

Death Penalty - Summary

As the theme of my thesis, I've chosen the death sentence. Such sentence has accompanied the human society from the early times. From the history to these days, it helped to maintain the public order and the law enforcement. The public order was seen differently in each society and every historical stage. However, there was always one thing in common, it intended to protect life, safety, law enforcement and community rules. During the period of economic growth, abundance and prosperity, the society tends to treat law and public order intruders more liberally. The "western part" of civilization is currently at this evolution stage. Our country is firmly integrated into the European Union. There is a straightforward common understanding. The death penalty is prohibited and it has to be respected. The world tends away from the death penalty in general.

I've outlined the questions to be addressed at the introduction part of the thesis. I structured the dissertation into ten chapters. Further supplements are attached to the material, including the photographic documentation provided on my own, deeds and other documents related to the topic.

I explain the definition of the death sentence and its purpose in the first chapter. I introduce different theories about the purpose of the death sentence; its relation to the previous Criminal Code in Czech Republic, as well as to the current Criminal Code, effective as of January the 1st, 2010. I have not forgotten to comment on the death sentence conception, as defined by the Law on Juvenile Justice.

In the following chapter, I introduce the stand-alone definition of the death sentence as the definite and supreme, repressive and generally preventive penalty, which does not follow the remedy of the perpetrators; and the definition of a death in terms of the law.

The most common methods of execution used to perform the death sentence from the ancient to the modern times are briefly outlined in the third chapter, describing the performance of its execution, including the bizarre and less-known specificities.

Next chapter, number four, deals with the death penalty in Czech countries, its historical evolution in our region, the legislation, the best known laws and judicial

systems, starting by the first codification of noble justice by the Codification of King Vladislav II, until the death penalty abolition in our country in 1990; the last executions performed in the Bohemia region, or the former Czechoslovakia, are also mentioned.

The following chapter applies to my hometown - Pardubice. I shortly write about the position of an executioner and his family and include a short list of various criminal acts and penalties imposed in relation to them.

In the sixth chapter, I analyze the legislation associated with the abolition of the death sentence in our country - Act No. 175/1990 Coll., and further important international documents issued by the UN and the Council of Europe.

The seventh chapter is analyzing today's situation of the death penalty in the world. This chapter is supplemented by number of well-arranged tables, including their detailed description. There is also a list of states and the criminal offenses, for which the capital sentence may be imposed.

The eighth chapter is focused to the arguments of proponents and opponents of the death sentence. I further analyze, describe, examine and refute their thesis and results, through the continuous line of argument. I also refer to the contradictions of church teachings.

The ninth chapter analyzes the public opinion on the existence of the death sentence in our legal system. It describes and displays the public polls development since 1992 in well-organized tables and charts, and describes the situation in today's society. It also points to a public opinion survey provided by the Center for Public Opinion Research „Centrum pro výzkum veřejného mínění“ in 2002, mapping the situation in five post-communist countries, of which the Czech Republic took the last place in the number of death penalty supporters (almost 20% less than the strongly catholic Poland).

The tenth and the last chapter offers a possible solution, an alternative punishment for the death sentence - the absolute life sentence, known and recognized by many legal systems of other European countries.

In conclusion, I summarize and evaluate the current situation, describe the perception of different sentences by the public, and the ongoing trend of death sentence abolition in the world. At the same time, however, I point out a certain danger of collapse, the vulnerability of democracy and the un-finished process of civilization. The conclusion also contains my personal opinion: during the time of relative peace, safety,

prosperity and economic growth, the society can do without the death penalty, but only if conditioned by its replacement by an alternative sentence of absolute life.