

Summary

In the essay titled „Organized crime (assorted criminological and criminal-law aspects of organized crime)” the author analyzes the incidence of this anti-social phenomenon itself from its earliest manifestations, tackles the causes as well as social conditions supporting its expansion. He approaches in detail two common definitions of organized crime as well as the creation of an organized criminal group in its various phases. The author creates a model type of the perpetrator; he depicts specific characteristics which predestinate the perpetrator to organized criminal activity, as well as characteristics of victims of the perpetrator.

The essay analyzes in detail various demonstrations of organized crime in the society, ranging from illegal drugs and weapons trafficking, traffic in explosives and radioactive material, racketeering, terrorism, thefts of motor vehicles and their trading, thefts of art works and antique articles and their trading, falsification, “handling of people”, corruption, white collar crimes, criminal activity in the process of privatization, tax crime, cyber crime, traffic in human organs and traffic in animals and plants. According to the author, the act of the perpetrator is, in each of the categories described, subordinate to the specific provision of the Penal Law.

Further, the author discusses the tools used by the state to deal with organized crime; he gives specific examples of the means by which the state fights against this negative phenomenon. He does not, however, consider complete eradication of organized crime to be the ultimate goal – he understands such attempts as rather utopian.

In the conclusion the author describes an ideal state of social functioning, namely organs of the state mechanism under the rule of which there would not be space for organized crime in the society. He uses the fact that the essay was worked on for ten years. It is thus possible to compare the effectiveness of some of the state's methods in dealing with organized crime, the reaction of the court and, in particular, how the specific efforts were reflected in statistical data. He mentions also the future tools of the state, namely the new Penal Law. Simultaneously, however, the author criticizes several intended precautions associated with organized crime, for example the institute of the agent-provocateur or crown evidence, considering them as unnecessary, and rather points out full application of the current tools as being far more effective.

Finally, the author poses several questions for the potential perpetrator of organized crime, arriving at the theory that the perpetrator could answer all these questions positively. According to the author, this means that fighting organized crime in the past ten years has not only had little effect, but worse, that organized crime has become a common phenomenon which, for the present, continues to win over the state.

Organizovaný zločin = Organized crime