Type theft especially bold in the code criminal from 1969 and current – evaluation comparative

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***Abstract*— In the code criminal case of 1969 appeared for the first time first new type theft specified statutory as theft " especially audacious." The concept is not left By at that time legislator defined, which meant that trouble interpretation he rested on doctrine and case law. Despite their efforts , this concept remained blurry, as a result what this guy theft NO appeared myself already in the code Criminal Code of 1997. Legislature he reminded about it in 2019 and again introduced it into the code , providing at the same time in a spacious way definition statutory. It could myself therefore seem that this Together type theft especially audacious as statutory defined fulfilled will be requirements warranty sufficient specificity recipe criminal. Answer on question - is it so ? it really is a task this studies.**

Keywords— theft, particular audacity, perpetrator, penal code

I. INTRODUCTION

In the code adopted in 1969 criminal appeared for the first time first new type theft specified statutory as theft " especially audacious." Despite visible blur this concepts then legislator NO gave statutory definition , or any tips on how to do it that " special " audacity ” to understand. He showed it this trust in case law and doctrines that. Of course have taken trouble interpretation this concepts , though But efforts interpretative it still remained unclear what was at stake warranty functions laws criminal. As a result formulated postulates removal from the code criminal this type theft unfulfilling requirements warranty. Type theft especially audacious maintained myself But until the end validity code Penal Code of 1969, while in v new code adopted in 1997 already myself NO found. Legislator he reminded about him after 12 years and in 2019 he restored this type theft to the code criminal , and remembering probably about the previous ones problems interpretative provided him with statutory and a spacious one at that definition the concept of “ special audacity. It could myself therefore seem that this Together type theft especially audacious as statutory defined fulfilled will be requirements warranty sufficient specificity recipe criminal. Answer on question - is it so ? it really is a task this studies. He will stay there accomplished rating comparative previous one type this crimes defined once By case law and doctrine and new (current) defined By the legislator , which will allow on answer on question – when borders this type deed they were drawing myself more clearly , previously , or currently. Considering suddenness theft doesn't matter at all meaning For practice , throws too light on level current legislation criminal.

II. THEFT ESPECIALLY AUDACIOUS IN THE CODE CRIMINAL FROM 1969

The interwar penal code of 1932 was not a model of casuistry, on the contrary. This also concerned the capture of theft. The latter was defined casuistically in the old Polish law. Open robbery or robbery combined with rape constituted a robbery, spolium , and the concept of theft mainly referred to robbery at night, i.e. hidden and secret (Andrejew 1989, p.435). Numerous and casuistic types of theft, including the equivalent of what we today call particularly daring theft, still occurred, for example, in the Russian Penal Code of 1903 (Articles 581-599 of the Russian Penal Code of 1903).

The creators of the Penal Code of 1932 rejected the casuistic qualification of theft. They emphasized that the openness or secrecy of the annexation, as well as the value of the item of theft, should not be the basis for distinguishing between different types of theft. Therefore, the Penal Code of 1932 did not recognize the type of particularly audacious theft or burglary. The abandonment of casuistic types was justified by the significant range of the general sanction provided for theft, giving the court the opportunity to individualize individual cases, depending on the circumstances and the nature of the

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case, which was considered "undoubtedly more correct than statutory schematization" (ibid.).

Consistently, contemporary comments on the Penal Code of 1932 indicated that the openness or secrecy of the annexation was not important for the classification of theft, although the view was expressed that the action of the perpetrator who knows that he is being watched proves his audacity, which may constitute a serious circumstance increasing the guilt (Peiper,1936). Commentary on the Penal Code, the law on petty offenses, and the provisions introducing both of these acts, Kraków, p. 542).

Post-war legislation, which placed particular emphasis on criminal law protection of social property, already in 1953 identified burglary as a qualified form of seizure of social property (Article 1 §3 letter c of the Decree of March 4, 1953 on the intensification of the protection of social property - Journal of Laws U. No. 17, items 68 and 69, as amended). The type of burglary was then included in Art. 208 of the Penal Code of 1969. He mentioned there, in an alternative, the type of particularly daring theft ("whoever steals in a particularly daring manner or with burglary shall be subject to the penalty of imprisonment from one to 10 years"). The justification for this solution was the connection between the introduction of particularly audacious theft and the tightening of the boundaries of robbery, treated as a crime combining a dangerous attack on property with an attack on a person. The concept of particularly audacious theft included those annexations for the purpose of appropriation in which there are other forms of physical violence apart from rape, which was illustrated by the example of tearing out a purse, where the use of physical force is directed directly at the thing, and the physical pain that the injured party may suffer does not reach the level of appropriate for personal rape (Andrejew, 1989).

