

Abstract

The diploma thesis *The crime of rape under s. 185 of the Criminal Code* consists of two major parts, which are divided into further subsections – first part consists of four main chapters and second part consists of six main chapters.

The first part of the thesis, dealing with the criminal-law point of view, starts with a brief discussion of the sources of criminal law. The chapter then presents a comprehensive description of the development of the offence of rape in the Czech territory since antiquity up to the 20th century. The changes of elements of a crime and the very perception of punishability of rape may serve as a demonstration of advancement of personal freedom. Subsequently, more attention is devoted to the analysis of the current version of rape in the Criminal Code, Act No. 40/2009 Sb., which is currently included in Title III of the special part of the Criminal Code called *Criminal Offences against Human Dignity in Sexual Sphere*. The criminal law part concludes with a brief summary of the basic features which discriminate rape from sexual coercion and sexual abuse.

The second part of the thesis focuses on criminology. First moral criminality, which subsumes rape, is defined in general terms. The definition is followed by statistical summaries, presented in graphs and tables, and by a subchapter which deals with the data concerning by whom, when, where and how rape is typically committed. The final part of the thesis is devoted to perpetrators and victims of rape. The perpetrators are classified according to various criteria; attention is also paid to the question of their punishment and medical treatment. As far as the victims of the offence of rape are concerned, the so-called rape myths are discussed as well as the pre-victimisation factors, the consequences of rape, and the credibility of the victim's testimony.