system. Thus, a jury has political and judicial importance and benefits.

As stated before, the idea of jury originated in England's legal system and then entered the rules of countries that have Roman-Germanic law.

Studying the origin of an institution called the jury in Iranian history of law directs us to the important fact that the rigid and inflexible legal system of common law and preparing claims in certain forms which led to particular reasons, made the justice-wanting legal conscience of the people of that time to establish an institution to reduce the effects of severe and unchanging laws. The ruling power considered any act that resulted in tension in the political situation of the country or the administrative actions or any personal action that was against the government's despotic theories as political crime and punished them with the severest penalties. This was due to the lack of the principle of crimes and punishments legality in the common law legal system. Thus, the jury took action in support of the accused person as the customary representatives of common people in front of the governing power and first of all it stated its opinion of whether the accused person's taking or abandoning an action is wicked and deserves blame from the public conscience's perspective or not? Secondly, it must be determined that to what extent a wrong-doer's character and the current conditions make it contingent to reduce the rate of the penalty the accused person has to bear if his/her action is considered a crime.

Therefore, the existence of such an institution was totally justified with respect to the so-called legal system; but is such an institution justifiable in Roman-Germanic

legal system in general and in our legal system in particular? In answering this question, we must distinguish between the nature and type of crimes:

- Regular and general crimes
- Political and media crimes

Regarding the first type of crimes, the existence of such an institution is not justifiable, because the nature of the first-type crimes is not in a way that the political system and its structure are attacked by the convict. Thus, the governing power does not see itself as a stakeholder to exert influence against the convict in the criminal court. Secondly, according to the principle that governs the realm of criminal regulations "no action or abandoning of any action is not punishable unless it is considered a crime and deserves punishment based on the law". Therefore, the criterion for determining if doing an action or abandoning it is a crime is the law and not the customs. Thus, a court's duty is to investigate the issue first and authenticate its criminal reality and after that determine the related "verdict".

But in the second-type crimes, i.e., political and media crimes, since the direct aim of a criminal is the governing authority and a country's political system, the government will react to his/her crime and will do its most to condemn the accused person.

As a result, this possibility exists that different governing authorities might exert influence on the type of a judge's decision-making. So, the law considers the topic as authentic if the jury is competent. It is thus necessary that the jury carry out the judgment in a way that it can protect freedom and authenticity of the individual and support freedom of expression and the awakened conscience of the custom. The jury must consider the alleged accusation by the governing authority as a criminal or media crime.

The members of the jury are responsible to be present in court's sessions until the end of the trial. Instances of rejecting the jury members are the same as those stated in the regulations for the rejection of judgment.

Although with respect to the history of an institution called the jury, it must be stated that this group of judges must consist of ordinary people and informal classes of the society. However, since a judge issues a verdict according to the opinion of the jury, the most important point in a criminal trial and in issuing a verdict, is recognition or non-recognition and this is dependent on the jury's opinion.

Therefore, a jury's opinion is a judicial opinion, a council judicial opinion that is the result of consultation among several judges. It is evident that this judicial opinion must be issued according to legal principles and understanding of a crime's features and elements. Issuance of such an opinion cannot be a desirable and certain act if done by a group of judges whose majority is not lawyers or experts in law.

For the same reason, in the legal systems of England and the United States, a judge explains the topic under investigation to the jury in simple words before the trial. The judge also states the effects of the jury's decision to its members. Therefore, leaving the destiny of an individual charged with a political crime or a crime related to the media to the hands of some ordinary individuals does not seem to be so appropriate. In the multiple judges' system, there must be several legal experts and lawyers so that a variety of thoughts and perspectives are brought into the decision-making process.

CONCLUSION

Comparing the viewpoints of lawyers who are for or against multiple judgment and observing the advantages and disadvantages of this type of judgment in practice and in action, it seems that the proponents' perspectives are based on stronger reasoning. In addition, in the present society, where the claims of the judges are of permitted type of judgment and civil and criminal claims are complex and have several aspects, multiple judgment method is more valid and reliable. Multiple judgment method can have a considerable role in increasing the acceptability of the judiciary system's performance. It is obvious that regulating this kind of judgment and spreading it, will gradually reduce its shortcomings and deficiencies.

One of the not-so-important disadvantages of multiple judges' system which is not related to the base and nature of judges' multiplicity is its economic aspect. It has been stated that from a financial and budgetary perspective, it is not cost-effective to apply multiple judges system. Moreover, this method might slow down the proceedings or elongate the trial. It has also been said that based on the calculations of the experts in administrative sciences, under similar conditions, the efficiency of an individual's work alone is higher than that of a group of individuals together. In the Islamic Republic of Iran's legal system, criminal courts, province courts and criminal tribunals for state employees and military courts applied multiple judges' method and misdemeanor, misdeed and delinquent juvenile courts used single judge method. The law for the formation of general courts

enacted by the council of revolution has also provided the multiple judges method and even revolutionary courts dealt with crimes using multiple judges' method in the beginning years. However, after the enactment of the law that requires articles of the criminal proceedings code and the establishment of legal and criminal courts 1 and 2, the multiple judges method became outdated and currently, single judge method is used in these courts. Only criminal branches of the Supreme Court still deal with the cases applying multiple judges system. What must be taken into consideration in multiple judges' system is that the minimum number of judges who deal with a case must be three or five in judging about more serious crimes. In any case, the number of the judges must be an odd so that a definitive decision can be made.

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