

## **Progres of Criminal Law in 18<sup>th</sup> Century in Our Countries**

### **Abstract**

This thesis attempts to show certain aspects of the progress of the criminal law in the 18th century in the Czech Crown Lands. It mainly focuses on substantive criminal law and captures its evolution by comparison of selected instruments of law contained in analyzed criminal codes, which are sorted in chronological order.

The thesis is composed of an introductory, three chapters and a conclusions. The introduction briefly defines topic and basic terminology used in this thesis and also mentions existing literature.

The chapter one is subdivided into three parts. The first part deals with the state of the sources of criminal law at the beginning of 18th century and then mainly focuses on the codification of the municipal law and also on The Renewed Constitution. Next part of the chapter is aimed at the criminal code of Joseph I and at the criminal code of Maria Theresa, which were published in the 18th century. The last part concentrates on two more criminal codes, namely criminal code of Joseph II and also criminal code of Francis II, both being influenced by the philosophy of the age of enlightenment, while the later being published in the 19th century.

The second chapter delivers a summary of selected instruments of substantive criminal law. It is subdivided into three parts. First part concentrates on the term crime and some relating instruments of substantive criminal law such as attempt, self-defence etc. The second part is dedicated to the extenuating circumstances and aggravations and their significance in its contemporary criminal law. Last part focus on punishment and its purpose. That part mention some principle of punishing and also pays attention to sorts of punishment, especially to the death penalty.

Chapter three is subdivided into two parts and focuses on two selected crimes, both covered by the criminal codes. The first one is homicide. The second one is larceny.

The conclusion provides a brief summary of knowledge contained in individual chapters of the work.