

opción

Revista de Antropología, Ciencias de la Comunicación y de la Información, Filosofía,
Lingüística y Semiótica, Problemas del Desarrollo, la Ciencia y la Tecnología

Año 35, Abril 2019 N°

88

Revista de Ciencias Humanas y Sociales

ISSN 1012-1587/ ISSNe: 2477-6985

Depósito Legal pp 186402ZU45



Universidad del Zulia
Facultad Experimental de Ciencias
Departamento de Ciencias Humanas
Maracaibo - Venezuela

Realization Of Preventive Functions Of Criminal Punishment Through The Institute Of Exemption

Aizhan Ryssaldiyeva¹, Gulzat Zhunisbayeva², Gulaina Osmanova³,
Akmaral Magauova⁴, Aida Kuatova⁵

¹Turan University, Kazakhstan, Almaty
E-mail: aizhu@mail.ru

²Turan University, Kazakhstan, Almaty
E-mail: junisbaevagulzat@mail.ru

³Turan University, Kazakhstan, Almaty
E-mail: gulaina.78@mail.ru

⁴Academician of International Academy of Sciences of Pedagogical
Education, al-Farabi Kazakh National University, Kazakhstan, Almaty
E-mail: magauova@mail.ru

⁵University of International Business, Kazakhstan, Almaty
E-mail: sabian26@mail.ru

Abstract

The aim of the study is to investigate the realization of preventive functions of criminal punishment through the institute of exemption via comparative qualitative research methods. As a result, the efficiency of the penal correction system of the state depends on its activity. In conclusion, it is necessary that the penal correction system worked fairly and lawfully as the main organizational basis on increase in efficiency of the realization of preventive functions of criminal punishments in order that preventive function of criminal punishment worked effectively.

Keywords: Criminal Law, Punishment, Preventive Function.

Realización de funciones preventivas de sanción penal a través del instituto de exención

Resumen

El objetivo del estudio es investigar la realización de funciones preventivas de castigo penal a través del instituto de exención a través de métodos de investigación cualitativa comparativa. Como resultado, la eficiencia del sistema de corrección penal del estado depende de su actividad. En conclusión, es necesario que el sistema de corrección penal funcione de manera justa y legal como la base organizativa principal para aumentar la eficiencia de la realización de las funciones preventivas de los castigos penales, a fin de que la función preventiva de los castigos penales funcione de manera efectiva.

Palabras clave: Derecho Penal, Castigo, Función Preventiva.

1. INTRODUCTION

The problem of the functions of law in itself is difficult and diverse, besides it is insufficiently deeply investigated, not to mention function of criminal punishment. Even the latest manuals on punishments in criminal law have no chapter and part, and exactly in chapter about functions of criminal punishment. At the same time, the question about the necessity of the research of this concept remains practically at the theoretical level. The functions of criminal punishment should be understood as the ability of this institute to carry out the certain role within the system of the public relations, to accumulate certain human activities, to influence public processes in this or that direction, promoting their development, stabilizing them (Jenaabadi & Khosropour, 2014).

Thus, punishment is the difficult process, during which the state gives to the appropriate law enforcement agencies the certain authorities for realization (execution) within the law of properties inherent to punishment. Highlighting the functions of criminal punishment and considering them in the general form, we can speak about activity on the implementation of tasks for achievement, goals. In relation to an institute of criminal punishment, such means of achievement are the norms on the system of punishments, on the types of punishments, on the general principles of assignment of punishment, on the extenuating and aggravating circumstances; and also the norms of the criminal and penal law in which the general norms on punishment, which are contained in criminal law, get their concretization necessary for their practical application.

Thus, if the punishment purposes in the essence reflect desirable result which has to be provided at application of punishment, then functions in the set make the mechanism of its achievement. Determining the punishment purposes as the final social results, the legislator recognizes that their achievement assumes multilateral functional activity of the law enforcement agencies and bodies, executing punishment for the realization of properties inherent in punishment. The purposes stated above, become the reference point of efficiency of their practical activities, that is, the purpose of punishment is ideal anticipation of the result, and function of punishment means the process of implementation of tasks for the achievement of the goals. According to Astemirov: "From the goals of punishment there should be distinguished its functions by means of which the private problems are solved, intermediate results are achieved on the way to the purposes" (Astemirov, 1987: 10).

