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Research Article

RETROSPECTIVE ANALYSIS OF NATIONAL AND FOREIGN LEGISLATION REGULATING THE INSTITUTION OF THE CRIMINAL SUBJECT

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ABSTRACT

The article deals with the regulation of the norms related to the institution of the criminal subject of the national and foreign legislation regulating the institution of the criminal subject. Specific features, determining the age limit of criminal liability in the criminal legislation of national and foreign countries and the issue of criminal liability are analyzed in depth theoretically.

KEYWORDS

Subject of crime, criminal liability, age of criminal liability.

INTRODUCTION

The analysis of the history of the formation of legal norms regulating issues related to the criminal unit shows that views about this institution began to be formed simultaneously with the emergence of the doctrine of crime. Although "Avesta", the first historical written source of the first half of the millennium BC, is one of the first, people, legendary heroes, kings and states who lived on this land, the government system of states, crime and punishment issues are described in detail.

In particular, in the Avesto, the prosecution of any person who committed a crime and the commission of the crime by young children, the elderly, and women with young children are defined as mitigating circumstances[1].

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At the same time, in the ancient Roman law, the issues of responsibility related to the subject of the crime were connected with the psyche of the person, that is, in it, as the subject of the crime, the person's reaching a certain age and the appropriate level of development of the mental state that allows the commission of a crime were considered as the main criteria for imposing a punishment against him. Because the age indicator, as a sign of the subject of the crime, represents his ability to act criminally. According to Roman law, when a person reaches the age of seven, aggression and anger. Therefore, it is defined as "Malitia supplet aetatem" (age constituting evil) that a person should be held responsible starting from this age [2].

In addition, in ancient times, not only humans but also animals and even insects were found guilty as the subject of the crime and there were laws that determined the prosecution of the crime. For example, under the Dragon and Salon laws of Greece, animals (usually bulls and pigs) that caused the death of a person were held liable. Similar norms existed in the medieval legislation of some other European countries. Such criminal acts were tried by the ecclesiastical courts, and the guilty were punished with ex-communication or anathema (cursing, sacrifice for the sake of the god)[3].

Consequently, the initial views on the age of responsibility were emphasized in the collection of laws of Salic (Lex Salica) in the 6th-19th centuries. This document stipulates that "If a 12-year-old child commits any criminal act, he will not be charged". Also, in Chapter 25 of this set of laws, "If a child under the age of 12 has taken someone else's property unjustly, he must pay the specified fine and be summoned to court"[4]. From this, it can be seen that in the Salik Laws criminal liability was applied to persons under 12 years of age. This shows that this law does not specify a specific age limit for liability.

After the beginning of Arab rule in Central Asia at the beginning of the 8th century, Sharia norms began to apply in these regions. Therefore, in these regions, cases related to bringing a person to criminal responsibility were considered in relation to religious issues. Since man was considered God's creation in the laws of those times, the question of responsibility for crime was determined by the emergence of the ability to commit sinful acts in any person [5]. Therefore, it can be concluded that according to Sharia norms, the punishment for a socially dangerous act committed by a person is based on the person's ability to commit sinful acts. For this reason, the rulers and judges believed that they were not authorized to solve the age issue in order to prosecute the guilty, the perpetrators of sin[6]. Also, in the rules of the Hadith, it is said that "three categories, that is, a child, until he reaches the age of puberty, if he sleeps until he wakes up, if he is weak in mind, he is not responsible for a wrongdoing until he has intelligence"[7]. From this point of view, in our view, preliminary legal rules defining personal responsibility were formed in these regions, that is, according to the established rule, only living, sane persons who can act freely can be held responsible for committing a crime.

In the current territory of Uzbekistan, the Karakhanis, the Samon is and in the IX-XII centuries, when the Ghaznavids ruled, the issues of criminal responsibility of individuals were resolved on the basis of Sharia norms. Then, these issues were considered on the basis of Genghis Khan Law, which was used as one of the main sources of law during the period of Mongol rule in Central Asia at the beginning of the 13th century. In particular, according to this document, the death penalty was imposed on spies, false witnesses,

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witches, immoral persons, those who took bribes using their official duties, and those who helped to commit these crimes [8].

