

Wojciech Zalewski

**INSANITY, REDUCED SANITY – A HANDFUL OF DOUBTS
CONCERNING THE CONSTRUCTION OF THE INSTITUTIONS
IN THE CONTEXT OF RECENT DEVELOPMENTS TOWARDS
THE “INCORRIGIBLE” CRIMINALS**

The article highlights the nodal problems related to the issues of insanity and reduced sanity in criminal law. The Author points out contentious issues related to the definition of insanity adopted in art. 31 of the Polish Criminal Code, presenting the advantages and disadvantages of the current regulation and indicating the recognition of the psychological approach. On the other hand, he criticizes the conditions of the application of internment defined in the Criminal Code of 1997. The attention has also been paid to a disturbing direction of changes concerning precautionary measures and the need for deeper reflection on the consequences of the return of the idea of eliminating the “incorrigible” perpetrators in criminal law has been emphasized.