

Abstract

This thesis examines the different criminal law protection of property according to different types of ownership in Czechoslovakia between 1948 and 1989. At the same time, the object of interest was also a closer understanding of the judicial practice of punishing attacks against the type of property that enjoyed increased legal protection provided by the means of criminal law at that time.

In that period, property in socialist ownership enjoyed greater legal protection than private and personal property. Private and personal property belonged to specific natural persons, as a rule, it originated mainly from their work activities, or inheritance, donation, etc., and served mostly to satisfy the personal, life and family needs of the owners. Property in socialist ownership was most often the property of state and cooperative organisations (*agricultural and manufacturing*), nationalised and national enterprises, trade union movements, etc. Virtually all property that served the functioning of industry or was of importance from the point of view of the economy and national economy was socialist property.

An important part of the research was a description of the development of the legal framework, which changed over time, most substantially in 1950 and 1961, according to two criminal laws, successively adopted, in force and effective.

Practical research was carried out in various archives, where court files and judgments from the period in question were examined. Selected cases are documented or described in this thesis in such a way that they cover both different time periods (*when both criminal laws were in force*) and court decisions in different geographical parts of the country (*Pardubice, Hradec Králové, Prague, Děčín*).

A telling source on the subject are the written reports of the chief public prosecutor and the president of the highest court from 1961 to 1988 on the state of socialist legality (*and within this framework also crime, including its development and some related statistical data*) for the legislatures, which were discussed cyclically in these representative assemblies at their regular meetings. In this way, insight was also gained into how the development of the specific crime in question was reflected at a high political level.

As a result of the thesis, it was found that, although socialist property was given increased protection by criminal law at the time, throughout the reign of the Communist Party it

was this property that was increasingly the target and object of property crime. This criminality was committed both on a very sophisticated level and in a systematic manner by persons who were very well placed socially and sometimes politically, but also by persistent and yet very frequent small-scale attacks, committed most often by perpetrators in the position of employees (*even among the managerial staff*) of enterprises of the socialist economy. These attacks were often committed by persons who had not been convicted until their conviction.

In the light of the above, it can be concluded that although the ideology of the time declared property under socialist ownership to be the property of all working people, in practice the attitude towards this property was often that of a property without a specific owner, which was generally not respected in the sense of respect for legal dominion. Even the increased penal rates for attacks against socialist-owned property did not change this.

Keywords:

property

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