After the rule of the Mongols, in the period of the Timurids (XIV-XVI), criminal issues were resolved on the basis of Muslim law, "Tuzuk of Timur", customs, rights of the peoples living in Central Asia and this region, and other sources. In particular, "Temur Laws" included criminal and criminal-procedural law – the punishment of criminals, punishment for perjury, punishment of officials for concealing crimes committed by subordinates, and other issues[9]. As we can see, in these documents, responsibility is differentiated for ordinary citizens and officials. In this case, the issue of criminal liability and the severity or lightness of the punishment determined for it are determined based on the position of the person in society and the nature of the actions committed by them. Later, after the reign of the Timurids (XVI century), in these regions (Shaibani, Ashtarkhani, Bukhara, Khiva and Kokan khanates), Sharia norms characteristic of Eastern and Asian civilizations were applied [10] and it remained without significant changes until 1917.

In addition to the above, issues of personal responsibility for crimes committed in the considered periods were solved in a unique way in other regions. For example, the issue of the criminal entity of Lithuania the law of 1529 established 7 years of age as the minimum threshold for the initiation of criminal responsibility[11]. In addition, in the second half of the 17th century, i.e. in 1669, Article 79 of the collection of laws on search, which was valid in the territory of the Russians, on cases of invasion and murder, states that "if a 7-year-old child kills someone, he is responsible for the death" [12]. One of the first steps to address the issue of the minimum age of responsibility by law was by the UK Senate.

On August 23, 1742, a decision was made, in which it was determined that a juvenile in criminal cases should continue until the age of 17. Torture, flogging and capital punishment were prohibited for minors. Corporal punishment was applied to criminals according to their age. In addition, at first, the need to set under 10 years of age as the age limit excluding sanity in any case was introduced by the decree of Catherine II of June 26, 1765 "About the prosecution of criminal cases committed by minors and differentiation of punishment according to the age of criminals" and in it Norms of reduced punishment for persons aged 10 to 17 have been strengthened[13]. This decree provided for three stages of criminal liability. That is: under 10 years of age - complete mental retardation, from 10 to 15 years of age and from 15 years of age.

Periods under the age of 17 were noted as mitigating circumstances. According to this, the punishment for persons between the ages of 10 and 15 years was lighter than that prescribed for the act committed by them, that is, for the act committed by them, they were beaten with a special tool made of their skins, while for the similar act, persons between the ages of 15 and 17 years were beaten with a special tool made of leather. punished by whipping.

Also, Article 1 of the Code of Laws of the Russian Empire of 1832 stipulates that "any act prohibited by law shall be considered a crime with the threat of punishment." According to Article 126 of this Code of Laws, criminal cases related to the commission of serious crimes by children under the age of 17 shall be submitted to the chairman of the Senate, and the chairman will decide the matter at his discretion. At the same time, the crimes committed by young children, which are not very serious, but deserve corporal punishment, are presented to the Advisory Courts and the Criminal Chamber without being presented to the

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Senate, and punishment measures are determined by them. According to the Code of Laws of 1832, a minor child of 10 years of age could be considered the subject of a crime. However, it is established that a person who commits a crime who is mentally deranged or insane is not considered a subject of the crime. For example, according to Article 136 of the Code of Laws, committing a crime in a state of insanity, unconsciousness, and insanity is not punishable for the act of a person, if this condition is proved[15].

It should be noted separately that this collection of laws was one of the first in criminal law to list the circumstances denying sanity[16]. That is, according to him, childhood under 7 years of age, congenital insanity, insanity, memory and insanity-causing disease, old age, and lunatism (sleep walking) and deafness were considered to be mental deficiencies and no responsibility was established for such conditions. This law envisages the period from 17 to 21 years as a mitigating circumstance.

