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Reasons of crime and objective opportunities of punishment

Abstract: Crime existed and exists in all societies independently on their socio-political system and its reasons have caused by the same factors – social, socio-economic, socio-political and other ones. Therefore, a level of criminality in a society directly depends on the fact how were resolved and are resolved these matters, which are regulated only by the state. In this case the punishment plays only a supporting role. However, since a crime is committed by a person, in addition to the notion of ‘criminality’, there are also the notions of ‘crime’ and ‘criminal’. Therefore, first of all, an issue is arisen, where is the person himself hidden behind the abovementioned social factors? And it means necessity in researching the reasons unlawful behaviour of a man on individual level.

Keywords: criminality; punishment; crime; personality; illegal behaviour; reasons.

The nearest future of punishment cannot be determined beyond of the context of crime’s reasons, everlasting research of which means that it is undesirable. However, at the same time it is a regular product of a society, peculiar pathology that does not succumb to the total destruction.

However this does not confirm the fact that it cannot be controlled. In other words, refusal from the cognition of crime’s reasons means no simply following to the logics of sociological postulate: crime is a normal phenomenon and therefore inevitable. It leads to the idea that society is driven not by desire to be organised,

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but rather to chaos. Today this idea tempts many [11, p. 227]. So, for example, a sociologist E. Durkheim asserts that ‘crime is a normal social phenomenon’ [22].

F. Filser (FRG) justly assessed this thesis ‘like paralysing blow’, which generates criminological ideas. According to him, and we agree with this, a crime is a social pathology, but not a norm, with which a society has no right to put up [23].

In this connection E. Ferri noted: “Anyhow, what would be a social consequences and reverse actions of a crime, it is always a form of abnormal activity, and consequently it cannot be agreed with Durkheim that crime relates to a sphere of normal sociology, but not to an area of social pathology” [19, p. 119]. It seems that most likely, Durkheim had mixed the notion of normality and constancy of the known social fact: social fact might be permanent and the same time abnormal if it happens in few cases.

Undoubtedly, crime is a social evil. However from the fact only that an evil seems inconsumable it should not be provided for free dissemination. Whenever possible the scope of the crime should be limited. Gogel S.K. justly emphasized that “crime is one of the most complex phenomena of social life. Undoubtedly, this is a social one like whole social life and all its phenomena. It is determined and called by entire numbers of the reasons – purely external, nature, climate, time of year, soil fertility etc. and whole numbers of anthropological and biological reasons which are rooted in organization, inclinations, character of men of race, people, territory, at last, reasons that are rooted in history and all social and political system of people” [4, p. 6].

Even a particular disease also has more than one cause. Even in the early works of the eminent Soviet clinician and medical theorist I. V. Davydovsky emphasized an irreducibility of the causes of disease to one factor. “Etiology (causality) is not an isolated thing: it is always a process, a relation of things on the real basis of interaction” [6, p. 16]. Even more difficult was the picture of the



causes of crime. It turned out that there are social, economic, psychological, organizational, legal and many other factors that are associated with almost all spheres of public life. It was impossible in total to distinguish any factors as a reason for changes, and even more so as the reason of existence of social deviations [12, p. 198]. In this connection, the soviet criminologist V.V. Pankratov wrote: “Under reason in some cases should be understood a process. The reason might be considered both the laws of functioning and the laws of development”. In course of research of crime we need to study a mechanism of actions of social law [16, p. 27, 29].

Recently, more and more evidence is accumulated which confirms that the crime is directly dependent on social conditions, in particular, from the heavy economic situation of the population. It is proved by accurate statistics that the ranks of criminal class are replenished mainly from the poorest, disadvantaged classes of population. There is no doubt that a major social upheavals, changes in social and political life, contribute to the development of crime among population. It was in Russia after October revolution of 1917, and also after crush of the Soviet state. Here we are not talking about growth of number of political crimes, but about the crimes of criminal nature. Changes of socio-political system always sharpen the social relations and create a field for clash of people not only on the basis of legal relationships, but also on the ground of various social views, in consequence of which the growth of crime is increased up to unusual extent.