The expression of the element constituting this qualified type of theft in terms of gradation ("who steals in a particularly daring way...") without a statutory definition of the concept of "particularly daring" meant that doctrinal and case law interpretation was burdened with the difficult task of shaping a relatively uniform practice in this area.

The doctrine has offered several different concepts of the "particular audacity" of theft. (Andreyev 1989).

The concept expressed in the justification of the draft Penal Code of 1969, referring to tightening the limits of robbery, gave the concept of "particular audacity" a relatively narrow scope, because it covered only those annexations for the purpose of appropriation in which other forms of physical violence, apart from rape, occur.

Another concept of particularly audacious theft was shaped by historical and comparative legal interpretation based on the distant origins of this crime and some of its equivalents in the legislation of other countries, especially socialist ones. It emphasized the element of openness of theft, understood as openness to the owner of the thing or action in a public place, in front of the public, which is unable to prevent the theft.

Subsequent concepts referred to the colloquial meaning of the expression "particular audacity". They placed emphasis on the perpetrator's attitude expressed through the manner and circumstances of the taking. In this approach, particular audacity is the perpetrator's manifestation of disregard for the person possessing a given item, disregard for the presence of other people, disregard for the protection of property, arrogance, arrogance, and a defiant and disrespectful attitude of the perpetrator towards his surroundings.

There was also a concept in which all forms of theft that did not fit into the categories of burglary, robbery and robbery were considered particularly audacious theft, and at the same time not suitable for inclusion in the framework of ordinary theft, because they were characterized by features specific to the crime. According to this concept, the concept of particularly daring theft can reach a very wide scope, but at the expense of the stability of its boundaries.

The Supreme Court, under the 1969 Penal Code, repeatedly commented on the concept of particularly audacious theft. He took into account almost all of the doctrinal concepts mentioned above. Ultimately, the dominant trends in this interpretation were expressed in the Guidelines for the administration of justice and judicial practice of June 25, 1980, VII KZP 48/78 on criminal liability for offenses specified in Art. 208 Penal Code (OSNKW 1980, item 65)

According to these Guidelines, "particularly daring theft occurs when the perpetrator, taking property for the purpose of appropriation, through his overt behavior shows a disrespectful or defiant attitude towards the owner of the thing or the surroundings, intended to surprise or intimidate, and in particular when he uses violence in the form of constituting rape on a person." In the arguments developing this thesis, there was a visible tendency to expand the interpretation of Art. 208 of the then Penal Code, at the expense of the amount provided for in Art. 210 of that code of the crime of robbery. Particular audacity could therefore be manifested both in actions without the use of violence and in the use of it, but in a form that did not constitute rape of a person. Particular audacity without the use of violence involved taking advantage of the dexterity, speed, ingenuity, cunning or inattention of the owner of the thing (e.g. grabbing an item in a store and running away with it or running away with clothes that the perpetrator took to try on).

It is worth adding that according to the views expressed under the Penal Code of 1969, secretive action essentially excluded the possibility of being particularly bold, so the so-called pickpocketing was classified as particularly daring, but only if violence was used, clothing was damaged or things were stolen. Simple pickpocketing consisting only in taking an item from a pocket or bag was not considered particularly audacious (resolution of the Supreme Court of 7 judges of February 14, 1974, VI KZP 7/74, Legalis).

In the literature of that time, in the context of the above-mentioned Guidelines for the administration of justice and judicial practice of June 25, 1980 on criminal liability for offenses specified in Art. 208 of the Penal Code, the view was expressed that the interpretation adopted in these Guidelines did not provide any real chance of unifying the assessment of theft as "particularly audacious", which was treated as an argument in favor of abandoning this mark qualifying theft (Andrejew 1989).

Of the two alternative types of theft - particularly daring and burglary - in the drafts of the current Penal Code and ultimately in the original version of the Code itself, only the second one has remained, arousing less objections than the first one.

