

The summary of the doctoral thesis entitled "*Penal aspects of provocation*"

This doctoral thesis is about penal aspects of provocation – both substantive and procedural. This social phenomenon was not widely described in Polish literature and judiciary but it also goes beyond legal borders, eg. philosophical.

The study consists of two parts in which eight chapters are included. The first presents main areas of considerations and terminological issues – in this dissertation the ten meanings of ‘material provocation’ were separated. Secondly, the philosophical matters connected to the condition of human being were mentioned, just to show that provocation is always an immoral interference in personal mental sphere that deserves punishment. In the third chapter the constitutional aspects of provocation described in article 24 of Polish Penal Code were considered. Also, procedural connections, eg. the issue of ‘fruits of poisonous tree’ were widely presented.

The second part of this monograph mentions only the aspects of penal responsibility. In this context provocation is understood as an act designed for creating a new crime committed by somebody else, circumstance that excludes legal responsibility or provocative behaviour. This analysis was carried out to reveal that analysed mechanism exists in every field of the structure of the crime.

In summary, the most important conclusions and *de lege ferenda* demands were presented.

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