



Výsledky rozhovorů:

Podle Mgr. Seidlové i JUDr. Chromého, Ph.D. je dolní věková hranice trestní odpovědnosti a zahájení sexuálního života mládeže stanovená na 15 let optimální. Souvislost mezi nimi vidí JUDr. Chromý, Ph.D. v případě pohlavního zneužití (§ 187 trestního zákoníku - jestliže je pohlavní styk spáchán na dítěti mladším patnácti let, byť s ním dobrovolně souhlasí, druhá osoba (partner), jestliže již věk patnácti let dovršila, je za takový čin trestně odpovědná).

Mgr. Ivo Heinz by naopak hranici trestní odpovědnosti diferencoval, tzn. snížil u vybraných (např. zvláště brutálních) zločinů. Hranici pro legální zahájení sexuálního života by ponechal na 15 let, popř. snížil na 14. Mgr. Helena Výkrutová by hranici trestní odpovědnosti zvýšila na 17 let, protože do tohoto věku považuje mládež za nezpůsobilou si plně uvědomit následky svých činů. Dolní hranici pro zahájení sexuálního života by snížila na 13 let, ale pouze u dívek, které jsou podle ní dříve fyzicky i mentálně vyspělé. Mgr. Ivo Heinz i Mgr. Helena Výkrutová nevidí souvislost mezi hranicí trestní odpovědnosti a zahájením sexuálního života.

Závěr

Výsledky šetření a porovnání názorů odborné a laické veřejnosti ukázaly, že většina respondentů považuje současnou hranici 15 let za optimální. Názory odborné a laické veřejnosti se nejvýrazněji rozcházel ve vnímání souvislosti hranice trestní odpovědnosti a zahájení sexuálního života. Rozpory jsou způsobeny špatnou informovaností laiků, kvůli které někdy dokonce oba pojmy zaměňují.

Názory odborné a laické veřejnosti na případné posunutí obou hranic se různí především kvůli rozdílnému postoji obou skupin, který je způsoben odlišným

přístupem k oběma hranicím (respondentů z 9. tříd se hranice přímo dotýkají), a tudíž i rozdílným pohledem na jejich stanovení.

Zdroje

Trestní zákoník I § 1-139: komentář / P. Šámal a kol. 1. vyd. Praha: C. H. Beck, 2009. ISBN 978-80-7400-109-3

Zákon o soudnictví ve věcech mládeže: komentář / P. Šámal, H. Válková, A. Sotolář, M. Hrušáková, M. Šámalová. 3. vyd. Praha: C. H. Beck, 2011. ISBN 978-80-7400-350-9

Státní zastupitelství. 2011-. Praha: Novatrix. ISSN 1214-3758

Státní zastupitelství. 2008-. Praha: LexisNexis CZ. ISSN 1214-3758

Státní zastupitelství. 2009-. Praha: Novatrix. ISSN 1214-3758

Rozhovor s Mgr. Ivem Heinzem uskutečněný dne 20. 2. 2012, s Mgr. Helenou Výkrutovou uskutečněný dne 24. 2. 2012, s JUDr. Jakubem Chromým, PhD. uskutečněný dne 5. 3. 2012 a s Mgr. Dagmar Seidlovou uskutečněný dne 20. 3. 2012 v držení autorky práce.

Výsledky odpovědí respondentů dotazníku autorky práce

Lemeschenko V. V.

PATRIOTIC THEME IN HUGH MACDIARMID CREATIVE HERITAGE

Анотація

Стаття присвячена патріотичній тематиці у творчій спадщині Х'ю Макдерміда. Мета статті – показати, як авторський патріотизм впливає на його творчість, та довести, що патріотична тематика є домінуючою у творах Х'ю Макдерміда.

Ключові слова: патріотична тематика, мова Скотс-Лалланс, шотландська література.

Аннотация

Статья посвящена патриотической теме в творческом наследии Хью Макдермид. Цель – показать, как авторский патриотизм влияет на его творчество, и доказать, что патриотическая тематика является доминирующей в произведениях Хью Макдермид.

Ключевые слова: патриотическая тематика, язык Скотс-Лалланс, шотландская литература.

Summary

The article is devoted to the patriotic theme in the Hugh MacDiarmid creative heritage. The aim is to show how the author's patriotism influences his

creative work, and to prove that patriotic theme is the dominant theme in the MacDiarmid's works.

