

**Way Back to Principal:
A Perspective of the Thoughts of Dualistic Accomplice System**

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Abstract

The prevailing dualistic principal-accessory system of criminal parties in German law was originally a product of the objective formal theory. It provided a formalistic classification scheme which used some “typical images” to distinguish accessories from the principals. Such an “image-based” classification model leaves aside the analytical scheme in establishing crimes when there are more than one participant. But the variety of crime scenarios has exposed the limits and unsustainability of the “image-based” model, and efforts have been made to relocate at least part of the accessories to the principal category. However, once the “image-based” model breaks, it collapses theoretically forever.

Today, the prevailing theory does not announce its own failure and still keeps its dominating influence. It does that by concealing the weakness within its discourse. And it does so well that only a detailed review and comparison of multiple cases can help explore the truth.

Keywords: dualistic principal-accessory system, principal, accessory, indirect principal, conspiracy, solicitor, assistance, the formal objective theory, image-based model, analytical scheme, “the dominator” theory, belief in authority

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