

# IS “LIFE WITHOUT PAROLE” SENTENCE A DEAD END OR A REASONABLE SELF-DEFENCE REACTION?

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**Abstract:** This study focuses on a very special prison sentence: “life without parole”. We investigate the international and Hungarian experience related to the use of life without parole; review the way of life of those who have been sentenced to it; examine the punishment’s mechanism and impact and finally conduct an analysis of the present form of the notion “not allowing them to live, not letting them die”. In Hungary, the practice of sentencing convicts to life without parole is regulated by the Criminal Code. In its principle, this form of punishment means that those who receive this sentence will never be released on parole. The Prison Code, however, also introduces a mandatory amnesty procedure for those who are serving a life sentence without parole. Furthermore, we also endeavor to collect the characteristics of this sanction, evaluate related professional opinions and initiate a suggestion for an amendment, as well.

**Keywords:** life without parole, sentencing policy, prison

## INTRODUCTION

The special prison sentence i.e. “life without parole” is a widely used punishment nowadays and comes to the fore. The trends in international criminal justice and the corresponding practice both seem to be heading towards this direction. Soon after the ratification of the European Agreement for abolishing death penalty in the 1990s, the sanction of life without parole was introduced. The legislators believed that societies would only support the termination of death sentence if a punishment that is severe enough would take its place. The scope and number of the subjected prisoners have expanded manifold. According to the most up-to-date statistics,<sup>2</sup> in 2014 there were 27,000 convicts sentenced to life within the member states of the European Council. 22 of those countries that possess official statistics show an increase in 66% from 2004 to 2014 in the number of convicts

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sentenced to life without parole. The fact that there had been 7,500 convicts sentenced to life without parole in these countries is even more staggering. Most of them are held in the United Kingdom, Germany, Italy and Switzerland. (CoE, 2016: 34–35)

The timeliness of the study does not only derive from the mushrooming of the infliction of stiffer and longer prison sentence, but the fact that Serbia on May 21, 2019 amended its penal code to introduce a life sentence without the possibility of parole for crimes such as rape and the murder of children, pregnant women and helpless people. (AP News, 2019; Miljojkovic, 2019; Vasovic, 2019) For this reason, we tend to introduce such pieces of information, penal policy approaches, and practical examples, which may contribute to the elaboration and clarification of the law enforcement rules regarding the new Serbian concept of law.

## THE PAST, PRESENT AND THE POSSIBLE FUTURE OF “LIFE WITHOUT PAROLE”

### A theoretical approach to life without parole in Hungary

The events that led up to the *creation* of life without parole are summarized by Vókó: “in 1971, the punishment of life was introduced once again into the roster of criminal sanctions. The ban on death penalty was issued by Decree no. 23. of the Hungarian Constitutional Court, initiated on 31 October 1990. The legislators – seeking to provide a response to criminal offences while closing the gap that was apparent between determined-length sentences, life sentences with the possibility of parole and death penalty – introduced the sentence of life without parole where the conditional release is not an option.” (Vókó, 2010: 217) Polt takes a more straightforward approach and states that “life sentence without providing the possibility of parole is an adequate substitution to death penalty, as the perpetrators are removed once and for all from society with no practical chance to earn their way back to it”. (Polt, 2013: 29)

Ferenc Nagy analyses the function of the sentence from the historical aspect of criminal law. He emphasizes that within the hierarchy of criminal sanctions available in countries where the rule of law is more developed, deprivation of liberty is the leading and most widely used form of punishment with its harshest variant being the one that excludes parole. In this context, life without parole seems to “bridge the gap between capital punishment and determinate sentences.” (Nagy, 2008: 272)

Kabódi takes a systematic approach. In his opinion, this form of sanction cannot be regarded as loss of freedom, since when compared to the “temporary, transitional and »preparative« nature of regular (determinate) prison sentences, life without parole permanently deprives the subjects from their freedom. Life without parole – both in theory and in practice – is inadequate for fulfilling the

standard goal of the convicts' successful reintegration. In short: from the aspect of penology, life without parole is not the deprivation of liberty." (Kabódi, 2014: 219) Pál Kiszely and István Nagy take a similar approach: they state that the introduction of the sentence has opened a new chapter in the history of Hungarian penology. (Kiszely & Nagy, 2012)