In the soviet period was dominated and spread such standpoint, according to which at socialism the crime had determined by influence of the capitalistic world, from one side and survivals of the past in consciousness of people from other one. From here there had followed very wrong and practically harm conclusion: “Crime is not generated by socialistic public relationships – it is a complex negative phenomenon that rooted that comes from the previous socio-economic formations” [10, p. 67].



Undisputable is the fact that crime existed and exists in all societies independently on their socio-political system and its reasons have caused by the same factors – social, socio-economic, socio-political and other ones. Therefore, a level of criminality in a society directly depends on the fact how were resolved and are resolved these matters, which are regulated only by the state. In this case the punishment plays only a supporting role. However, since a crime is committed by a person, in addition to the notion of ‘criminality’, there are also the notions of ‘crime’ and ‘criminal’. Therefore, first of all, an issue is arisen, where is the person himself hidden behind the abovementioned social factors? And it means necessity in researching the reasons unlawful behaviour of a man on individual level. Why does one man commit crime, and another not? The fact is that, in addition to common social, economic and other factors there are everywhere also the closest factors, which, proper speaking, decide finally an issue on possibility to commit that or other crime by the concrete person. In other words, the common social factors create only favourable conditions for committing a crime. However, this is not enough, because this also requires predisposing factors and necessity to have a proper situation. Thus, in order to commit a crime, the both the common social factors, and common predisposing moments or factors, as well as the coexistence of the closest conditions that surround the person and determining the crime and its nature are needed [2, p. 708-709].

Medicine believes that an external environment plays a leading role in development of a disease. Changes of the internal features of an organism caused by the factors of environment and fixed strongly can in further play a leading role in occurrence of a disease. That is this one more confirms that the external conditions, which we have told about, can be a reason of a crime commission. However, medicine considers that the organism’s protective-adaptive mechanisms are of great importance in development of a disease, in addition to the etiological factor (that is, the cause of the disease) and external conditions. And this in turn,



means that decisions made on crime's committing depend not only and not so much on appropriate aggregate conditions, and on a will of a specific individual himself. But to what extent is a person free in his actions, that is, whether he has free will, moral freedom when he wants to do good or evil, or is the mechanism of human behaviour determined by the factors of a biological or social order, or both simultaneously. We should note that none issue bother human mind, divided the thinkers to so sharply opposite groups like namely the issue: whether man is free in a choice of his actions or not? Detailed analysis of too complicated philosophic question about will's freedom is not my task; nevertheless, I cannot completely leave it due to the fact that it directly linked with the doctrine on punishment in general, and also with the doctrine on 'right to punishment' in particular. Dispute of freedom of a will, like all issues relating to an area of belief and feeling, are always conducted in high emotional tone. So, for instance, Schopenhauer, at one time, maltreated the advocates of freedom as 'superficially thinking minds'. The Bavarian Minister of Public Education, von Landmann, in his welcoming speech at the Third International Psychological Congress, held in 1896 in Munich, said: "I hope that psychological congresses will contribute to elimination of the great danger by which the well-known threaten to psychological theories social psychological life, and I am convinced that these congresses will not only shake, but will further strengthen the former belief in a person's responsibility for his actions" [1, p. 190].

The position of G. Aschaffenburg looks more balanced, who wrote: "Scientific questions are not resolved by the techniques suggested by one or other affect. Considering that a certain part of our eminent thinkers is based on an idea of free will, I think that Schopenhauer's view is just as unfair as the opposite view of those thinkers who believe that the denial of free will leads to destruction of morality, legal and social status, state and church" [1, p. 190].



It is completely unacceptable in this connection, Manuvrie's statement that "a man is born a criminal as a dog is born to be able to swim: he is always capable to commit a crime" [14, p. 29]. If so, then why do some people commit a crime, while others do not? Why are there criminals less than law-abiding people? Currently, the criminal in global scope make up 5-6% of the population. However, Manuvrie is right that a person might be criminal if he wants to be by this himself. Therefore, a crime should be considered as an act of a person abusing his freedom of will to a harm of the interests of society and its members, as well as freely using this will in his own interests.