Together with it, functions of criminal punishment in legal literature were considered from the point of view of their efficiency, or for the prevention of crimes and fight against crime. The examples are: I.M. Galperin's work - Punishment: social functions, practice of application, E.A. Sarkisova - A precautionary role of the criminal law and Criminal-legal means of crime prevention. However, are all these works outdated? It is necessary to consider functions of criminal punishment according to the new legislation for the purpose of prevention or fight against crime within the framework of the new state criminal policy and the humanization in criminal law. Such famous scientists as Astemirov (1987), Melentyev and others paid much attention to problems of functions in the stage of execution of criminal punishment. However, they considered functions in relation to criminal and penal law and specified that functions follow from the punishment essence, so, they have the subordinated character in relation to definite purposes, and each of them, for the achievement of the goal, solves the certain problem.

The modern challenges, caused by many factors, demand an increase in the efficiency of realization of preventive functions of criminal punishment, first of all through the institute of exemption from criminal punishment. Besides, we believe that the current legislation on the prevention of offenses demands further improvement in the sphere of the regulation of the questions of precautionary character. Thus, the actuality of the theme of the present article is caused by the need of studying and the analysis of legal problems on the realization of preventive functions of criminal punishment in the fight against crime. Based on the above, there is the need for the research of legal regulation of institute of exemption from criminal

punishment, and also search of effective forms of the legal mechanism, realizing preventive functions of criminal punishment. All of this predetermined the choice of the theme, character and the direction of our research, where it was made the attempt to state own vision of some legal aspects, connected with the realization of preventive functions of criminal punishment through the institute of exemption from criminal punishment. In writing of this article, the extensive analytical material devoted to punishment problems was used which is contained in works of foreign and domestic scientists.

2. DISCUSSION

The criminal-legal doctrine of the Soviet period of development of the state assumed that application of criminal punishment was nearly only method of criminal and legal regulation. So, for example, Professor Kovalyov wrote in the fundamental work *The Soviet criminal law (Course of lectures)* that the only method of regulation of criminal-legal relations is the threat of application of the punishment, which is contained in criminal-legal sanctions and its application in case of commission of a punishable act. This position was standard among scientists of that period of time and remained practically in the middle of the 70th years of the XX century. And only by the beginning of the 80th years works, there were begun to appear of such leading scientists as V.M. Galkin, N.A. Struchkov, N.I. Zagorodnikov, A.B. Sakharov and others, challenging or calling into the question the leading role of punitive method in criminal law.

The specified position found reflection and in the criminal legislation of USSR and union republics, existing for that period. So, it was specified in the article 20 Punishment Purposes of the Criminal code of the Kazakh SSR that punishment is not only the retribution for the committed crime, but it has the purpose the correction and re-education of convicts in the spirit of the honest relation to work, proper execution of laws, respect for rules of the socialist community and also prevention of the commission of new crimes as condemned, and other persons. Punishment does not aim at causing physical sufferings or violation of human dignity. In the Criminal code of the Republic of Kazakhstan of 1997 (Article 38) the content of criminal punishment underwent certain changes, and in Criminal code of the Republic of Kazakhstan of 2014 (Article 39) - considerable changes.

So, punishment is defined as a legal coercive measure, imposed by the court sentence. Punishment is applied to the person convicted of the criminal offense, and it is consisted in the deprivation or restriction of the rights and freedoms of this person, provided by the present Code. Punishment is applied for restoration of social justice and also correction of the convict and prevention of the commission of new criminal offenses, both the convict, and other persons. Punishment does not aim at causing physical sufferings or the violation of human dignity. As it follows from the content of the definition of punishment, the legislator completely refused the word retribution, but at the same time, gave preference to the understanding of punishment as a legal coercive measure as without coercion the criminal law, as a branch of law, could lose its purpose. But, from our point of view, in modern conditions taking into account democratization of society and the pursued criminal policy on liberalization of the criminal legislation,

there is necessary a search of new ways to improve efficiency of criminal-legal impact on the persons who committed criminal offenses, not only by way of their retribution, but also by use of the incentive norms put in the criminal legislation. Those incentive norms which have preventive potential both in relation to the persons to whom they apply and in relation to other citizens (Hokhryakov,1989; Fateminasab, 2014).