The opinions of Hungarian experts on the topic seem to disagree when it comes to debating its necessity and availability. One of the extremes is represented by Kornélia Hagymási, who claims that in the case of convicts sentenced to life without parole, the "aim of imprisonment is imprisonment itself". (Hagymási, 2009: 68)

Another approach is taken by Garami, who emphasizes the cooperative, active and responsible activity of the prison service and the prisoner: "the greatest question that the prison service has to face is whether they can create a form of punishment that does not disagree with the principles set by the prohibition of torture and inhuman treatment and at the same time provides adequate security measures while also offering a viable, acceptable, albeit limited perspective for those who had been sentenced to life without parole." (Garami, 1999: 60) He highlights that the detention of such convicts has to be organized in a "special way that requires the individual application of the concept of minimal security, the establishment of a sense of responsibility, and allowing the convicts to make their life within better and that these efforts culminate in visible results. During the first period of serving the punishment, it is important to make sure that the convicts work out a notion of what might happen to them, what goals they can strive for and how these goals can be achieved". (Garami, 1999: 59)

Do life sentences without parole have a deterrent effect?

Although analysing this question as a whole is beyond the reach of our current paper, we still consider it indispensable to briefly investigate the issue. First of all, we would like to point out the fact that we were unable to find genuine academic studies or arguments for the supposed deterrent effect of death penalty, which was the most serious form of punishment before the era of life without parole. Due to this reason, our approach is sceptical. Our opinion is largely the same about its substitution, the sentence of life without parole.

We accept the conclusions of Vont and his co-authors, who – based on the academic results of Hirsch – express their doubts about the empirical justification of the deterrent effects of severe punishments. In order to obtain sufficient evidence, it has to be proven that during the perpetration of a crime, the criminals are aware of the severity of the sentence that would be imposed upon them, and no other reason but this severity itself is the factor that finally deters them from actually committing the crime. It seems that there is a connection between the certainty of the punishment and the ration of criminality; however, this link is a lot weaker when it comes to their severity. (Vont, Bottoms, Burney & Wilkström, 1999)

Lőrincz uses his own results to support the train of thoughts shown above. According to him, statistical data provides ample evidence for the non-existence

of the link between the repressive periods of criminal policy and criminalism and the fact that the increase in imprisonments did not have any effect on the rate of crimes. We endorse his conclusion without reserve: “no repressive cycles have ever reduced criminality, but all of them had a significant negative impact on the prison service’s chances in the successful reintegration of prisoners.” (Lőrincz, 2014: 121)

### Are prisoners sentenced to life without parole dangerous?

In 1999, the year the sentence of life without parole emerged in Hungary, experts tried to predict the expected behaviour of those who had been subjected to this form of punishment. Since the beginning, Garami has emphasized that as long as psychological attributes are concerned, each subject is a different personality with different coping strategies and varied reactions to outside stimuli. When compared to other convicts however, there is a significant difference as the presence of futility, the *seemingly infinite nature of time*, coupled with the fact that these convicts have already been given the most severe punishment, leaves them with nothing to lose. These attributes raise the question of what reactions and perceived changes in the behaviour of convicts can be expected. According to the author, the most likely outcome is increased aggression, especially so because these people are already familiar with it due to the violent acts for which they were convicted. Out of recognition to this fact, it can even be assumed that these convicts will try to take hostages (staff members or fellow prisoners) in the unforeseeable future. (Garami, 1999)

During establishing the conditions for accommodation, József Csapó, the former Governor of the Szeged Strict and Medium Regime Prison – the first institution to be designated to admit prisoners sentenced to life without parole – focused on the likely dangers emanating from the introduction of the new legal institution. In his opinion, the “greatest, detention-related security risk is the fact that these people tend to feel like they do not have anything else left to lose. Though their behaviour might still have an effect on certain allowances within the prison, criminal law lacks any further sanctions [...] We are unable to predict future events: we do not know what may occur three, five or ten years later, when due to the changes in the convicts’ personality, they end up becoming aware of the futility of their situation”. (Békés, 2007, according to Hagymási, 2009: 25)