Key words: patriotic theme, language Scots-Lallans, Scottish literature.

C. M. Grieve, best known under his pseudonym Hugh MacDiarmid, is credited with effecting a Scottish literary revolution which restored an indigenous Scots literature and has been acknowledged as the greatest poet that his country has produced since Robert Burns. MacDiarmid started publishing his poetry in the mid-1920s. At that time a lot of things were changing in literature, as they were in all other areas of life. The world was still recovering from a massive and terrible war. People were nervous about the future, and critical about the past. The recent past was a bad place, they thought, which had led us into conflict and misery. This was now the technological age, the age of the machine, of city living with all its muddled up complexity and increasingly rapid pace. The world was beginning to shrink. [3, p. 12]. It was precisely the sense of a new dispensation, an urgent need to write Scotland into the new century that motivated him and many of his contemporaries – in music, painting, sculpture and literary and cultural criticism. This was the period MacDiarmid named “The Scottish Literary Renaissance”. All writers addressed political issues directly and their poetry, fiction and drama had to find new forms in which to develop their ideas of what Scotland – and Scottish literature – might be.

It requires great love of it deeply to read
The configuration of a land.
Gradually grow conscious of fine shadings,
Of great meanings in slight symbols,
Hear at last the great voice that speaks softly,
See the swell and fall upon the flank
Of a statue carved out in a whole country's marble,
Be like Spring, like a hand in a window
Moving New and Old things carefully to and fro,
Moving a fraction of flower here,
Placing an inch of air there,
And without breaking anything.
[2, p. 197]

For the first part of his career as a poet MacDiarmid used a language he called Lallans. The word itself is beautifully melodic and conjures up words like lulling, and lullaby or the sing-song nonsense words we use when we forget the words to a song (la-la-la). Literally, it is the Scots word for the Lowlands, or Borders area, where MacDiarmid grew up, and the dialect spoken there. But he used it specifically to mean a synthesis, or bringing together, of all the various dialects of Scots – from Shetland and Orkney in the far north, through the Highlands and the Western Isles, to the central lowlands to the borders. Each area

has a slightly different way of speaking, different words have come into use and been forgotten, some words are common to all areas of Scotland, many are only found in one or two areas. With a great deal of research MacDiarmid brought them all under the one, broad umbrella of Lallans. [1, p. 3] He took words and phrases from folksongs, dictionaries, and his native speech and even invented a few of his own, because he liked the sound of them. It was a language that stood for the whole of Scotland and was intended to banish the cosy image of Scotland (heather and hillsides, bonnie lochs, and rosy-cheeked lassies) that had flourished in sentimental poetry and mawkish prose in the nineteenth century, and bring Scotland's literature into the modern world.

Original	English translation ⁴
Heifetz in tartan, and Sir Harry Lauder! Whaur's Isadora Duncan dancin' noo? Is Mary Garden in Chicago still And Duncan Grant in Paris — and me fou'?	Heifetz in tartan, and Sir Harry Lauder! Why is not Isadora Duncan dancing? Are Mary Garden in Chicago still And Duncan Grant in Paris — and me foul?
Sic transit gloria Scotiae — a' the floo'ers	Such transit glorious Scotland — and the flowers
O' the Forest are wede awa'. (A blin' bird's nest	All in the Forest would awake. (A blind bird's nest
Is aiblins biggin' in the thistle tho'?... And better blin' if its brood is like the rest!)	Is perhaps building in the thistle?... And better to be blind if its brood is like the rest!)
You canna gang to a Burns supper even Wi'oot some wizened scrunt o' a knock- knee	You cannot go to the Burns supper even Without some wizened nite of a knock- knee
Chince turns roon to say, 'Him Haggis — velly goot!'	Chince turns red to say, 'Him Haggis — very good!'
And ten to wan the piper is a Cockney.	And ten to one the piper is a Cockney.

[2, p. 17]

Scotland and its history, its people were one of the main themes in MacDiarmid's poetry. He touched a lot of unknown pages of Scottish past and present:

Original	English translation ⁵
Edinburgh Castle or the fields O' Bannockbum or Flodden Are dermin' wi' the miskent soul, Scotland sae lang has hod'n.	Edinburgh Castle or the fields Of Bannockbum or Flodden Are hiding an unknown soul, Scotland was so long hidden.