The solution of the specified problem in the modern period is very relevant for Kazakhstan. Until recently, it was remained the difficult situation in the country, caused by negative tendencies of constant growth of a number of the prison population in the country. According to the data of the Committee of the penal correction system of MIA (the Ministry of Internal Affairs of the Republic of Kazakhstan), over one and a half million people passed through correctional facilities for the entire period of sovereign development of Kazakhstan. Therefore, from our point of view, quite reasonably the task of reduction of the number of convicts in places of detention was set and partially solved by the government of Kazakhstan. This line should be continued, including through wider use of the incentive norms, which were put in the criminal legislation of the Republic of Kazakhstan, and allowing not to be isolated from society of persons, repentant of their deed, persons interested to return to law-abiding behavior and seeking to completely change their life to the best.

Making decisions on reduction of scope of imprisonment and on expansion of alternative measures of punishment, it must be kept in mind that criminal punishment in the form of imprisonment has sufficient number of negative properties. Moreover, quite often their negative total effect such is that raises doubts in the realness of

achievement of the goals set for punishment. The famous Russian scientist Hokhryakov very convincingly passed his opinion: Common sense prompts that the task of correction and re-education in the conditions of isolation from society is unattainable Really, setting the purpose on the adaptation of the person to life in society, he is separated from this society; wishing to teach him to useful active behavior, keep in the situation where each step is planned that develops passivity; thinking to replace in the mind of the person bad habits with useful ones, he is kept among similar persons that promote mutual infection, etc. (Kovalyov, 1971; Ugwu et al., 2018).

The problem of incentive norms in criminal law, concessions from the state in favor of guilty or, so-called, compromises in the sphere of criminal-legal and correctional policy was the subject of the independent research of the scientists of Russia including Kazakhstan. At the same time, it should be noted that such researches taking into account the changed modern conditions are obviously not enough. Meanwhile, there is constantly conducted discussion at the highest level of our countries about incentive norms, concessions or compromises in the sphere of the fight against crime, and they (compromises) always presented and present at the law-enforcement practice. According to Starkov (2005), the compromise with crime is the agreement by reciprocal concessions, and concessions of the state are:

- 1) Exemption from criminal liability and punishment up to the recognition of the crime as non-criminal (for example, the actions of the agents, compelled to it by circumstances; members of the criminal organizations supporting the law enforcement agencies; at the voluntary surrender of weapons, etc.);

2) Mitigation of punishment, sentencing lower than the lowest limit in the presence of the mitigating circumstances (for example, at the supporting of law enforcement agencies, prevention of harmful consequences of the act and so forth) (Akimzhanov et al., 2018).

The famous scientist Dolgova, speaking about compromise in crime counteraction, points that it is about the certain deal between the state and the criminal, but it is, first, the compelled deal, for more optimum results of the fight against crime, secondly, it is rather deal - forgiveness, than deal - compromise: the criminal is exempted from criminal liability not because under certain conditions they allow his criminal behavior. And, according to Dolgova, the concept compromise, which is used even more often in relation to fight against crime, does not seem as exact. Such compromise is allowed only in response to concrete crimes, concerning specific criminals or their certain contingents but not on the crime as a mass phenomenon. But, from our point of view, the term compromise in counteraction with a crime can be used slightly more widely, than it is offered by Dolgova, as the same humanization and liberalization of the criminal legislation, amnesty, decriminalization of separate corpus delicti in the complex exert positive preventive impact not only on separately taken person, but also, in general, on all crime (Starkov, 2005).