### Current experiences and relevant scientific results

Taking into account the hypotheses set by academic literature following the introduction of life without parole – according to which the frequency of events that threaten the order and/or the security of detention will grow – we can conclude that fortunately, this prognosis has not been proven as of yet. What has been proven though, is the presumption that those sentenced to life without parole

would perform self-harming acts and attempt suicides more often. (Kiszely & Nagy, 2012: 11) This result corresponds to those of international researches which emphasize the mentally destructive nature of the feeling of permanent insecurity. Lifers consider the authority who decided about their fate isolated, and although they are well aware of the control that limits them, the actual expectations regarding their behaviour is perceived and interpreted in a confusing way, leading to anxiety and aggression as primary consequences. (Matovics, 2009) Pál Kiszely and István Nagy analyse the behaviour of prisoners who serve long sentences and state that "besides a generally balanced behaviour during serving a sentence, the most notable emotions from the prisoners are hopelessness and perplexity". (Kiszely & Nagy, 2012: 11–12)

For decades, the international academic literature has been providing systemic reports about long-term (and life) sentences, and scientific studies that analyse the behaviour of prisoners sentenced to death.

In 2003, Sorensen and Cunningham compared the behaviour of 5,010 persons convicted for homicide housed in the state persecution system of Florida with the behaviour of 45,000 convicts sentenced to prison for different crimes. After the results had been processed, they came to the conclusion that "convicted murderers exhibited lower prevalence rates of disciplinary infractions and potentially violent misconduct, when compared to other inmates". (Sorensen & Cunningham, 2009: 239)

Marquart, Ekland-Olson, and Sorensen retrospectively reviewed (1974–1988) the prison disciplinary records of 107 convicted capital offenders in Texas who had been sentenced to life terms after their sentencing juries had rejected a *special issue* in the Texas capital-sentencing scheme (i.e., whether there is a probability that the defendant would commit criminal acts of violence that would constitute a continuing threat to society). These offenders, who had averaged serving 7.2 years on their life sentences, exhibited annual frequency rates of assault on an inmate with a weapon of 0.009 – similar to the rate exhibited by inmates in the Texas prison population as a whole in 1986. (Marquart, Ekland-Olson & Sorensen, 1989)

Cunningham and Sorensen discovered largely identical results in 2007 when – also in Texas – they analysed the behaviour of 136 inmates serving life for homicide. Their results further enforce the aspect that the frequency of violent misconducts, attacks (14%) and acts of aggression (5%) is similar to the number of misconducts perpetrated by other prisoners. (Cunningham & Sorensen, 2007)

In the United States, the results of scientific inquiries performed in the correctional services of various states seem to completely agree with the results received from federal prisons. Cunningham, Reidy and Sorensen depicted in 2008 – during a comparative analysis of federal prisoners – that 9% of prisoners convicted for homicide resorted to violent attacks, 1% of them ending with major injury. This is similar to the number and frequency of misconducts performed by other members of the prison populace. (Cunningham, Reidy & Sorensen, 2005)

Even the somewhat conforming behaviour of the prisoners convicted for homicide is overshadowed by the integration of those once sentenced to death and their successful avoidance of open conflict within the prison regime. The much-quoted scientific results of Sorensen and Cunningham put down convincing evidence for the fact that former death-penalty convicts, the *worst of the worst* are not as far as threatening to the staff and the prisons in general as presumptions might have suggested. As a matter of fact, those prisoners who belong to the maximum security category attack members of the staff three times as often than those who had been sentenced to death earlier. Statistical analysis shows that out of 1,000 prisoners, 12.4, formerly death-sentenced inmates exhibited violence against staff members, this number is 37.6 in the case of maximum-security prisoners. (Sorensen & Cunningham, 2009: 262)

