

Death Penalty – Summary

As the theme of my thesis, I've chosen the death penalty. The death penalty is a phenomenon that accompanies mankind from the earliest time. Although the capital punishment is currently on decline and it has been abolished in many countries of the world, it is still a topic that arouses passionate debate. In the Czech Republic, the death penalty was abolished more than twenty years ago, but the majority of the population in the opinion polls calling for its renewal. Therefore I decided to mainly deal with the question of the acceptability of the death penalty, and to work with the alternatives offered by our legal system.

In the introduction of my thesis I've determined the range of subtopics, which I will pursue and I have asked the questions that I had during work to answer. The whole thesis is divided into eight main chapters, which are further divided into subchapters.

The first chapter is devoted to the concept and purpose of the punishment. The first subchapter deals with the concept of punishment. I summarize here the historical theories about the purpose of punishment, both retributive theory, utilitarian theory and combined theories. In the last subchapter I describe the purpose of punishment in today's Czech criminal law.

The second chapter briefly describes the death penalty, using knowledge of the purpose of punishment from the previous chapter.

The third most extensive chapter is devoted to the central theme of the whole thesis, and that is the acceptability of the death penalty. In the first subchapter I present the most common arguments against the death penalty with my own opinion, in the second subchapter on the other hand I present the most common arguments of the proponents of the death penalty and again with my opinion. In the third subchapter I bring a comprehensive perspective on the acceptability of the death penalty, where I try to answer the main question that I've asked in the introduction.

The fourth chapter looks at the death penalty in the context of world history from ancient times to the present. Special attention is devoted to the abolitionist movement in the 18th and 19th century and the adoption of the most important international conventions that were the reason for the abolition of the death penalty in many countries around the world.

The fifth chapter focuses on the historical development of the death penalty in Czech countries, including the development of the legislation. Here I deal mainly with criminal codes and other regulations under which was imposed the death penalty in Czechoslovakia.

The sixth chapter describes the status of the death penalty in the world today. I present here an overview of countries that carry the death penalty, and a list of countries where the death penalty was abolished de jure and de facto, and also the static data on death sentences in 2012. Last subchapter describes the status of ratification of key international conventions which prohibit the death penalty.

The seventh chapter deals with the punishment of life imprisonment, which in our legal system represents an alternative to the death penalty. In each subchapter I describe its basic characteristics, conditions imposing that sentence, parole, positives and negatives of life imprisonment and also try to answer the question of whether this punishment is sufficient alternative.

In the eighth chapter I consider the direction of state policy essences and possibilities of regulation of the life sentence. Here I try to provide solutions to the discrepancy between public opinion and criminal policy of the state and also solutions to the controversies of a life imprisonment.

In conclusion, I describe the issues that I had to deal with in individual chapters and summarize the partial conclusions which I have made during the writing of my thesis.