

Abstract – The relationship between destructiveness and law

This thesis deals with the relationship between destructiveness and law. The aim of the thesis is to describe the destructiveness, its manifestations in society and its relationship to the law. To describe the topic I used findings of Fromm, Baumann, Lorenzo, Elias, Arendt, Karstedt and other psychologists, sociologists, social psychologists, criminologists and philosophers. Chapter One and chapter Two focus on the concept of aggression and destructiveness and their manifestations in our society, as they are an integral part of it. In addition, culture and aggression constantly interact with each other. Western culture condemns violence, but the question is whether this refusal is sufficiently reflected in all areas of social life, for example when it comes to domestic violence, bullying or potential dangers of the presentation of violence in the media. Chapter Three examines rate of violence and violent crime and the suitability of Czech legislation in terms of its ability to maintain the lowest possible level of these rates. An important finding is that not only law, but also other normative systems and social institutions take part in protecting the society from violence. I also consider the influence of democracy and individualization and egalitarianization, two main processes that take place in this democracy, on the incidence of violence. My main conclusion is that destructiveness and law relate to each other in three areas. The first area is violence and aggression, i.e. behavior that aims to harm someone or hurt him. Legislation on violence is adapted to the current state of society, protects fundamental rights and basic freedoms, also in cooperation with other normative systems and civil society organizations and in when it comes to the prosecution of offenders, current legislation prefers prevention over repression, non-criminal means over criminal punishment and alternative sentencing over imprisonment. The second area is a group of phenomena with confirmed impact on violence, which include particularly specific phenomena related to the mass media. The third area is the group of phenomena which are symptoms of a certain state of society, but do not increase aggression, only reflect a degree of destructiveness in society. This third area still has not been explored in a satisfactory way, as new phenomena continually develop. For example in the area of aggression against other person phenomenon of black friday related to consumerism, or in the area of aggression against oneself internet suicide clubs and hikikomori as a result of isolation and anxiety originating in individualism. As these new phenomena and risks which they represent are still potential and unexplored, the legislation does not apply to them yet and they are considered only as a research subject of sociologists.

Keywords: destructiveness, aggressiveness, aggression, violence