Not coincidentally, according to scientists, the criminal policy is understood as the general line developed by the state, determining the main directions, the purposes and lever on the criminals by the formation of the criminal, criminal procedure, penal enforcement legislation, regulation of practice of its application and also by the development and implementation of measures, directed to the prevention of crimes. In the new Criminal Code of the Republic of

Kazakhstan (further - CC RK) which came into force on January 1, 2015, the bases of exemptions from criminal liability and from criminal punishment are not differentiated. They were placed in section 5 of CC RK which is called: Exemption from criminal liability and punishment and also it includes the 13 articles (Articles 65-77). In spite of this, it is necessary to distinguish the exemption from criminal liability from exemption from criminal punishment. So, exemption from criminal punishment assumes not the execution of already sentencing by the court. The person, guilty of commission of the crime, can be exempted from criminal punishment in whole or in part, depending on whether completely public danger of the identity of the convict is lost or it was considerably decreased. Types of exemption from criminal liability are:

- Exemption from criminal liability due to the active repentance (Art. 65 of CC RK);
- Exemption from criminal liability at exceeding the limits of self-defense (Art. 66 of CC RK);
- Exemption from criminal liability at fulfilling conditions of the procedural agreement (Art. 67 of CC RK);
- Exemption from criminal liability due to the reconciliation (Art. 68 of CC RK);
- Exemption from criminal liability with establishment of the bail (Art. 69 of CC RK);
- Exemption from criminal liability due to changing circumstances (Art. 70 of CC RK);
- Exemption from criminal liability due to lapse of time (Art. 71 of CC RK);

- Exemption from criminal liability on the basis of the act of amnesty (Art. 78 of CC RK);
- Exemption of minors from criminal liability and punishment (p. 1, Art. 83 of CC RK);
- The special cases of exemption from criminal liability, provided by the Special part of CC RK at commission of separate categories of crimes (notes to the Articles: 125, 175, 176, 179, 217, 218,236, 253, 255, 258, 260, 261,262, 263, 264,265, 266, 267, 268, 287, 288, 296, 347, 367, 387, 405, 426, 441, 442, 444, 445, 446, 447, 448 of CC RK).

The Russian legislator placed the grounds of exemption from criminal liability and from the punishment in separate chapters of the Criminal code of the Russian Federation: chapter 11 is called - Exemption from criminal liability and it includes articles from 75 to 78, and chapter 12 is called -Exemption from punishment and includes articles from 79 to 83. Exemption from criminal punishment is based on achievement of the goals set before the punishment: correction of the convict and prevention of the commission of the new crimes. Of course, the organization of corrective influence on condemned in corpore during so short periods of time is difficult. Some sceptics regarding all convicts, serving the imprisonment in correctional facilities, express the doubts in the achievement of the goal of their correction. There are extremely radical positions in science that the convict as a leopard cannot change its spots. These radical views were already estimated by Professor V.I. Seliverstov: Yes, about the third of convicts after exemption commit crimes again. It is sometimes said that it is necessary to exclude correction from the purposes of punishment and from the name of correctional facilities. But I usually

say the following about it. Are all patients cured by the hospital? No. Well, and then let us remove the healing from the name. Also, we will call hospitals so: Morgue No. 1, Morgue No. 2, etc. Not all people can be cured, and not everyone can be corrected. But it is necessary to set such goal (Drovosekov, 1990).

The efficiency of realization of preventive functions of criminal punishments remains doubtful in a way, as regarding the general and private prevention. But nevertheless, exemption from criminal punishment has to be used only in preventive purposes, and not vice versa. It is necessary to take into account the fears of judges, the law enforcement officers, the victims from crimes, that exemption from serving sentence can be the peculiar preferential mechanism of unreasonable exemption from punishment of the dangerous criminals which can provoke commission of the repeated crimes (recurrence) by them. For prevention of similar result, there have to be improved the processes of law of consideration on petitions from convicts about exemption; the public prosecutor's, judicial, human rights and public control over legality and validity of the made decisions. Restoration of the statistical accounting of the post-penitentiary recurrence, existing in the USSR, within which it is necessary to obtain data separately on the post-penitentiary recurrence of the persons, exempted from serving a sentence on various bases is very relevant for Russia and Kazakhstan (Alikperov & Zeynalov, 1999).

