

PHILOSOPHIC-JURIDICAL PREMISES OF THE CONCEPT OF “MATERIAL OBJECT OF THE OFFENCE”

Nelu Dorinel POPA*

Several points of view about the term “material object of the offence” have been explained in the doctrine, which has led to the birth of a series of categories of this concept as general object, general social object, generic social object, direct object (immediate), juridical object, material object, etcetera. The above mentioned terms are frequently used, by different authors with different meanings.

In an objective approach of offence it was considered that its structure consists primarily of a system of relationships between the subject and the object, between which interdependence arises, interdependence which marks a unity and which materialises into a deed.

From the point of view of subjective law, the individual will of a person who always longs for an object stands out.

A present-day re-evaluation of this concept is necessary under the circumstances in which there are several formal infractions which are void of a material object but which can nevertheless generate material consequences.

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* Police Officer Police Inspectorate of Mureş County, Romania.