On the basis of their own inquiries and other comparative studies, the authors find it proven that “convicted murderers are neither likely, nor disproportionately likely to be involved in assaultive misconduct in prison”. (Sorensen & Cunningham, 2009: 243)

The academic literature on the topic contains a research which goes even further by analysing a new method introduced in 1991 within the Potosi Correctional Center, located in Missouri state. In this maximum-security prison, death-sentenced inmates are not isolated from the general prison population within death rows, but instead housed in the same cells with nondeath inmates and are also able to interact in the yard and take part in other activities together with the general population (school, sports, employment). Cunningham, Reidy and Sorensen compared the disciplinary records of the institution (ranging from 1991 to 2002) and discovered intriguing results: 1. Inmates sentenced to death and convicts sentenced to life without parole exhibited similar prevalence of violent misconduct; and 2. their rates were half of those of the parole-eligible inmates with whom they were side by side in the same facility during the same timeframe. (Cunningham, Reidy & Sorensen, 2005)

In the inquiry, however, we were unable to find explanations to the surprising statistical results, therefore we solely consider them curiosities out of which scientific deductions cannot be drawn as of yet. Based on the numerous international results, Sorensen and Cunningham concluded that “most of these offenders have not engaged in serious prison violence and are not a disproportionate source of this type of misconduct that is of greatest concern to correctional staff”. (Sorensen & Cunningham, 2009: 240)

Results of scientific inquiries conducted in Europe seem to agree with those of the United States. The Committee for the Prevention of Torture (CPT) – based on their analyses of 2015 – emphasizes that “the experience in various European countries has shown that life-sentenced prisoners are not necessarily more dangerous than other prisoners”. (CoE, 2016: 36)

This conclusion may serve as grounds for a more optimistic approach and may also provide a theoretical background for a more lenient system and a corre-

sponding practice dedicated to those prisoners who are responsible for the most severe crimes perpetrated in Hungary.

### Employment and activities

The treatment of prisoners serving a long sentence is a difficult and highly important task for the prison service, as the life of these convicts has to be organised within the framework of the most severe regime category. (Garami, 1999) Experts recognised this problem during the drafting phase of the legislation on the sentence of life without parole. Csóti already emphasized multiple forums ten years ago that during “organizing everyday activities, we do not wish to exclude those who had been sentenced to life without parole from activities such as education, vocational and other forms of trainings and therapeutic activities, because we consider these devices indispensable. In our opinion, such activities engage the convicts, help them reduce their stress and facilitate the maintenance of their mental and physical health.” (Csóti, 2005: 28) If someone is convicted and imprisoned, he is entitled to a programme of resocialization, which works towards the prevention of committing further crimes, maintaining his self-esteem, and the improvement of his social responsibility. (Ürmösné, 2018a) Theoretical assumptions have only exerted a slight influence on the actual matters of everyday life since the greatest factor that influences this life is security. While analysing the experiences resulting from the first decade of life without parole Kiszely and Nagy added that “maintaining these security considerations is reasonable. Furthermore, upgrading the security conditions will even be more indispensable in the long run. We have to accept the fact that convicts sentenced to life will continue to *play chess* with the security system of the prison, and their attempts at getting to know it better are constant. Static security elements will have to be swapped for more advanced ones...” (Kiszely & Nagy, 2012: 13) Apparently, reducing the security risk to a minimal level has become the principal task. Kabódi states that “the necessity of organizing activities that help preserve the dignity of prisoners while providing a useful way to spend time is constantly conflicting with the requirements of the prison system which is aware of the increased security risks”. (Kabódi, 2014: 219)

### Internal movement from the “Long-Term Special Section” (HSR)

When it comes to accommodating serial murderers, the most frequent location of placement is the Long-term Special Regime. In our opinion, their personality, length of incarceration and overall attitude towards the prison system justifies this – primarily security-related – decision. The relevant legislative background recognises this fact by declaring that “those convicts who are serving a life sentence or a pre-determinate sentence of at least 15 years and whose behaviour,

attitude towards the security and operation of the institution and individual risk assessment results require special treatment and placement may be housed within the HSR section” (2013. évi CCXL: 105. § [1]) in order to facilitate their successful re-insertion into the community.