According to the decree of the President of the Republic of Kazakhstan on August 17, 2010 on measures to enhance the effectiveness of law enforcement and the judicial system in the Republic of Kazakhstan there was provided the regulation of the order of exemption of persons from criminal liability in connection with the

reconciliation of the parties, when harm is done to the state, and the establishment of restrictions for application of the measure of restraint in the form of arrest to the persons who committed economic crimes of minor or moderate gravity, and also their exemption from criminal liability in case of voluntary repayment of the damage. Further, in the Law RK of January 18, 2011 On amendments to certain legislative acts of Kazakhstan on the further humanization of criminal law and the strengthening of guarantees of due process in criminal proceedings, there are made the essential changes in the Criminal Code of the Republic of Kazakhstan, providing an essential humanization of the existing criminal legislation by reduction of application of such the most common in the judicial practice of this type of punishment, as imprisonment (Seliverstov, 2017).

Humanism, in relation to the criminal, should not develop into humanism in relation to crime as to the social phenomenon. It is also necessary to increase control over the adoption of amnesties, to introduce restrictions for the frequency of application of this institute of exemption from criminal liability and punishment, having provided stability of the state policy for criminal justice. Of course, the complete rejection of institutes of exemption from criminal liability and punishment is not admissible. The existence of such reasonably and moderately applied institutes to a certain extent stimulates the correction of convicts, contributes to increase in preventive functions of criminal punishments in fight against crime. It is necessary to pay attention to the precautionary value of the institute of exemption from punishment. The action of this institution in practice is as follows: the person who committed the crime regretted, reconciled with the victim, and in general, the situation was changed radically; and it is possible,

and the limitation period has expired – criminal-legal relations at these and similar to them the bases and occasions are stopped, and at that moment their legal consequences are finished as well (Hasibuan et al, 2019; Lee, 2019).

At the same time, in our opinion, the legislator decided in the equilibrium manner the questions of exemption from criminal liability in connection with active repentance, exceeding the limits of self-defense, reconciliation with the victim, change of the situation, at performing of the conditions of the procedural agreement, the establishment of the bail, in connection with the statutory limit had expired (Articles 65-71 of CC RK). It should be noted that the legislator provided the possibility of expansion of opportunities for application of institute of exemption from criminal punishment. It is proclaimed aspiration to respect for the principle of humanism, the ideas of expediency and economy of measures of criminal repression. It is possible to agree also that in certain cases for more effective achievement of the goals of criminal punishment, it is more expedient to refuse its real application. However, excessive global liberalization of the domestic criminal legislation is inadmissible. Perhaps, in order to strengthen their preventive component, it would be necessary to provide in the specified norms the additional obligations, special rules of conduct, providing for a certain period of control over the behavior of persons, exempted from criminal liability (as those which are provided by Art. 72 of CC RK and can be assigned to parolees from serving sentence).

The Concept of legal policy of the Republic of Kazakhstan until 2020 states about the need of recognition of priority and inherence of the rights and freedoms of the person, about decriminalization of

crimes with minor gravity, about broader application of alternative measures of punishment. All this reflects the tendency of the humanization of criminal policy in Kazakhstan and conforms to the standards of OSCE in the field of human dimension. So, it is said in documents of the Moscow meeting on human dimension that OSCE participating States will pay particular attention to the problem of alternatives of the imprisonment. Priority in the sphere of criminal policy is humanism and mitigation of the procedure of the enforcement of punishment which provide minimizing of repression, tortures, others the cruel, brutal and degrading dignity of the person treatments, which are bordered on criminal acts. Criminal liability and punishment are applicable only when there are no other bases to exclude them. The world community within the international standards is on the same positions that imprisonment - is the exceptional measure of punishment, functioning in the interests of the victim safety, the society and process of re-socialization of the convicts. The alternative of the gravest punishment of imprisonment, in the international practice for many years acts the probation. The probation, in some case, represents an institute of supervision for those exemptions from punishment, and in some case - as the means of re-socialization of offenders (Nazoktabar & Tohidi, 2014; Endang et al., 2019).

Within the international standards, the probation is that body and the mechanism which is capable to keep the person from the destructive influence of the prison system, to give the chance him to correct, to be in the society as the normal person; and also to resolve issues for overpopulation of prisons, to reduce the number of the persons which are in places of imprisonment. The main idea of the probation consists in social-legal control of the persons which are

under control, bailing within the framework of the execution of punishments which are not related to the imprisonment. Actually, it is the special form of control of the persons who are in test conditions. This criminal-legal measure received a positive assessment in the UN Standard Minimum Rules, devoted to the measures which are not related to the imprisonment (the Tokyo Rules). The special value of this document is that it provides parity between the rights of convicts and the interests of society. UN Council Resolution on economic and social problems (1951) considers the probation as the mode of test and recommends it for the legal systems of various states.