III. The return of the type of particularly daring theft to the Penal Code of 1997

The absence of a particularly bold type of theft in Polish criminal legislation lasted 12 years. On June 13, 2019, an act amending the Penal Code and certain other acts was passed. It was not published in the Journal of Laws because it was referred by the President of the Republic of Poland to the Constitutional Tribunal, which, in its judgment of July 14, 2020 (Kp 1/19 , OTK-A 2020/36, Legalis), found it in its entirety inconsistent with the Constitution. I mention this would-be amendment to the Penal Code because it provided, among other things, for: precisely the return to the Penal Code of the aggravated type of particularly daring theft. In the justification for this proposed amendment, it was indicated that between the type of ordinary theft and the type of burglary, there should also be a type of theft qualified due to the subject matter and the perpetrator's method of operation. There is a socially important issue of the so-called pickpocketing, which, depending on the value, is often only a misdemeanor. They are painful for the injured parties because they combine interference with the inviolability of a person with the taking of an item that is often valuable due to its value or personal reasons. Often, such acts are professionally planned and perfidiously executed, so even if their value is small (and it is not the perpetrator's intention that matters, but rather what the injured party has with him), they should not be mere offenses. The same applies to open theft, in front of the owner, e.g. stealing goods from a store counter or by snatching an item from the hand. The social harmfulness of this type of acts and the general preventive function , deterring from committing them, were cited. (Sejm of the 8th term, parliamentary form no. 3451)

As a result of the above-mentioned declaration of unconstitutionality of the amendment to the Penal Code of June 13, 2019, the type of particularly bold theft provided for in this amendment could not be effectively included in the Penal Code. Ultimately, it got there in a different way, namely under the Act of June 19, 2020 on interest subsidies on bank loans granted to entrepreneurs affected by the effects of COVID-19 and on simplified proceedings for the approval of an arrangement in connection with the occurrence of COVID-19. (Journal of Laws, item 1086)

This act introduced a qualified type of particularly audacious theft into the Penal Code. However, it was not included - as before - in the alternative to burglary, but in a separate provision of Art. 278a of the Penal Code, i.e. between the basic type of theft and the qualified type of burglary.

Another difference in relation to the original type of act in question from 1969 is that the legislator has now decided to also introduce a legal, statutory definition of the mark of " particular audacity", which was done in Art. 115 §9a of the Penal Code It is not entirely identical with the previous understanding of special audacity in relation to which it is much broader.

Pursuant to Art. 1 point 103 letter c and art. 1 point 104 of the Act of July 7, 2022 (Journal of Laws, item 2600) amending the Penal Code as of March 14, 2023, the location of particularly bold theft was changed by repealing Art. 278a of the Penal Code and including this type of act in the structure of Art. 278 of the Penal Code, in paragraph 3a. At the same time, changes were made to the statutory definition of particularly bold theft contained in Art. 115 § 9a Penal Code

When it comes to opinions regarding the reintroduction of a particularly bold type of theft, they vary. Some of the judiciary pointed out that this type of theft was unnecessary, while others were in favor of introducing this type of theft, justifying it with "the realities of everyday life in large cities". (Kluza 2020).

Some authors were critical of Art. 278a of the Penal Code. The justification for its introduction into the code and its relation to other types of acts, e.g. the basic type of theft, robbery or robbery, as well as the offense of hooliganism, raise doubts. The discussed typification is accused of vagueness of the features and insufficient specificity of the premises for criminal liability. (ibidem, p.42) However, views are also expressed that evaluative and indeterminate features constitute a permanent and important element of Polish criminal law, have not been questioned by the Constitutional Tribunal and problems with their interpretation can be overcome. It is pointed out that the alternative to assessment marks is the use of definitional casuistry, which is even worse. (Iwanek 2001).

From the point of view of this study, the most important element of this type of act is, of course, the mark that qualifies this type of theft, i.e. "particular audacity". No reference is possible here, because no other typification contains such a feature. Therefore, we have at our disposal a colloquial understanding of this concept, a historical interpretation carried out under Art. 208d of the Penal Code and - at the will of the legislator - the current legal definition of "particular impudence" contained in Art. 115 § 9a of the Penal Code.

