



University of Guilan

12



Iranian association of penal law

Criminal Law Research

Vol. 8, No. 1, (Serial 15)

Spring & Summer 2017

Strategies for Development-Oriented Criminalization in Criminal Law

Dr. Seyed Mahmood Majidi^{1✉}

Received: 2015/12/27

Accepted: 2017/5/29

Increasing punishment is the main strategy which has been applied by governments against growth of serious crimes. Evolution of criminal law with regard to such serious crimes as crimes against security and public order in recent decades shows that strategies has been taken by States in making coercive criminal policy in this regard. The strategies focus on the internal capacities of criminal law when fighting against such categories of crimes. This paper sheds lights on the strategies relating to triple elements of crimes which widen the scope of criminalizing and a major part of research has been devoted to it. Thus the solution such as using certain terms and connecting it to the scope of criminalization, clauses with limited scope, ambiguous and controversial terms, changing the subject matter of the crimes, objective without considering the result, criminalization by general malicious intent as well as accepting unintentional crimes in this regard. Noting the solution can attract the attentions to the capacities of criminal law and reduces the importance of increasing punishment as a way of dealing with serious crimes.

Key words: *Development-oriented criminalization, Security oriented criminalization, Capacities of criminal law, widening the subject matter of the crimes, Ambiguous criminalization.*

1. Assistant Professor, University of Damghan

majidi@du.ac.ir ✉