That is why we cannot be agreed with representatives of the deterministic direction, which assert that man is a blind toy of the external circumstances. Therefore he has never been free; his actions are always determined by external circumstances. So, P. Holbach considered that necessity and freedom of will are mutually exclusive notions, and a man is completely at the mercy of nature. He writes: "A man is not free for a single minute of his life ... He has no power to act differently than he does at that moment when his will is determined by the choice" [5, p. 111].

Actually, the same standpoint was also kept D. Diderot: "The will is no less mechanical than the mind. Everything, both in nature and in society, is completely determined, which completely excludes free will" [7, p. 297].

Naturally, such philosophy entirely refutes a significance of criminal punishment in fight against illegal manifestations since if a man is not free in his actions then there are no the principles, which should be put in the basis of his responsibility. It is impossible to affect with punishment onto the external circumstances, the toy of which is man.

On the other hand, it is unclear, by what is a person guided, when he is doing good, but not evil? Turns out that this is not his free will, moral freedom, and this is the processes occurring beyond his will. If crime and good deeds are the result



of not free will of man, but of a complex external process that is not dependent on him, then why do we condemn evil, consider it an act contrary to the interests of the majority and the good is encouraged, appreciated and approved by us? And because human has moral feeling and associated with it a motive of duty, that is he has also free of will. Therefore people with high feelings of moral duty are capable of doing good deeds, and with low, not developed - crimes. Both are the result of a person's free will.

The nature that surrounds us is a full of mysteries, and the most complicated of them is man himself like a natural result of its evolution. At the same time, as a personality, he is a product of a society and thereby it doubles the complexity of cognition. Today there are sufficient researches of various sciences, the results of which have allowed us to cognize a human's core and reasons of his behaviour in social environment. In particular, modern science on human gives us an opportunity of right understanding of freedom, awareness that commission of the misconducts depends on voluntary choice of a person himself. It is proved that a truly free person is one who, distinguishing the moral deeds from vices is able in his unlimited desires, to remain within the framework of moral and legal norms established by a society. Independent on the external conditions, man is able, when it is necessary, to say himself – no! Therefore we may not agree with known concept of 'degeneration' of S. Freud, according to which the degeneration (pathology of technique) determines a deviant behaviour [24].

I. Kant emphasized: "If a man in moral sense was or should be kind or evil then he has to do or will do himself such. Both must be the result of his free will; otherwise could not have imputed to him" [9, p. 29-30].

Real life testifies that very often a person is confronted with unfavorable conditions of public social life, adversely and destructively affecting on the psychophysical organization, which is the cause of its imbalance and instability. Under influence of these internal states he persistently and passionately seeks the



reasons of his inconvenience in his environment, in external conditions and finds the measure to eliminate them. The individual seeks missing him personal peace of mind and contentment, but seeks them in peculiar way. In virtue of his weak character, he commits illegal or moral offense, and other one, who possesses willpower, wins these unfavourable conditions, and acts in frameworks of legal and moral norms. Therefore, K.A. Sych is absolutely right when he asserts that “if we recognize the right of a society and the state to ask for the actions of people, to punish them, then we must recognize as the first ground of this right - the free will of a person. Otherwise, the responsibility for offense committed comes without guilt” [17, p. 8].

F.M. Dostoevsky in his ‘Writer’s diary’ pointed out the following thought: “Recognizing a person as responsible, Christianity also recognizes his freedom. Recognizing a person as dependent man on every mistake in a society, doctrine on environment leads a man up to completely indifference, up to entirely free his from any moral personal duty, from any self-dependence, comes him to the vile slavery, which can be only imagined” [8, p. 176].

That is why we are deeply sure that none unfavourable conditions of the external environment, social and economic problems might be the reasons to commit the crimes if there is no a desire of a person himself. Individual, who has willpower and is calm in a variety of extreme and criminogenic situations, will never be a criminal.