Another noteworthy aspect of the formation of liability measures related to the criminal subject is the punishment of organizations, associations, or enterprises for the committed act, i.e. the cases of establishing the liability of legal entities. In particular, in 1670, the order issued in France specified punishment for crimes committed against corporations and communities [17]. Also, in the history of the USA, England, and other countries, legal entities are considered to be the subject of crime. This, in turn, made it possible to determine the main directions of the formation of the criminal entity institution and its development.

Therefore, it should be noted that the legislation of the former Soviet Union had an impact on the development of the science of criminal law in our country, as well as on the formation of norms and rules related to the institution of a criminal subject. In this respect, the analysis of the legislation of this period and the study of its provisions are important in order to have a complete picture of the development of the norms related to the institution of the criminal subject and to form ideas aimed at its future development. Indeed, after the October coup of 1917, the criminal law doctrine in our country began to be formed under the direct influence of the criminal law of the former Soviet Union, and these processes created a new stage in the development and formation of the institution of the criminal subject. In this period, serious attention was paid to issues related to the subject of crime from the point of view of political interests. Therefore, the issues of responsibility of the persons who committed the crime are expressed in some normative documents adopted in Russia and Turkestan.

For example, the first steps in this area focused on easing the criminal policy against minors. According to the decree of the Council of People's Commissars (KKK) on January 14, 1918, "About commissions of minors accused of socially dangerous acts", cases related to the trial of minors were canceled and imprisonment was prohibited. The cases of people of both sexes under the age of 17 who committed a socially dangerous act were transferred to the "Juvenile Affairs Commission", and the criminal cases of persons over the age of 17 were reviewed in courts, and those found guilty of the crime were brought to justice.

According to the "Fundamentals of Criminal Law of the RSFSR" as of December 12, 1919, the views on the procedure for prosecuting minors were changed and it was determined that persons under the age of 14 will not be held criminally responsible for committing a crime. Juveniles between the ages of 14 and 18 who

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commit crimes can be prosecuted. This situation, in turn, depended on a person's conscious effort to commit a crime. It is noteworthy that, if it is determined that the actions of the person were committed without conscious awareness of the danger, they were also assigned educationally important measures applied to children under the age of 14[18].

Later, the Decree of the Council of People's Commissars "About the Cases of Juveniles Accused of Socially Dangerous Crimes" (March 4, 1920) provided some clarifications regarding persons who have reached the age of 14 but have not yet reached the age of 18. As a general rule

All criminal cases committed by persons under the age of 18 were considered by "Juvenile Commissions".

In the Criminal Code of the RSFSR of 1922, the strict age limit of criminal responsibility was lowered from 18 to 16 years. Cases of crimes committed by persons under the age of 16 were also considered by "Juvenile Affairs Commissions"[19]. It should be noted that for the first time in the history of the criminal law of Uzbekistan, the Criminal Code of the UzSSR was adopted in 1926, and with it, a new stage of the formation and development of the criminal entity institution in the country was established. This Code does not define the concept of a criminal subject, but the minimum threshold for prosecution is set at 14 years[20].

The legislation of the Great Patriotic War and the years after the war did not make any significant changes to the rules regarding age in the matter of responsibility. However, the Presidium of the Supreme Council of the USSR "On strengthening the protection of private property of citizens" and "About criminal liability for theft of state and public property".

By the decrees of June 4, 1947, measures of responsibility were strengthened against any persons who committed crimes of looting the property of others. In particular, in these decisions, liability measures began at the age of 12, and no relief was established for them[21]. In the territory of the Soviet Union, in 1958, the foundations of the next Criminal Law and in 1959-1961, on the basis of this law, the criminal laws of the Allied Republics were adopted, and these laws initiated the next stage of the development of the institution of the criminal subject. For example, on May 21, 1959, a new Criminal Code was adopted in Uzbekistan[22], and it was in force in the territory of the republic from January 1, 1960 to April 1, 1995[23]. In this code, a new approach to regulating the responsibility of minors was formed. In particular, in the General part of this code, an independent article 10, known as "Liability of minors", was defined. In this article, 16 years was defined as the general age of criminal responsibility and provided for the limited age of responsibility for the 22 types of crimes provided for in this code for persons who have reached the age of 14. Also, persons under the age of 14 cannot be held criminally liable, and crimes committed by a minor have been defined as mitigating circumstances.

