



University of Cyprus
Department of Law

The **Department of Law** at the **University of Cyprus** kindly invites you to a research seminar on

Intention and Negligence: The Logical Structure of the Forms of Culpability in Criminal Law

Δόλος και Αμέλεια: Η λογική δομή των μορφών υπαιτιότητας στο ποινικό δίκαιο

Wednesday, 23 November 2022 at 18:00-19:15

By Lecturer Dr. Konstantinos Tsinas

Chair: Associate Professor Charalambos Papacharalambous

Abstract

According to American Criminal Law scholar George Fletcher, the distinction between intentional and negligent crimes belongs to the “set of twelve distinctions which shapes and guides the controversies that inevitably break out in every system of criminal justice”. But, is there a logical basis for such a distinction to be made, or should this issue be treated in psychological terms? Although the orthodox approach in criminal law theory votes for the second option, this has led continental jurists to a real chaos of doctrines, which constitute the so-called “Intention Debate”. In his presentation, the speaker will try to sketch a new way of conceiving the distinction between intention and negligence in continental criminal law, as a logical one. This is shown to be possible by interpreting it under a formal, norm-theoretical prism, thus avoiding the labyrinth of psychologism as well as the unnecessary employment of dispositional concepts in defining criminal intention. The systematization and distinction of the forms of culpability in a rigorous manner is rendered possible, by the reduction of “knowing” and “wanting” to the concept of a “position” that the agent of a crime takes as a commander of his own behaviour, and by employing logical concepts such as “deontic indifference” to interpret and adequately describe this position.

Speaker Bio

Dr. Konstantinos Tsinas is a Lecturer in Criminal Law, at the University of Cyprus, Department of Law. He holds a Ph.D. Degree in Law, an LL.M. Degree in Criminal Sciences and an M. Phil. Degree in the Philosophy of Science. He teaches Criminal Procedure, Evidence, Jurisprudence, Legal Method and has taught relevant courses at various Universities and institutions in Greece and Cyprus. He has also practiced criminal law, serving as a defense attorney before the Supreme Court in Athens. In 2010, he has been awarded the “Hippocrates Karavias” Award by the Academy of Athens, Greece, for his postdoctoral work in Legal Theory (Book: Law & Logic; The Case of Criminal Law Theory. 2011. Athens: Eurasia). He is also the author of the book Prohibited Analogy and Permitted Interpretation of Penal Statutes; A Contribution to the Methodology of Criminal Law (2010. Athens: Ant. Sakkoulas), as well as of several papers on Criminal Law and Legal Theory.

Practical Details

Language: The seminar will be conducted in **Greek**.

Registration: Please register for the Zoom meeting following [this link](#).