The probation is the alternative solution to punishment and continues to be in the condition of improvement, and in some countries in the condition of formation, it allows for society to prevent rather less serious crimes with the minimum losses. Saying about the probation as about the process and the phenomenon in relation to the convicts, exempted from the places of imprisonment, it is possible to say that in recent years it is conducted active search of ways of increase in efficiency of execution of the punishment, in the combination with high exactingness to convicts with the attentive, human attitude towards them, their needs and inquiries. Based on the fact that exemption from punishment is an act of humanism, we cannot assume that this act will become, according to the content, manifestation of cruelty and barbarity in relation to the person.

3. CONCLUSIONS AND ANALYSIS

Thus, following the results of the conducted small analysis of some aspects on realization of preventive functions of criminal punishment, in particular through the institute of exemption from criminal punishment, we received the following results:

1. It is necessary to consider the mechanism of realization of preventive functions of criminal punishment in the Law on the prevention of offenses of the Republic of Kazakhstan. For this purpose, it is necessary to carry out search of organizational-legal bases, realizing this function, and further at the legislative level to consolidate these bodies and functions. We believe that from the point of view of legality and justice nevertheless the most effective organizational basis of the increase in efficiency on realization of preventive functions of the criminal punishments, in our opinion, is the penal correction system of the country in general.

Now the penal correction system of the Republic of Kazakhstan is the basic element of all penal correction system of the country as it is responsible for execution of the main part of criminal punishments. First of all, the efficiency of the penal correction systems of the state depends on its activity. So, in order that preventive function of criminal punishment worked effectively, it is necessary that the penal correction system worked fairly and lawfully as the main organizational basis on increase in efficiency of the realization of preventive functions of criminal punishments.

2. Russia and Kazakhstan have no practice of exemption of the convicts, serving life imprisonment due to illness until recently. The criminal legislation of Russia (p. 2 of Art. 81 of the Criminal Code of the Russian Federation) and the criminal legislation of Kazakhstan (Art. 73 of CC RK) allow such opportunity as it provides an exemption

from punishment, and life imprisonment is one of the types of criminal punishment. This gap of law-enforcement practice can be eliminated by explanation of court practice by the Supreme Courts of our states.

3. For realization preventive functions of criminal punishment, namely inevitability of criminal punishment and its justice, we believe expedient, humanism and liberalism in punishment (in its application and execution) have to be based by the need and sufficiency for the more effective achievement of the goals of criminal punishment, and by no means should not contradict other principles of criminal punishment.

4. According to data of the Prosecutor General's Office, 11 600 convicts received parole or mitigation of punishment in 2015. So, in 2016 there are considered 304 materials about parole from serving a sentence with petitions and adductions, from them 100 petitions were satisfied or 32,8% and 197 petitions or 64,8% were rejected.

Comparison of data for 2016 and 2017 shows some reduction of the considered petitions: on 31 petitions in 2017, and also satisfied - on 35 petitions. However, the number of the committed offenses and crimes did not decrease.

It demonstrates that at the present stage the state, represented by the legislature, is fond excessively of liberalization of the condemned persons, guilty in commission of crimes. It is seriously aggravated with practice of frequent application by the courts of suspended sentences.

5. We consider that for creation of the effective realization of preventive functions on criminal punishment the full refusal from institutes of exemption from criminal liability and exemption from criminal punishment and amnesties, as well as from a criminal

conviction, is not admissible; especially as the Law of the Republic of Kazakhstan adopted of December 30, 2016 No. 38-VI On the probation began to work effectively and also the complex strategy of social rehabilitation of the citizens, exempted from places of imprisonment and who are under control of the probation service in the Republic of Kazakhstan for 2017-2019 (approved by the decree of the President of the Republic of Kazakhstan of December 8, 2016 No. 387) as well. And the purpose of the strategy is the formation of a complex effective system of social rehabilitation of the citizens, exempted from the places of imprisonment and who are under the control of the probation service.

