

Abstract

This study is about the simple described aggravated and mitigative premeditated murder as a crime that happen to peoples' life, since it is the most sacred human right, the right to live, this study has been approached through a set of punitive laws; the Jordanian Punitive Law 16 of the year 1960 and the Egyptian one no. 58 of 1937 in addition to the Palestinian punitive law with 2003 approved first reading.

The dissertation also discussed the criminalization of the act and the responsibility for the perpetrators of this crime to Identify the punitive mechanisms to address these crime.

Through dividing it into tree main sections, in addition to intro ductory one, which discussed the crime since the first existence of man on this earth till the international protect of the humans right in life.

The first section approaches the of the intended the place with material and immanent elements, also studying the attempt not as an element but as a deficient crime as result of committer will, where as the second section approaches the intended murder crime aggravating cir constancies with relation to committer person and the material element, grossness crime and the victim feature.

As to he third section it approaches the the intended murder crime extenuating excuses which relates to the motive or the victim act or the committer position and the act nature.

The aim of this study was to identify all the legal rules governing the crime of premeditated murder under the increase and spread in the present day, and the statement of deficiencies to address this crime.

The researcher used the comparative - analytical descriptive method through the identification of Legal texts and discussing and analyzing the judicial decisions relating to this crime.

That appears clearly in the punitive legislation incompleteness of all aggravating circumstances which appears the legislator intervention to aggravating murder, also in the relation of law excuses that makes legislator intervened to find extenuating punishment if it is available because this kind of murder has no brutality and criminate state of mind as it in the committer aggravating circum stances.