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DIRECT OBJECT OF CRIME "NON-FULLFILLMENT OF JUDGEMENT": SCIENTIFIC VIEWS ON THEORETICAL BASIS FOR THE CLASSIFICATION OF CRIME OBJECTS

In the publication, the issue of coherence of scientific views on the object of the crime, stipulated by Art. 382 of the Criminal Code of Ukraine, with the theoretical principles of classification of objects of crimes is actualized and considered.

It was emphasized that in the domestic theory of criminal law a situation has arisen when the number of approaches to the definition of the object of a crime "failure to comply with a judicial decision" has not yet acquired a qualitative content. In this connection it is proved that the solution of the issue of consistency of scientific views on the object of the crime, provided by Art. 382 of the Criminal Code of Ukraine, with the theoretical principles of classification of objects of a crime is an important scientific task of domestic criminal-law doctrine.

The ideas of distinguishing not only of a generic but also a subgeneric object for certain a group of crimes against justice is accepted positively.

Given the classification of the objects of the crime, it is difficult to agree with the scientific positions of those authors who carry out the identification of independent classification groups of these objects. In this connection, critical considerations have been made regarding the identification by some scientists of the genus, species and direct objects of crimes.

It is concluded that the formulation of the generic object can be associated only with a certain group of crimes that encroach on a homogeneous group of social relations. Therefore, the words built on the kind of "generic object of a separate crime" should be considered unfounded. A similar remark applies to the species and underlying objects of crime.

At the same time, arguments are put forward in favor of the fact that the description of the direct object of the crime should be textually bound only with a separate type of crime. Therefore, the phrase "direct object of crime" is also logically unreasonable, since it is a crime in the singular.

The view was expressed that the generic object of crimes against justice can be defined as the social relations between the parties to the legal proceedings and other

interested persons concerning the achievement of a fair outcome of the judicial procedure.

Theoretical basis for further study of the content and the ratio of the classification categories of objects of crimes against justice was created.

Paper presents the theoretical position in relation to the correct statement of the content of generic, species, subordinate and direct objects of crimes against justice. It can be applied while studying objects of any other groups of crimes.

Matters related to the theoretically consistent definition of the content of generic and subgeneric objects of crimes related to the non-execution of a court decision, as well as the direct object of a crime foreseen in Art. 382 of the Criminal Code of Ukraine, require further research in another publication.

Keywords: crime against justice, judgement unsatisfaction, generic object of crime, specific object of crime, direct object of crime.

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