The existence of such reasonably and moderately applied institutes to a certain extent stimulates the correction of convicts, contributes to the corrective precautionary process. The given results, received during the conducted research in the scales of the present article, allow to draw the conclusion about the existence of problems in the realization of the preventive functions of criminal punishment in the Republic of Kazakhstan. At the same time, if to except the features of the institute of exemption from criminal punishment investigated, this institute differs from exemption from criminal liability by the specific legal grounds. It is represented that the received author's results, on the one hand, can expand borders of scientific knowledge of this area, will promote the improvement of realization of preventive functions of criminal punishment, on the other hand, they will be the starting point for further study of this problem.

REFERENCES

- AKIMZHANOV, T., TORGAUTOVA B., & RYSALDIYEVA A. 2018. **On the strengthening of the preventive content of criminal-legal and penal enforcement norms at impact on crime.** Science of Europe. Vol. 3, N° 26: 52-59. Russia.
- ALIKPEROV, H., & ZEYNALOV, M. 1999. **Compromises in the fight against crime.** M. Russia.
- ASTEMIROV, Z. 1987. **Problems of the theory of criminal liability and punishment.** Makhachkala. p. 279. Russia.
- DROVOSEKOV, G. 1990. **Punishment: content, functions, purposes.** Purposes of criminal punishment. Ryazan. p. 53. Russia.
- ENDANG, R., RILA, G., & SABRINA, O. 2019. **Predicting the influence of integrated marketing communication on intention to buy organic product: an empirical study.** Humanities & Social Science Reviews. Vol. 7, N° 3: 32-37. India.
- FATEMINASAB, A. 2014. **Investigating the challenges and barriers of convergence between Iran and republic of Azerbaijan.** UCT Journal of Social Sciences and Humanities Research, Vol. 1, pp. 18-24. Iran.
- HASIBUAN, A., SARAGIH, S., & AMRY, Z. 2019. **Development of Learning Materials Based on Realistic Mathematics Education to Improve Problem Solving Ability and Student Learning Independence.** International Electronic Journal of Mathematics Education. Vol. 14, N° 1: 243-252. UK.
- HOKHRYAKOV, G. 1989. **Punishment in the form of imprisonment: efficiency assessment.** Soviet state and law. N° 2. pp. 180-187. Russia.
- JENAABADI, H., & KHOSROPOUR, A. 2014. **An investigation on the amount of employing total quality management principles by**

school principals and its correspondence with their affectivity.
Noormagas. Iran.

KOVALYOV, M. 1971. **Soviet criminal law.** Course of lectures.
Sverdlovsk. № 1. p. 288. Russia.

LEE, M. 2019. **A Case Study Examining Links between Fractional Knowledge and Linear Equation Writing of Seventh-Grade Students and Whether to Introduce Linear Equations in an Earlier Grade.** International Electronic Journal of Mathematics Education. Vol. 14, № 1: 109-122. UK.

NAZOKTABAR, H., & TOHIDI, G. 2014. **Shanty Town and Socio-Cultural Problems in Sari City.** IHSN Survey Catalog. Iran.

SELIVERSTOV, V. 2017. **Legal problems of exemption of convicts from serving imprisonment due to illness.** Bulletin of Kutafin Moscow State Law University. № 7. pp. 42-49. Russia.

STARKOV, O. 2005. **Prevention of crimes: Manual.** M.: Lawyer. Russia.

UGWU, J., EVERIST, E., & IGWEGBE, D. 2018. **Youth capacity building in Enugu state: the role of entrepreneurship development.** Business, Management and Economics Research. Vol. 4, No 12: 154-160. Pakistan.



**UNIVERSIDAD
DEL ZULIA**

opción

Revista de Ciencias Humanas y Sociales

Año 35, N° 88, (2019)

Esta revista fue editada en formato digital por el personal de la Oficina de Publicaciones Científicas de la Facultad Experimental de Ciencias, Universidad del Zulia.

Maracaibo - Venezuela

www.luz.edu.ve

www.serbi.luz.edu.ve

produccioncientifica.luz.edu.ve