According to part 3 of Article 10, "If the court determines the reasons for confirming that a minor under the age of 18, who committed a crime of low social risk, is on the road to recovery, in such a case, compulsory measures of an educational nature, which are not considered criminal punishment, can be applied to this person instead of punishment".

In this code, the following coercive measures of an educational nature were provided:

1) transfer the minor to the control of his parents, adoptive parents, guardianship, and public education

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authorities based on the recommendation and responsibility of the public organization or the labor team at the minor's place of work;

2) placement in closed labor educational institutions for children.

According to part 1 of article 11 of this code, a person who was mentally deranged at the time of committing a socially dangerous act, i.e. a person who could not understand the importance of his act or was unable to control it due to chronic or temporary mental disorder, mental weakness or mental disorder in some other way, should not be held liable. marked. The court may impose coercive medical measures against such persons.

It should be noted that on September 22, 1994, the current Criminal Code of the Republic of Uzbekistan was adopted and it.

It entered into force on April 1, 1995. In the current Criminal Code of Uzbekistan, an independent Chapter IV, known as "Persons to be held accountable", has been allocated, which regulates issues related to the subject of crime.

In this chapter of the Criminal Code, the minimum age of criminal responsibility (Article 17), sanity and insanity (Article 18), the mental state of persons not excluding sanity (Article 181), and responsibility for crimes committed while intoxicated (Article 19) issues have been settled. Article 17, Part 1 of the Criminal Code stipulates that "natural persons who have reached the age of sixteen before committing a crime and are of sound mind are held accountable". This means that the subject of the crime can only be natural persons. Also, the rule that the subject of committing a crime is only a natural person comes from the content of other articles of the Criminal Code. For example, Articles 11-12 of the Criminal Code state that citizens of the Republic of Uzbekistan, foreign citizens and stateless persons can be the subject of a crime and be held criminally liable. In addition, the list of crimes that provide for the minimum age of criminal responsibility of the subject of the crime.

It is mentioned in Article 17 of the Civil Code. In the first part of this article, the general age of criminal responsibility is set at sixteen. In addition, in parts 2-4 of this article, the legislator describes the issues of criminal liability of persons who have reached the age of 13, 14, and 18 before committing the crime, based on the socially dangerous nature of the crime. In particular, according to Article 17, Part 2 of the Criminal Code, persons who have reached the age of thirteen before committing the crime are held liable only for intentional homicide (Article 97, Clause 2) in cases of aggravating responsibility. Based on this, from the point of view of the general age of criminal responsibility, the determination of criminal responsibility for crimes not specified in parts 2-4 of Article 17 of the Criminal Code begins at the age of 16.

It should be noted here that when determining the minimum age for criminal liability, the legislator took into account not only the awareness of the fact of violating one or another moral norm, but also the observance of social values, relevant moral prohibitions, and the general and special warning purpose of criminal punishment.]. It was also noted that only sane persons can be prosecuted in the current criminal law. So, sanity is a necessary condition for the emergence of criminal responsibility, along with reaching a certain age of a person.

According to part 1 of Article 18 of the Criminal Code, a person who, at the time of committing a crime, realized the social danger of his act and was able to control his

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actions, is considered sane. Therefore, in order to prosecute the subject of the crime, he must understand the social danger of his act (action or inaction) and have the ability to manage it.

Mentally insane persons are deprived of such opportunities for recovery due to their mental illness, temporary loss of mind or other illness, and therefore they cannot be the subject of a crime. Therefore, in part 2 of Article 18 of the Criminal Code, at the time of committing a socially dangerous act, he was in a state of unsound mind, that is, his mental state was chronically or temporarily disturbed; it is established that a person who cannot understand the importance of his actions or is unable to control his actions due to his mental retardation or mental state is otherwise disturbed, shall not be held liable. Based on this rule, the state of mental deficiency excludes criminal responsibility. Based on the third part of this article, the court may impose coercive medical measures against a person who has committed a socially dangerous act in a state of mental deficiency.