E. Ferri had tried to convince us that “man who has no a predisposition to crime can at extreme unfavourable circumstances comes to a madness or suicide, but he will never be ‘villain’. One cannot be a crazy on desire like cannot on desire be a criminal” [19, p. 114].

It is clear that using the expression ‘predisposition to crime’, the author kept in mind the genetic roots of a man. Undoubtedly, science has gone far in this matter. This fact was noted by A.I. Herzen: each person relies on a terrible family



tree whose roots almost go to Adam's paradise: we are felt like a coastal wave the pressure of a whole ocean - world history: the thought of all ages at this moment in our brain [3, p. 252-253].

We recognize the human genetic roots and this has been already confirmed by modern science. But it is not in connection with the choice of behavior, and only from a biological and anthropological point of view. We are based on the fact that a person is able to commit an evil not because he is predisposed genetically to such behaviour, and due to his decision is based on free will.

One cannot also forget that refusal from the free of will for the most part of members of a society is equal to denial of a sense of personal responsibility for his actions and this contradicts to direct consciousness that is common for everybody. Criminal act of a person is a result the both external influences, general and closest, and the free will.

So, a choice of behaviour way by a person in every specific case based on knowledge and understanding by him the existing links between phenomena of the external world and considering of the requirements that brought him by law. Choosing certain behaviour, committing, for example, a crime, a person in order to achieve the aims can consciously ignore these requirements or coordinate his acts to them. Ability of a criminal to act 'with skill' is a justification of his criminal responsibility. Therefore punishment is capable to strike the will, can prevent or suppress a crime. Developing and applying criminal legal measures directed to contract to crime, society is based on ideas about the fact that freedom of will or moral freedom is a power, at which man chooses between the good and evil. Decides and desires that, which he has chosen after discussion, lighted up by the sense of moral duty.

In addition, we should keep in mind that despite a punishment does not influence directly on social roots and reasons of criminality. Nevertheless, it is



able to help to society in resolution of elimination of the conditions and circumstances that contribute to crimes' commission.

In connection with consideration of this matter, we would like to draw attention to the following.

Crime is a concept that is used in certain historical social situations, when it is possible and necessary and compliance with the interests of society. Montesquieu S. wrote: "In moderate rule, everything can serve as a good lawmaker. Is it not surprising that in Sparta one of the main punishments was to forbid lending his wife to another, to get another's wife for a loan and to see only virgins at home. In a word, everything that the law will call punishment will be really punishment [15, p. 87-88]. Therefore, the concept of crime, criminality associated with existing in a particular society, nation, ideas, tempers, customs, with ideas about what is criminal and should entail a criminal punishment, and what is not. In the modern world, bigamy among some nations is considered a crime, while in others it is a normal phenomenon. Drinking alcohol in some Muslim countries is known to be punished very severely. And in the most part of the world it is not even subjected to moral conviction. Therefore, a man might be classified to the category of criminals not because he is socially danger on his essence and because this determined by a legislator based on national, historical, socio-political conditions of society's development. It is senselessly to fight through criminal punishment with some offenses determined by the state as crimes. This requires other conditions, another time in which the need to commit such acts would no longer be necessary. For example, blood feud in the Caucasus has existed for thousands of years. However, even the totalitarian communist regime could not stop the custom of bloodshed revenge, because for these people these actions were not considered a crime, although the legislator recognized it as such. And now we are witnessing how blood feud disappears from a life of the Caucasian peoples. And this is not due to the criminal punishment, and because peoples have become different, the



appraisals of customs and traditions have changed. Although, the blood feud could have only originated like aristocratic. It was considered to be a family pride. Therefore, the killings of revenge are committed because family principles are still preserved, so far are strong. Explaining the blood feud as a relic of the past is only a consequence of not knowing the history, traditions and national characteristics of these peoples. People understood that blood feud was negatively perceived in civilized world. Not so long ago, an abduction of a girl aimed for marriage was not considered a crime by many peoples of the Caucasus and Central Asia and was widely spread, although punishment for this was very harsh. Now this phenomenon is very rare. It seems that one should consider this or that act as a crime through the prism of historical development of a particular nation.

