

ABSTRACT

The purpose of my thesis is to analyse the life imprisonment and answer basic questions related to issue of this criminal sanction. It is necessary to study the life imprisonment from the perspective of the criminal law, but in the light of psychological and social aspects that are connected with the long-term imprisonment.

The thesis is composed of six main chapters, which are divided into different subchapters. Each of these chapters is dedicated to several aspects of life imprisonment and this work is trying to give a global view of the life imprisonment.

The Introduction is followed by Chapter One which defines the term and purpose of the punishment. This Chapter presents the history of the evolution of the punishment. This work describes development of the concept of the punishment from retribution and frighten to the modern comprehension that respects human rights and liberties. The work is pointing out the example of the remarkable Italian scientist Cesare Beccaria, who came with the modern comprehension of the punishment in the era of the Enlightenment. However, the modern view prevailed not earlier than in the 19th century. The Chapter One also explains the system of the punishment.

The Chapter Two examines the death penalty. The death penalty is a sanction that must be compared with the life imprisonment in order to answer the traditional question of whether the death penalty should be a part of legal order in democratic state or whether it should be replaced by the life imprisonment. This is the reason why in the end of Chapter Two we can find a subchapter comparing the death penalty with the life imprisonment and the influence of these two penalties upon the offender and the society.

The Chapter Three is completely dedicated to the life imprisonment. This chapter describes a legal position of this punishment, as well as the principles of the criminal law which have to be respected. At the end of this Chapter there is an interpretation regarding the position of the life imprisonment in the legal system of the chosen countries and the confrontation with the Czech legal regulation.

The next Chapter of this thesis refers to the execution of the life imprisonment. The life imprisonment is a long-time punishment and is dedicated to the offenders of the most severe crimes. That is why the execution of this sanction is to be used accordingly.

The Chapter Five describes a personality of the offenders who were condemned to the life imprisonment and the influence of the punishment upon their psychical condition.

The Chapter Six proposes the research of the effect of the life imprisonment on the offender. This part of the thesis compares the results of research that took place in many foreign countries including the Czech Republic with the results reached during the research made in prison in Opava by the author of this thesis.

The final part of my thesis summarizes findings from the previous Chapters and it also accents the necessity of the strict legal definition of the life imprisonment as well as the necessity of paying adequate attention to the influence of the other (non-penal) sciences upon the execution of this punishment.