Another important innovation in the development of norms related to the institution of a criminal subject in our national legislation is the introduction of the Law of the Republic of Uzbekistan No. LUz-567 as ofd September 12, 2019, into the Criminal Code entitled ""Liability of a person whose mental state is disturbed in a way that does not exclude sanity".

According to Article 181 it was introduced that a sane person who could not fully understand the importance of his actions (inaction) or was unable to control them due to his mental state at the time of committing the crime was determined to be held responsible. However, socially dangerous acts committed by a mentally disturbed person in a way that does not exclude sanity are one of the objects of criminal-legal qualification. Crimes committed by this category of people the necessity of criminal-legal qualifications, the nature and significance of the actions of persons with limited sanity, and is explained by the fact that they commit crimes without fully understanding the consequences. For this reason, in part 2 of Article 181 of the Criminal Code, it was established that "compulsion in the form of medical measures may be ordered by the court against a person whose mental condition is disturbed in a way that does not exclude sanity". Of course, by introducing this category of norms into the criminal law, the legislator intended, first of all, to create a legal basis for applying a fair punishment to such persons, as well as for their subsequent social rehabilitation.

Also, in Article 19 of the Criminal Code, the provision was strengthened that a person who committed a crime while intoxicated or under the influence of narcotic drugs, their analogs, psychotropic or other substances affecting the mind of a person is not exempted from responsibility. According to the requirements of this norm, such a situation is not a reason to find a person mentally retarded.

Therefore, the fact that minors are still physically and mentally immature requires special care, protection, and special legal protection. Accordingly, society cannot impose the same requirements on adults as on minors. They will be going through a phase of intensive formation. They still have strong impressionability and imitation. Accordingly, criminal law establishes special liability measures for persons who commit crimes under the age of majority.

In the current Criminal Code, an independent sixth section called "Features of the responsibility of minors" has been allocated and specific features of their responsibility are defined. The inclusion of such

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provisions in the Criminal Code is conditioned by the socio-psychological characteristics of this age group.

It can be noted that the cases related to the subject of the crime are also highlighted in other sections of the General part of the Criminal Code. For example, according to part 7 of Article 481 of the Criminal Code, the restriction of freedom is not assigned to military personnel, foreign citizens, as well as persons who do not have a permanent place of residence in the Republic of Uzbekistan.

According to part 4 of Article 50 and part 3 of Article 51, long-term and life imprisonment cannot be imposed on a woman, a person who has committed a crime under the age of eighteen, and a man over the age of sixty. From the above, it can be said that the current criminal law of the Republic of Uzbekistan regulates the norms and rules aimed at regulating the issues related to the subject of the crime and takes into account the circumstances that reveal the criminal-legal nature of the subject of the crime. But unfortunately, despite the fact that the institution of the criminal subject has been studied for a long time, a number of urgent issues related to this institution have been put forward in the legal literature, and they are not clearly regulated in the criminal law, and the judicial decisions are not uniform, as well as there are many inaccuracies in the qualification and sentencing. errors can be observed.

In addition, clarifying the minimum age limit of the subject of the crime based on today's requirements, the responsibility of mentally retarded persons, making a legal assessment of the situation in which the person who committed the crime in a state of sanity, but who is prevented from serving the sentence due to the violation of his mental state during the period of serving the sentence, there are difficulties and problems in making a legal assessment of issues such as the criminal responsibility of an elderly person, the features of the application of criminal legal norms to persons of mixed gender, the determination of the clear limits of the medical and legal criteria of limited sanity, the legal assessment of drunkenness, the responsibility of special subjects and legal entities.

