

Culpability in criminal law

Abstract

The topic of the diploma thesis is culpability in criminal law, which is characterized as an internal psychological relationship of the offender to the violation or great of interests protected by criminal law. Culpability is the only obligatory feature of the subjective aspect of a criminal offence, and therefore it is a key institute of criminal law, because without culpability there is no criminal offence. The diploma thesis is dividend into eight parts, including the introduction and conclusion.

The first charter defines the koncept of criminal offence, its general and typice features. By fact, we mean a set of signs that show which criminal offence it is.

The second charter is devoted to the historical development of culpability and is further dividend into subchapters, which each correspond to historic periods, or individual criminal laws, which came into force and effectiveness in our territory.

The subjekt of interpretation in the third charter is the principle of liability for fault, its content and extent. Finally, this charter describes the construction of the facts in terms of culpability.

The fourth charter deals with individual forms of culpability, incl. direct and indirect intentions and conscious negligence and unconscious negligence. Special attention is paid to distinguishing these forms of culpability.

The fift charter introduces the culpability of indirect offenders, complicity and participation. The criminal liability of legal persons is also described here.

The final charter is devoted to selected problems of culpability, which are proving and culpability of the so-called whitehorses.