

HISTOIRE

collection



Philippe ASTRUC
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LES ÉVÉNEMENTS FONDATEURS
L'ABOLITION DE LA PEINE
CAPITALE EN FRANCE



ARMAND COLIN

Labolition De La Peine Capitale Les Eacuteveacutenements Fondateurs

Jean-Yves Le Naour



Labolition De La Peine Capitale Les Eacuteveacutenements Fondateurs:

Histoire de l'abolition de la peine de mort Jean-Yves Le Naour, 2011 Si je prouve que la société en faisant mourir un de ses membres ne fait rien qui soit nécessaire ou utile ses intérêts j'aurai gagné la cause de l'humanité Par ces mots Cesare Beccaria invente en 1764 l'abolitionnisme qui ouvre le débat sur la peine de mort au siècle des Lumières De Voltaire Camus en passant par Lamartine Victor Hugo ou Jean Jaurès la peine capitale est dénoncée comme l'expression d'une justice aussi sommaire que cruelle et contraire à la simple humanité De fait ce pouvoir laisser vivre ou donner la mort suscite un malaise grandissant dans la France catholique Fonctionnant à l'aube depuis 1832 même le sol et non plus sur une estrade depuis 1870 la guillotine finit par être reléguée en prison en 1939 tandis que les circonstances atténuantes et la grâce présidentielle réduisent sans cesse le nombre de têtes abandonnées au bourreau Cependant de 1959 1981 dix sept personnes sont encore décapitées En racontant plus de deux siècles de débats politiques et philosophiques appuyés sur une riche et rigoureuse documentation l'historien Jean Yves Le Naour clame cette part d'ombre au pays des droits de l'homme De la Terreur des révolutionnaires la guerre d'Algérie la guillotine fut on ne le sait pas assez trop souvent élevée au rang d'instrument de gouvernement Il faudra attendre 1981 et Robert Badinter ministre de la Justice pour clore le débat Le temps est venu d'assumer nos angoisses et de nous appliquer à rendre les causes Le temps est venu de se comporter en adultes même devant le crime Grâce lui la peine de mort fut officiellement abolie le 9 octobre 1981

Histoire de l'abolition de la peine de mort dans les six pays fondateurs de l'Union européenne Marie Gloris Bardiaux-Vaïente, 2015 L'abolition de la peine de mort est aujourd'hui devenue une des valeurs fondamentales de la civilisation européenne Nos recherches se feront sous l'axe d'une étude comparative entre les six pays fondateurs de l'actuelle Union Européenne L'histoire et la culture communes ces six États ont abouti ce qu'aujourd'hui tout européen est le citoyen l'habitant d'une entité quasi indéfinissable d'un territoire multiple en recherche d'identité mais abolitionniste Comment concrètement sont ils parvenus imposer une telle clause morale du sein de leurs propres institutions jusqu'au cour législatif de l'Union c'est dire jusqu'au point où l'abolition devienne une condition sine qua non d'entrée dans l'Union Européenne Par l'unicité et le croisement influé par l'Europe de quelles histoires nationales est on parvenu aujourd'hui cet entendement effectif Quels furent les artisans de cette pensée les hommes les réseaux les mouvements politiques ou idéologiques Et pour quelle raison s'impliquent ils dans une telle cause Leur engagement européen fut il indissociable de l'abolitionnisme et réciproquement L'histoire de la peine de mort et de son abolition s'inscrit dans l'histoire et la philosophie du droit l'histoire des mentalités les sciences politiques et ce que l'on pourrait nommer l'histoire civique Cette dernière correspond aux fondamentaux idéologiques d'une société de droit elle est la marque d'une appartenance à une même collectivité au service d'une même nation ou des mêmes idées L'abolition de la sanction capitale est l'œuvre d'hommes particuliers mais appartenant tous un contexte national qu'il soit économique social intellectuel ou juridique Notre étude ne peut avoir de sens qu'à l'aune de l'ensemble de ces nombreux facteurs

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