REFERENCES

1. Ҳомидий Ҳ. Авестодан Шоҳномагача. – Т: Шарқ, 2007. – Б. 254.
2. Carl Friedrich Dieck. Historische Versuche über das Criminalrecht der Römer. – Waisenhaus, 1822. – P. 98.
3. Любавина М. А. Субъект преступления: Учебное пособие. – СПб, 2014. – С. 53.
4. Салическая Правда / пер. Н.П. Грацианского. – М., 1950. – С. 28.
5. Ражабова М.А. Шариатда жиноят ва жазо: Монография. – Т., 1996. – Б. 98.
6. Мухтасар: (Шариат қонунларига қисқача шарҳ). Нашрга тайёрловчилар: Р.Зоҳид.
7. А. Деҳқон. – Т: Чўлпон, 1994. – Б. 152.
8. Шайх Муҳаммад Содиқ Муҳаммад Юсуф. «Ҳадис ва Ҳаёт» тўплами (34 та жузи, 32 та жилдда). – Т.: «HILOL NASHR» нашриёт-матбааси, 2016. – Б. 258. Абдель-Кадер Ауда. Мусульманское уголовное право. Т. 1 / Ауда Абдель-Кадер. – Дамаск, 1991. – С. 392.
9. Сборник летописей. История Монголов. Сочинение Рашид Эддина. История Чингисхана от восшествия его на престол до кончины // Русский перевод с примечаниями И.Н. Березина. – СПб., 1988. – С. 228.
10. Маматов Х.Т. Темур тузукларида давлат ва ҳуқуқ масалалари: Юрид. фан. номз. ... дис. – Т., 2002. – Б. 67
11. Таджиханов У.Т., Одилқориев Х.Т., Саидов А.Х. Ўзбекистон Республикасининг

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конституциявий ҳуқуқи. – Т.: Шарқ, 2001. – Б. 28.

12. Байбарин А. А. Уголовно-правовая дифференциация возраста: монография. – М.: Высшая школа, 2009. – С. 158.
13. Рогов В.А. История уголовного права, террора и репрессий в Русском государстве XV-XVII вв. М., 1995. – С.46.
14. Российское законодательство X-XX вв.: в 9 т. / отв. ред. А.Г. Маньков. Т.4. – М., 1986. – С.363.
15. Российское законодательство X-XX веков. Том 6. Законодательство первой половины XIX века. – М., 1988. – С. 336.
16. Щербаков А.В. Проблемы определения субъекта преступления в современном уголовном праве // Пробелы в российском законодательстве. –2013. – №2. – С.100-106.
17. Андрусенко О.В. Развитие института «субъект преступления» в уголовно-правовой науке в Российской империи XIX века // Право и государство: теория и практика. – 2019. – № 9(177). – С. 19-21.
18. Усмоналиев М. Жиноят ҳуқуқи (Умумий қисм). – Т:, 2010. – Б. 235.
19. Собрание узаконений и распоряжений правительства за 1917-1918 гг. Управление делами Совнаркома СССР. – М., 1942. – С. 590.
20. Уголовный кодекс РСФСР // Собрание узаконений и распоряжений РКП РСФСР. 1922. – № 80. – Ст. 153.
21. Образование СССР: 1917-1924 гг. (В.Я. Гросул). – М.: ИТРК, 2012. – С. 106.
22. Окунева М.О. Субъект преступления в уголовном законодательстве первых лет Советской власти // Вестник Московского Университета. – Сер. 11. Право. – 2017. – № 2. – С. 92-98.
23. Ўзбекистон Республикасининг 1959 йил 21 майда қабул қилинган «Ўзбекистон Республикаси Жиноят кодексини тасдиқлаш тўғрисида»ги қонуни // Ўзбекистон Республикаси Олий Советининг Ведомостлари. – 1959. – № 6. – 2-м.
24. Ўзбекистон Республикаси Олий Мажлисининг «Ўзбекистон Республикасининг айрим қонун ҳужжатлари ўз кучини йўқотган деб ҳисоблаш тўғрисида»ги 1995 йил 6 май 73-I-сон қарори // Ўзбекистон Республикаси Олий Мажлисининг Ахборотномаси. – 1995. – № 6. – 121-м.
25. Жиноят ҳуқуқи (Умумий қисм): Дарслик/ Р.Кабулов, М.Х. Рустамбоев, А.А. Отажонов ва бошқ. – Т.: Ўзбекистон Республикаси ИИВ Академияси, 2019. – Б. 108.