What was once considered to be an act, a behavior that deserves public respect and approval, is eventually declared as a crime, and vice versa. For example, murder at wild men does not inspire them any horror. For many of them, on the contrary, it is even considered to be as a heroic feat. The Spartans threw feeble children without any pangs of conscience, and the Arabs in the pre-Islamic era had buried alive their newborn daughters. In India, there is a tribe Zaka-Kail, living, like the previous one, by theft. When a boy is born to them, they perform a rite on him, threading him through a hole made in a wall and saying three times: 'Be a thief'. On the contrary, kurutary are distinguished by high honesty: they never lie and, rather, will die of starvation than they decide to steal [13, p. 30]. By the way, the Kurds, who live in Azerbaijan, at one time also did not marry a girl to someone who had never stolen cattle. Of the ten crimes that Jewish laws punished by beating with stones the nine in modern society have ceased to be considered as a crime (idolatry, excitement, service for Moloch, magic, spirits, stubborn disobedience to parents, defilements of Sabbath, blasphemy, rape of others brides, bad behavior of a young girl). Few people know that in the second half of 20th century for production of abortion in Russia the death penalty was established. The



young modern generation will not believe that for purchase and sale of simple jeans trousers in the soviet period, it was possible to be imprisoned. Who would think that in Egypt to kill a cat was the biggest crime. So, a system of virtues, as well as a system of crime and vice, is changing along with course of history. What is the social organization, so is crime. Many criminal legal norms have arisen on the basis of the moral norms of a particular people. Therefore, it can always be said that, whatever the criminal, under other conditions, he might be an honest man and even a hero.

Any kind of crime as well as any culture, hospitality or courage, diligence, before become established itself in any nation, had to be certainly brought to it from outside. For instance, in the Caucasus before Peter the Great, no one had idea about bribery. In order to resolve his political issues, Peter I recommended his envoys in the Caucasus to act, if necessary, on the principle: “By hook or by crook”.

In different periods of history, different nations determined differently the degree of public danger of crime. So, in the Middle Ages, blasphemy was the biggest crime, further there was atrocity and fraud, and then murder and theft.

In the Soviet period, the embezzlement of state property was considered the most serious crime and was punishable by death.

Although they say that “criminals have no nationality,” nevertheless, every nation, every race has always had and now has its fraudsters, its thieves, its rapists and murderers, characterized by their national particularities, just like any nation has its own mentality, culture, level of development and history.

Whether a crime is characterized by its features and its causes in Azerbaijan, taking into account its geopolitical, national, natural, economic, as well as other conditions?



Undoubtedly, the common reasons of crime, occurring in any society, belong, of course, also to our republic. At the same time, there are some peculiarities in the reasons of crime in the post-Soviet republics, including in Azerbaijan.

It is important, obviously, to distinguish the most significant and specific factors for our republic in modern conditions, which, ultimately, determine the state and dynamics of crime and its character. One of them, in our opinion, is that the extension of civil freedoms would have forced people to make their own vital decisions for which they were not quite ready.

During the socialism, the state, as we know, on the one hand, excessively interfered in the affairs of a citizen, had controlled and took care of him, but on the other hand, at the same time, it had relieved him of the responsibility that self-dependence and initiative entail. Therefore, there is no doubt that reducing a level of control, under which people always lived, had contributed to the criminal behavior of individuals.

That is why the main reasons for relatively moderate level of crime in the USSR and its declining in certain historical periods were associated precisely with the total state and public, open and secret control over the behavior and activities of each person, with the general fear to the repressive regime. At the same time, in the Khrushchev period crime began to grow, because control over the behavior of people was weakened.

It should also be kept in mind that social cohesion has a great impact on crime. No one can deny the fact that Soviet society was successfully functioning and was distinguished by great cohesion, expressed in the fact that most people were distinguished by solidarity in ideals, the imagines about due and damnable. It seems that the absence of such solidarity and social cohesion in modern society has led to the development of unrestrained egoism in the individual, the domination of selfish, self-indulgent motives.