⁴ All translations are made by the author of the article Lemeschenko Victoria

[2, p. 99]

His heart was full of love and pride of his great Motherland. He couldn't exist without Scotland. It was in his thoughts, in his accomplishments; it was the main force in his whole life. Scotland gave him power to live, to love, to struggle and to win. He wrote:

Original Edinburgh Castle or the fields O' Bannockburn or Flodden Are dermin' wi' the miskent soul, Scotland sae lang has hod'n.	English translation ⁶ Edinburgh Castle or the fields Of Bannockburn or Flodden Are hiding an unknown soul, Scotland was so long hidden.
--	--

[2, p. 99]

Author's politics went hand in hand with his writing. You can't have cultural and artistic change, he might say, without social, economic and political change. Thus, MacDiarmid had a very modern sense of the world as an arena of conflict, a site of organic evolution, where vital instability is a permanent condition of life and human nature, human feelings, are always mixed and ambiguous.

For MacDiarmid there existed two types of Scottish people – patriots, which were the heroes of the nation, and traitors, which were a disgrace of Scotland, because the treachery is worse than death.

Original And "Puir Auld Scotland" bleat wi' pride, And wi' their minds made up to bide A thorn in a' the wide world's side. There ha'e been Scots wha ha'e ha'en thochts, They're strewn through maist o' the various lots Sic traitors are nae langer Scots!	English translation ⁷ And "Poor Old Scotland" bleats with pride, And with their minds made up to bide A thorn in one of the wide world's side. There have been Scots, who have had thoughts, They were strewn through most of the various kinds Such traitors are no longer Scots!
---	---

[2, p. 198]

Hugh MacDiarmid wasn't just the person, who loves his Motherland; he felt every breath of Scotland, every joy and sadness – he was a part of his native land, and Scotland was the major part of him.

Original Is Scotland big enough to be	English translation ⁸ Is Scotland big enough to be
--	--

⁵ All translations are made by the author of the article Lemeschenko Victoria

⁶ All translations are made by the author of the article Lemeschenko Victoria

⁷ All translations are made by the author of the article Lemeschenko Victoria

⁸ All translations are made by the author of the article Lemeschenko Victoria

A symbol o' that force in me,
In wha' s divine inebriety'
A sicht abune contempt I'll see?
For a' that's Scottish is in me...

A symbol of that force in me,
In that, which has divine variety
A sight above contempt I'll see?
For all that's Scottish is in me...

[2, p. 91]

Hugh MacDiarmid was a genius, a legendary man, who fought for his Motherland, for glorious Scotland, and his poems were his weapon. "You cannot read MacDiarmid "just for the poetry"," wrote Simpson; "he doesn't want to be read that way; he flings his opinions in your teeth." The Times Literary Supplement reviewer added: "From his very beginnings Mr. MacDiarmid has never been interested in mere literature or even, whatever his gifts for it, in mere poetry; writing for him has been an aspect, an instrument, of political and cultural struggle, and his poems have increasingly tended towards the condition of the manifesto or the prophecy." [3, p. 113]

In his poetry he set out the way he wanted Scottish literature to go – to be European, international, in scope while remaining quintessentially Scottish, in the tradition of the Makars.

Literature

1. Clark C. Hugh MacDiarmid / C. Clark. – E., 2003. –12 p.
2. MacDiarmid H. Selected poetry / H. MacDiarmid. – New York, 2008. – 280 p.
3. McClure J. D. Scots and its literature / J. D. McClure // Varieties of English around the world. General series. – Amsterdam: Benjamins, 1995. – P. 95-114.
4. Riach A. What is Scottish Literature? / A. Riach. – E.: ASLS, 2008. – 26 p.
5. The Essential Scots dictionary: Scots-English, English-Scots. [Edit. by I. McLeod]. – E.: Edinburgh University Press Ltd. – 2004. – 684 p.

Livshenko Catherine

DEVELOPING CREATIVE THINKING SKILLS

Summary

The author explores the relationship of creative thinking to educational settings and the problem is that creative thinking is something that's not emphasized or developed enough in secondary education. Creative thinking is one of the only things that humans will ever have a monopoly on. Creative thinking is the key that opens doors to a whole new realm of opportunities.

Key words: creativity, brainstorming, thinking strategies.