

Criminal and criminological aspects of the crime – murder

Abstract

This thesis deals with the crime of murder from the legal and criminological point of view, which implies a systematic work. The first part of the thesis, dealing with criminal law aspects, describes the previous legislation, but the emphasis is put on the current regulation, its division of the facts according to the circumstances of the offender's conduct. Other crimes directed against human life are briefly presented for completeness of the interpretation of crimes against life. In connection with this comparison, I have given more attention to the issue of euthanasia in the thesis, which is in many ways connected with the crime of murder in terms of current legislation and the development of insight into this issue is very interesting in the Czech Republic and other EU countries.

The topic of the thesis is criminal and criminological aspects, so in the first part of the thesis I focused on individual aspects of the crime of murder in terms of its conceptual features, ie object, subject, objective side and subjective side and forms of crime in terms of developmental stages and criminal cooperation.

Other circumstances that affect the assessment of the offender's conduct are related to the crime of murder, and the legal classification of the offender's conduct derives from them. In particular, they are errors and circumstances excluding illegality.

The conclusion of the first part is to evaluate the current state of legislation in the area of deliberate killing, which was used by comparison with other European legal systems, namely countries with the Czech Republic neighboring.

The second part, dealing with the criminological aspects of the murder crime, focuses on the perpetrators of the crime of murder, the causes of his actions, the manifestations of crime and the victims of crime.

Criminology also deals with social control, ie crime prevention and repressive measures in the form of punishment for harmful conduct. In the case of preventive measures, practical examples are used for the theoretical explanation; in the treatise on repressive measures, the space was devoted mainly to the functions of individual punishments and to the evaluation of their effectiveness.

For the purposes of this part of the thesis, the sources were mainly criminological researches, practical cases and statistical data published by the Czech Police.