

The Intent and Its Role in the Creation Oblique Intent Un Intentional Crimes

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There is no doubt that crime is a social menace because it is a violation of rights worthy of protection. Also, they are a threat to the existence of humans in their safe and stable lives. Based on the gravity of this phenomenon, the penal responsibility is one of the key rules of the penal code considering it a full theory. Despite its significance, the code ignored clarifying its articles. Instead, it mentioned it in different articles in the law.

Consequently, this study aims at introducing the malice afothought and consciousness wrongdoing of the intentional and non-deliberate crimes. This is done by studying, analyzing and distinguishing the aspects of this responsibility by recognizing the penal responsibility of these crimes.

Also, the significance of this research lies in tackling a controversial topic about crimival liabilelg on the mentioned crimes except the general rules of the penal responsibility, legal problems of the Fiqh disagreement which was aroused by this responsibility.

The main topic of this study is figuring out the excuses in the precision which is distinguished by this topic and the legal impact on taking charge of the responsibility among the offender, the supposed offender and the legal basis upon which it stands.

The significance of this topic is that it discusses the importance of Intent and its relation with malice and consciousness wrongness highlighting its importance in constructing the meaningful cornerstones which are will and knowledge. Furthermore, in the reformation of crime, the mental elements include Intent and knowledge.

Consequently, it is found that the intent has an actual importance even if it is in the Direct intent or Oblique Intent Indirect Intent focusing on the fact that

the source of the two types of Intent is one which is the heart. Finally, it is proven scientifically and religiously through the data of the thesis.