In the modern social system, everybody is completely alien to each other, no one considers himself obliged to help his neighbor and even less recognizes the right to observe his behavior or to represent any demands in this regard. Therefore, now almost a crime in the eyes of people, society has lost the meaning of the act of the unworthy, shameful. In particular, we are talking about such crimes as bribery, embezzlement, corruption, etc. These crimes are perceived by people as quite normal phenomena, as L. Dominiak rightly pointed out, briber and inciter the more and more gain the status of law-abiding citizens [25, p. 95-101].

E. Sinegut noted that “a crime acquiring a universal character ceases to be a crime and becomes the norm of life” [21, p. 433].

The reason for crime’s growth in the post-Soviet countries, in particular in Azerbaijan, should also be considered that the society has weakened the restraining actions of morality, and therefore it (the society) is currently not capable to exert a limiting effect on people. Therefore, human passions are less willing to obey the required standards of behavior. In our opinion, the greatest sin of modern society consists in the fact that it causes too little good and noble feelings to vibrate in a person, but, on the contrary, excites his bad feelings from day to day.

It is proved that social inequality is one of the most significant sources of crime. At the same time, social inequality, which, by the way, is objective and necessary in any society, is understood the contradiction between relatively evenly distributed needs of people and the essentially unequal possibilities of satisfying them, determined primarily by the place of individuals and social groups in social structure of society. It is social inequality that causes social dissatisfaction at the level of individual behavior, which pushes people to commit crime.

Economic factor has a huge impact on the state of crime in the country, by which they mean both poverty and a number of conditions that cause such, strengthening and diminishing, and another opposite – luxury; since luxury has,



undoubtedly, a strong influence on the tempers and is reflected on a number of crimes from the field of refined and incomplete debauchery, etc. [4, p. 93].

As Fausch rightly pointed out: there were three great sources of crime: excessive wealth, extreme poverty and idleness. Poverty causes - and this has always been the case in human history – the both the prostitution, infanticide, vagrancy, robbery, murder, etc. Poverty and destitution, as we know, have always existed and will probably exist for a long time. However, poverty and the need of our time are special and have their own specifics.

Suffice it to say that a large number of people shuffling through the streets, catching all the cases to make money, and who get up every morning, not knowing what to do, because they do not have a real job or do not want to work at all; surrounded by, at every step, involuntarily enticing them by luxury and excess, they, of course, can feed nothing but unkind feelings towards the lucky people around them. As a result, one of these unfortunates does not stand up, falls and commits a crime.

Aristotle in his 'Politics' writes: "Breeding livestock, agriculture, robbery, fishing, hunting - these are the forms of industry that are natural to humans, which he uses to ensure his existence".

So, the great philosopher and sage believes that robbery is a natural form of existence, i.e. each person chooses one or another form for existence, for earning funds for living. People breed cattle, are engaged in trade in order to get rich. This is quite normal phenomenon. It turns out that the desire to get rich is a common and, moreover, more dominant driver of crime, since robbery is a very simple and profitable way to acquire wealth. The only difference is that for breeding livestock you need to invest a lot of work and money, but for robbery and assault – this is not required.

G.D. Tard is expressed in this way: "If economists perceived that all wealth acquired in addition to labor owes its appearance to crude or sophisticated robbery,



then they would obtain a correct idea of the enormous role of crime in the functioning of the social organism” [18, p. 145].

In this connection it would be right to remember the words of K. Marx: “It must be, there is something rotten in the social system, which increases its wealth, but at the same time it does not reduce poverty, where crime grows faster than size of population” [20, p. 360].

