THE CRIME OF SLANDER (DEFAMATION)
IN THE THEORY OF SUBSTANTIVE CRIMINAL LAW

SUMMARY
The article attempts to analyze the crime of slander (defamation) referred by the article 212 of the criminal law. At the beginning the author points out the object of protection against slander which embraces the good name of man, group of people, institutions, legal person or individual having no legal subjectivity. The concept of slander functions in everyday language as a synonym of the false accusation, i.e. the deliberate, false, unsupported attribution of specific, offending behaviour, which in fact did not happen. The slander consists in committing the crime of defamation, thus it has a nature of this crime. Secondly, the author analyses concepts concerning: the entity of an action that is prohibited, the signs identifying a result of causative action, the entity of an executive action, the signs of entity party, threats of punishment and penal measures, the confluence of acts and procedures for law enforcement. In the conclusion the author discusses circumstances excluding criminal responsibility for an accused action.

KEYWORDS: slander, defamation, criminal law, crime, private accusation.

*Dr Jacek Mrozek – the University of Warmia and Mazury in Olsztyn (Poland); e-mail: jacek.mrozek@uwm.edu.pl