When it comes to the common understanding of "audacity" (apart from the gradational term: "particular"), audacity is understood as a feature of an act or a feature of a person and is not always pejorative. In fact, it has two meanings - as insolence, overconfidence, haughtiness, pride, disregard for anyone and anything, disregard for others, and also as great courage, excessive boldness, risk-taking, bravado. (Sobol 2001). In the latter sense, the term "audacious" is not necessarily pejorative, it is not so, for example, when we are talking about audacious military action. We then understand audacity as a synonym for courage, boldness assessed positively due to the nature and circumstances of the act. The term "zuch" (positive) comes from the word "audacious". (Bruckner 1993). The situation is different when we talk about, for example, a daring robbery or a daring escape from prison. The term "audacious" is therefore used, among others, in relation to various crimes, including, of course, crimes against property, e.g. theft or robbery.

In the light of the above, a daring thief is a thief who is as impudent and disrespectful of everything and everyone as he is bold, daring and a risk-taker. Previous doctrinal and case law

definitions of the particular audacity of theft, as well as the current statutory definition, are therefore based on elements of common understanding, developing and concretizing them in relation to the crime of theft. An additional problem arises from the gradational definition, which shows that it is not about every audacity, but about "particular" audacity.

IV. Statutory definition of particular audacity of theft

Current legislator probably he seemed yourself matter from the articles formulated under the government. 208d of the Penal Code of charges vagueness birthmark special audacity making it impossible unification interpretation this concepts.

He constructed therefore statutory , legal his definition and concluded it – as mentioned in Art. 115 §9a of the Penal Code.

In thought this recipe in his current version theft especially audacious is:

1) Theft, the perpetrator of which shows a disrespectful or defiant attitude towards the owner of the movable property or other persons, or uses violence of a type other than violence against a person in order to take possession of the property;
2) theft of movable goods located directly on a person or in the clothes worn by him or carried or moved by that person in conditions of direct contact or contained in objects carried or moved in such conditions.

V. Interpretation problems in the context of the statutory definition of special audacity

The interpretation of the above-mentioned definition should start with the question about the meaning of historical interpretation, and in particular the Guidelines for the Administration of Justice and Judicial Practice of 1980. The latter is referred to in point 1 of the current definition in Art. 115 §9a of the Penal Code, but with an obvious difference in the approach to the violence used by the perpetrator of the theft. According to the Guidelines, it was supposed to be "violence in a form that does not constitute rape of a person." Therefore, it included two forms of violence: violence against a person, but of a low intensity, not constituting "rape of a person", and violence against things. In terms of the definition of Art. 115 §9a point 1, only the latter violence remained - "violence of a kind other than violence against a person".

In the light therefore this one statutory definition pulling after holding By the injured party bag will be violence to things , that is violence another kind than violence to people , but e.g. directly a blow to the hand Whether push injured party for the purpose knocking it out of his hand and dropping held item transforms such a factual situation in robbery , be Maybe smaller weights. In progress dynamically developing myself events the original " jerker " maybe easy transform myself just into robbery.

Second basic difference between old (doctrinal and jurisprudence) approach theft especially audacious , and by the way the current (statutory) option is resignation currently out of requirement transparency actions perpetrators and embrace scope concepts special audacity too theft unnoticed by either the injured party , or by other person , e.g. pickpocketing. At stake comes in Currently NO Just theft strictly " pocket money ", that is theft property mobile found wearing. By the injured party clothes , but also theft property found myself directly on about yourself the injured party (e.g. unnoticed detachment at the back chain) as well theft property transferred or moved By injured in the conditions direct contact or found in objects transferred or moved in such conditions.

In the previous one shot special audacity exposed deprivation the injured party possibilities take immediately intervention and counteraction , but it was associated with violence activities , use element surprise Whether intimidation (judgment of the Supreme Court of October 11, 2001 III KKN 30/99, LEX No. 51611) In the current shot statutory including too theft hidden , unnoticed By nobody the injured party , as well as alternatively other persons they can stay deprived possibilities intervention NO Just as a result surprise Whether intimidation , but also because they are simply unconscious fact committing theft and they reveal I only after this after time when any counteraction it is no longer possible.

Returns Too attention the fact that both in the old ones Guidelines , as well as in the current one statutory the definition is about attitude perpetrators disrespectful or provocative to holder things or surroundings (others people), however Guidelines they specified that this was disrespectful or defiant attitude she had to be calculated on surprise or intimidation and this way she had deprive the injured party or other persons possibilities immediate counteraction. In the current one statutory definition NO recalls about that attitude the perpetrator is supposed to be calculated on surprise or intimidation. Therefore perpetrators NO has to it's about escaping with the loot , but at stake they can Currently enter too such situations when perpetrator at all NO intends to run away. Exposure deprivation the injured party possibilities take immediately intervention NO spends myself Currently necessary element concepts special audacity theft.

