

Skok O. S., Omelchenko S. V. Doctrinal basis of crime classification. The article deals with the issues of formation, development and legislative registration of the Institute for the classification of crimes. Scientific and legislative classification of crimes, rules of formal logic as a basis for differentiation of criminal offenses and individualization of criminal responsibility and punishment are investigated. The term “crime classification” has been interpreted, the principles and functions of classification have been defined.

The definition of the classification criterion, the content of public danger in the doctrine of criminal law, for which there is a large number of scientific views, is given. The criteria of public danger as a material sign of a crime are defined. According to Article 12 of the Criminal Code of Ukraine, depending on the severity of the crime, the crimes are divided into crimes of low gravity, moderate, serious and especially serious. The legislative classification of crimes was made taking into account the type of punishment (fine and imprisonment), as well as the amount of punishment. Crime classification is inextricably linked to the principles of formal logic and the laws of dialectics.

The analysis of the theoretical provisions of the classification of crimes shows that the current legislative definition of crimes of small gravity, medium gravity, grave and especially grave, - is constructed with the non-observance of some basic rules of formal logic concerning the necessity of using in one classification the same grounds and grounds . It should also be noted that the neglect of the typical sanction by the legislator as the sole classification criterion has led to the emergence of an additional formal criterion in the form of a fine, which in itself contradicts the generally accepted doctrinal provisions for constructing the classification.

Keywords: classification, crime, public danger, nature of public danger, degree of public danger.