References

1. Aschaffenburg G. Prestuplenie i bor’ba s nim [Crime and fight to it]. Moscow, 2010, 241 p.
2. Bekhterev B.M. Ob’ektivno-psikhologicheskii metod v primenenii k izucheniyu prestupnosti. V kn. D.A. Dril. Prestupnost’ i prestupniki. Uchenie o prestupnosti i merakh bor’by s neyu [Objectively-psychological method in application to learning of crime. In book of D.A. Dril Crime and criminals. Crime doctrine and measures of combat to it]. Moscow, 2006, 770 p.
3. Herzen A.I. Sobranie sochineniy v 30-ti tomakh [Collections of works in 30 volumes]. Moscow, 1957, vol. 11, 480 p.
4. Gogel S.K. Kurs ugolovnoi politiki v svyazi s ugolovnoi sotsiologiyeyi [Course of criminal policy in connection with criminal sociology]. Moscow, 2010, 386 p.
5. Holbach P. Sistema prirody [System of nature]. Moscow, 1940, 456 p.
6. Davydoski I.V. Obschaya patologiya cheloveka [General human pathology]. Moscow, 1961, 504 p.
7. Diderot D. Izbrannye soch. [Selected works]. Moscow-Leningrad, 1926, vol. 2, 498 p.
9. Dostoevski F.M. Dnevnik pisatelya za 1873 g. / Dostoevski F.M. Poln. sobr. soch. [Diary of a writer for 1873 / Dostoevski F.M. Complete collection of works]. S. Petersburg, 1891, vol. 9, 544 p.
9. Kant I. Religiya v predelakh tol’ko razuma. Sochineniya v 8 t. [Religion in limits only of mind. Collection in 8 vol.]. Moscow, 1994, vol. 6, 743 p.



10. Karpets I.I. *Sovremennye problem ugolovnogo prava i kriminologii* [Modern problems of criminal law and criminology]. Moscow, 1976, 224 p.
11. *Kriminologiya. 20 vek* [Criminology. 20 century]. S. Petersburg, 2000, 554 p.
12. Kudryavtsev V.N. *Zakon, postupok, otvetstvennost'* [Law, deed, responsibility]. Moscow, 1986, 452 p.
13. Lombrozzo Ch. *Prestuplenie. Noveyishie uspekhi nauki. O prestupnike. Anarkhisty* [Crime. Newest achievements of science. On criminal. Anarchists]. Moscow, 2004, 316 p.
14. Manuvrie. *Actes du congr s de Paris*. Lyon, 1895, 249 p.
15. Montesquieu S. *O dukhe zakonov* [On spirit of the laws]. Moscow, 1999, 674 p.
16. Pankratov V.V. *Metodologiya i metodika kriminologicheskikh issledovaniyi* [Methodology and method of criminological research]. Moscow, 1972, 136 p.
17. Sych K.A. *Ugolovnoe nakazanie i ego klassifikatsiya: opyt teoreticheskogo modelirovaniya* [Criminal punishment and its classification: experience of theoretical modeling]. S. Petersburg, 2002, 238 p.
18. Tard G.D. *Prestupnik i prestuplenie* [Crime and criminal]. Moscow, 2010, 389 p.
19. Ferri E. *Ugolovnaya sotsiologiya* [Criminal sociology]. Moscow, 2009, 658 p.
20. Engels F. *Polozhenie rabocheho klassa v Anglii* / Marx K., Engels F. *Poln. Sobr. soch.* [Position of working class in England / Marx K., Engels F. Complete collection of works]. Moscow, 1955-1974, 467 p.
21. *Entsiklopediya aforizmov. Rossypi mysleyi* [Encyclopedia of aphorisms. Placers thoughts]. Moscow, 2003, 716 p.
22. Durkheim E. *Les regies de la methode Sociologique*. Paris, 1950.



23. Filser F. Kriminalitots ver min dernde Perspektive der Mensch heits werte. Progressive kriminaelozologie Pfaffenweiler, 1996.
24. Freud Z. New Introductory lectures on psychoanalysis. Harmondsworth. Penguin, 1973.
25. Lukasz Dominiak, Walter E. Block. Libertarian theory of bribery and incitement: a reformulation. DOI 10.12709/mest.05.05.02.10. MEST Journal. Vol. 5. No. 2. July 2017, pp. 95-101.