Whereas taking By the injured party intervention Maybe Of course cause that further development accidents will start demonstrate characteristics theft robbery , if perpetrator earlier theft audacious will be used violence with purpose maintenance in possession stolen things.

From the presented one comparisons previous one and current shots special audacity theft it follows that current range this the concept is broader From previous. Admittedly, there is an element of violence narrowed down to violence another kind than violence to people , but at the same time current shot covers Already each attitude disrespectful or provocative to holder things or surroundings , regardless From what such an attitude is aimed at (there is no requirement for it to be calculated on surprise or intimidating , though often probably Yes will be). At last giving up an element transparency actions also significantly she widened current range concepts special audacity.

Includes in thought statutory definition:

3) theft, the perpetrator of which shows a disrespectful attitude towards the owner of the movable property or other persons. Linguistically, "to disregard" means to treat someone contemptuously, without respect, to hold someone in low regard, not to pay attention to someone, not to attach importance to something, to downplay someone. (Sobol 2001). As mentioned, there is currently no requirement for the action to be transparent or for this dismissive attitude to be intended to surprise or intimidate. Therefore, in the light of the linguistic meaning, it may be both an open theft, in front of the owner of the thing or other people, when the perpetrator does not pay attention to their presence, downplays the fact that they see the theft and can try to counteract it, as well as a situation in which the owner of the property or other people are present at the place of the theft but do not notice it, e.g. the perpetrator enters through an open window at night into the room where the owner of the thing is sleeping and commits the theft, not paying attention to his presence (unconscious) and downplaying the fact that in each he may wake up in a moment.
4) theft, the perpetrator of which shows a defiant attitude towards the owner of the thing or other people. Unlike disregard, which - as it seems - does not necessarily have to be noticed by the disregarded person (the disregarded person may not know that someone values him very little, considering him, for example, not very observant and unable to effectively supervise his property), a defiant attitude with turn is one that is clearly shown to the person being "challenged". In the linguistic sense, "provocative" is one who provokes, accostes, but also "entices", dictionaries also say that "provocative" means "brash", impertinent, arrogant (Sobol 2001). It is difficult to imagine provoking or accosting someone that could go unnoticed by the injured party. Therefore, it seems that theft, the perpetrator of which shows a defiant attitude towards the owner of the thing or other people, is open theft, in front of their eyes. It may be intended to surprise or intimidate - as it was understood in the context of Art. 208d Penal Code
5) theft, in which the perpetrator uses violence of a different type than violence against a person in order to take possession of a movable property. It seems that this part of the definition may include not only the classic tearing of a handbag, but also, for example, tearing away an object from a facade or a fence using force or physical force. Violence against a person means physical force intended to overcome someone else's strength. However, it does not seem to be about overcoming someone's strength, as is the case with snatching a purse, in which the strength of the person who snatches the purse is greater than the strength of the holder who holds it. According to the current statutory definition, the purpose of using violence by the perpetrator is to seize the thing and not - as previously understood - to deprive the owner of the thing of the opportunity to counteract, e.g. by pulling the thing or knocking it out of his hand with a blow (not constituting rape).
6) theft of movable property lying directly on a person. It may be overt or covert theft, with or without the use of violence. For example, removing a necklace from the neck will be overt and requires violence towards things, but there are also professional thieves who, in a specific situation, e.g. in a crowd, can perfectly unnoticed remove a necklace or watch from a person, which of course does not require the use of violence, but perfect dexterity.
7) theft of movable property in the injured party's clothes is a classic "pocket theft", usually hidden, but it may also involve quickly and openly putting a hand into a pocket, e.g. a coat, and pulling out the wallet that the injured party had previously put there and the perpetrator noticed it..
8) theft of movable property carried or moved by the injured party in conditions of direct contact or contained in objects carried or moved in such conditions. It is not very clear why the legislator separated and included in the alternative the transfer of movable property and its movement, since transfer seems to be a type of movement. The latter may involve carrying, transporting or sending. It is also not entirely clear how to understand "direct contact" of the injured party with the movable property being moved or moved.

