

Abstract

The topic of this thesis is the issue of the life imprisonment and the main aim is to analyze this punishment in Czech legal environment and to point the possible improvements that could be done in this legal area. Since this kind of punishment has been involved in Czech system of punishments for only 24 years now, it gives enough space for its study and that is why I chose it as the topic of my thesis.

This thesis consists of six main chapters. In the first one my task was to enlighten the meaning of the basic terms which are necessary to apprehend in order to be able to understand the problematic of punishments in general. Other half of this chapter is dedicated to the evolution of understanding the term „punishment“ itself and the main opinions of the prominent philosophers such as Cesare Beccaria, Ch.L.Montesquieu, J. Locke and others.

Second chapter describes the history of the highest penalty and criminal law in general in Czechoslovakia and Czech Republic in the years 1918 – 2009. In this period of time the significant historical events influenced the Czech law, especially the creation of independent Czechoslovak republic, the period of World War II, consequential rise of communism and its fall more than 50 years later..All of these events had main significance for the journey to death penalty abolishment in 1990.

Third and fourth chapter is crucial part of this thesis. They deal with the current legal regulation of life imprisonment and its execution in certain penitentiaries. The life imprisonment is the highest penalty that could be enjoined to the offender of the crime therefore the conditions for its imposition are highly specific, rigid and the court is strictly bind by the law while delivering a judgment. The other topic of these chapters is also institute of presidential pardon and amnesty which can also have a significant influence on the sentenced offenders. The problematic of minor offenders and kids who committed serious crimes is also involved in this chapter. Chapter four moreover describes the most important international documents on the field of penitentiary system and the conditions in penitentiaries where the life imprisonment is being executed.

Fifth chapter is focused on the question whether the life imprisonment is an adequate alternative to the death penalty. I also focused on historical evolution of death penalty in society and I tried to evaluate the question of admissibility of dispatching a human being by the death sentence.

In the last chapter I chose several prisoners who are currently serving the life imprisonment in Czech penitentiaries. I decided to describe their stories and the crimes they committed because I find it important to demonstrate what kind of personalities are the people who are sentenced to life imprisonment by the Czech justice.

After considering all the crucial facts about this punishment I find the life imprisonment a suitable and legitimate sanction which should replace the capital punishment in every country which considers itself to be a democratic and modern state in today's world.