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Criminalization of Intentional Murder and Intentional Infliction of Grievous Bodily Harm in Excess of Self-Defense

This article highlights the principles of criminalization of socially dangerous acts, including the criminalization of intentional murder and intentional infliction of grievous bodily harm in excess of self-defense. Partially analyzed the concept of criminalization of socially dangerous acts, as well as determine the conditions of this kind of criminalization of socially dangerous acts. The paper described the necessity and appropriateness of criminalization of premeditated murder and intentional infliction of bodily harm in excess of self-defense.

In the article author noted, that criminalizing the act facilitates alignment of a complex causal element, or even to minimize its impact. If the criminal law operates together with economic, social, ideological and other factors, it is quite effective at the causes and conditions of the offenses. If contrary to them – it is ineffective.

At the expense of murder and intentional infliction of severe bodily injury by exceeding the limits of necessary defense, in this case, any measures other than criminal law can't be effective. The fact that these actions infringe human life and health. These attacks, as we have said, causing too much damage. In addition, we agree that we have to talk about criminal repression, that emergency measure to combat the most dangerous forms of antisocial behavior. The criminal repression used only when society has exercised other forms of influence: administrative, disciplinary, civil and moral.

The author describe that the criminal justice system has in its arsenal a complete set of powerful tools and activities that can: detect and record the crimes of intentional infliction of grievous bodily harm and murder by exceeding the limits of necessary defense; establishment of perpetrators of these acts; legitimate methods and means necessary to conduct the investigation and trial of cases related to this type of crime.

Keywords: criminalization; principals; conditions; excelling boundaries of necessary defense; murder with malice; severe bodily injury.