In my opinion, requiring it to be physical, tactile contact, e.g. holding a bag in your hand while carrying it, holding a bag on your lap on a train, carrying things in a backpack or carrying things in a stroller, pulling a suitcase on wheels, etc. would be too narrow an understanding. the concept of "direct contact". It seems that eye contact with luggage placed on an adjacent vacant seat in the train will also be direct contact. This is the same contact that a traveler would have with his luggage if it were lying on his lap or on the floor between his legs. The distinction between "touch" and "non-touch" contact with an object is strikingly artificial. Direct contact will consist in the possibility of constant control over the item and the ability to dispose of it. The question arises - when a passenger places his suitcase on the shelf above his head on the train, does he lose "direct contact" with it? It seems not, but transporting items in a separate luggage compartment may already be considered as breaking "direct contact" with the item. Doubts may arise when the holder loses direct contact with the item for only a short moment, e.g. a traveler leaving his luggage in the compartment goes out into the corridor for a moment to look out the window. Similar doubts may arise when transporting items in a car trailer, when, for example, someone may steal an item from the trailer during a temporary stop forced by a closed railway crossing. If he does it in an open way to the owner or other people, we can talk about the perpetrator's "disrespectful" or "defiant" attitude. However, if he takes the item from the trailer unnoticed, an interpretation problem arises.

In my opinion, the definition of particularly bold theft expressed in the 1980 Guidelines defined this concept more precisely than the current statutory definition. The latter also seems to expand the scope of particularly audacious theft too much, at the expense of the ordinary type of theft.

Serious problems practical result from the lack of statutory provisions definition requirement transparency actions and lack mentions that attitude the perpetrator is supposed to be calculated on surprise or intimidation.

As a result theft especially audacious Maybe to be theft which perpetrator your own behavior shows attitude disrespectful to holder things or other people. In this one parts definition contained in art. 115 §9a point 1 of the Penal Code, there is no another clarifying what it means quite undefined borders possible states actual. The word " disregard " has dozens of meanings synonyms , including brash , insolent , ignorant treating someone like air , " having doesn't care about someone " , " having someone somewhere , nothing make fun of someone NO do , etc.(synonym.net)

Therefore you can say that , for example, an " ordinary " thief NO will be so cheeky and audacious to enter By Open window to the room , if he knows he's sleeping there owner things , however thief ' especially audacious ” can do this and it will suit meaning of “ disregard holder things ” and “ audacity ”. The problem , however , is that cases similar you can construct many and as much rise various doubts – whether this corresponds to the statutory one definition Whether Too no. Indeed things you can tempt to state that every offense having individualized the injured party is an expression his disregard , if we will assume that " disregard " means , among others, “ have somewhere , no to have respect , be rude , conceited , insolent , nothing make fun of someone NO do , etc. It's rising question – whether each theft is not an expression attitude disrespect holder things ?

Searching possible help interpretative For practices I can propose Guidelines dimension justice and practices court case from 1980 regarding theft especially audacious , in which was clarified that this " attitude disrespectful or defiant ” towards holder things or surroundings she had express in behavior open , calculated on surprise or intimidation. That one jurisprudence definition special audacity was Thanks indicated elements more precise and more warranty than present. If then complained on indeterminacy , which in practice difficult yourself deal with this more NO will handle it yourself practice currently. Biggest problems I predict with this one Exactly part current statutory definition , according to which theft especially audacious is, among others, theft which perpetrator your own behavior shows attitude disrespectful to holder things or other people.

VI. Summary and conclusions

In the ending belongs state that against to what could myself on first throw eye spend , evaluation comparative previous one type theft especially audacious defined By then doctrine and case law and new type this deed defined By legislator made from a point bye requirement warranty sufficient brightness and specificity borders type deed prohibited it's appropriate more advantageously For this the first (previous), at what it is not “ praise totalitarianism. Unfortunately , present legislator NO having apparently trust in case law and doctrines he tried deprive them of their independence interpretative formulating extensive statutory definition the concept of “ special audacity ,” no he kept it But by this proper diligence legislative , as a result what currently this type deed with his statutory definition spends myself far more unclear than previous equivalent to his definition worked out By then doctrine and case law.

Current there is also regulation manifestation visible currently in law criminal beliefs legislators that them more casuistic they will recipes and them there will be more of them , this one less will be the so- called loopholes in the law , while every law student should Already know that it is accurate vice versa.

If legislator thinks that reason shocking theft shops are not included in the code criminal type theft " especially audacious ”, then with this one conviction there's no point in driving scientific discussion which one Currently anyway NO would give none result.

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