During the establishment of this special section, the continuous safety of life and material goods was the principal condition. Under the professional leadership of András Csóti, the aim was to create a security system that completely satisfies these requirements. The best solution was considered to be accommodation within an individual and separate section where ample living space would ensure the successful execution of special programs and at the same time reduces stress while guaranteeing security. (Csóti, 2005)

Based on practical experiences, Kiszely and Nagy point out that “by being situated within an enclosed and isolated place, the prisoners’ desire for living a purposeful life eventually fades, giving way to the strengthening of their instinctiveness and social decay. The HSR section does not provide sufficient means for personal development and is isolated from the life lived by the members of the general prison population. As time goes by, this fact makes it even more difficult to relocate life-sentenced prisoners into more open regimes”. (Kiszely & Nagy, 2012: 12) Matovics also warns that in case of prisoners sentenced to life without parole, the “personal perception of time is demolished, inevitably causing damage in other functions. The monotony of life and time is an enormous issue which cannot be avoided in the case of those sentences that remain in practice until the death of the convict”. (Matovics, 2009: 101)

As time goes by, providing the possibility for a more dynamical movement within the HSR, the *general* strict regime or other regimes will continuously gain importance. The fact that life without parole prisoners located within HSR sections are without exception subjects of acts of self-harm, attempted suicides and perpetrators of misconducts such as “preparation for act of terrorism, escape attempts and preparations” can be considered a warning sign. These people become increasingly stressed and consider their situation hopeless. The issue set forth by Pál Kiszely and István Nagy shows a vivid picture: first of all, “providing the means for maximum security during the life without parole prisoners’ – who therefore have nothing to lose – accommodation and supervision is by no means futile”, and secondly “it cannot be proven whether some convicts would actually not be suitable for replacement within »regular« sections”. (Kiszely & Nagy, 2012: 10-11) So far, we do not have practical experience that would support this claim, as no serial murderer sentenced to life without parole has ever been moved out of the HSR. For the reason why most of the serial killers exhibit varying degrees of mental illness and/or psychopathy, sociopathy, lack of remorse, guilt, or empathy, and deceitful, impulsive, manipulative attributes characterize them, their location in a penal institution is a crucial factor. (Ürmösné, 2018b)

International practices regarding the accommodation of prisoners sentenced to life seem to disagree. In 2015, the CPT visited the prisons of a variety of Eu-

ropean countries where prisoners sentenced to life are being housed. Their experience was that the general practice is to place these convicts together with other prisoners and their regime rules (their rights regarding employment, education, training and leisure activities) and the ways maintaining connection to the outside world are the same as of the *general* populace. In the Czech Republic, Lithuania and Slovakia life prisoners tend to spend the first 10 and 15 years in an isolated and specially designated cell. After serving these years, they are moved into *general regimes* where they are able to live together with other prisoners.

Certain countries including Armenia, Azerbaijan, Bulgaria, Georgia, Latvia, Moldova, Romania, the Russian Federation, Turkey and Ukraine employ a different practice, as they tend to keep these convicts separated and among very severe conditions.

We find it thought-provoking that all those countries – excluding Turkey – who employ either *severe* or a *mixed* way of isolation were members of the Eastern Bloc. Four decades of the Soviet ideological suppression, special moral approach toward sin and sinners and its dismissive and punitive practice probably still have an effect today. (Ruzsonyi, 2017)

### Thought experiment: providing the option for release on parole for convicts Sentenced to life excluding it

Expert opinions on the introduction of the release on parole for prisoners sentenced to life without parole seem to greatly differ.

A supporter, Mihály Tóth provides a very concise opinion about the punishment: “the isolation, the permanent and complete exclusion from society, the discrimination, the reduction of existence into its most basic, vegetative form – and foremost the conservation of this state without any hope for further change – cannot even be justified with the goals and role of criminal law and when viewed from the aspect of the legal systems of the third millennia, the whole context in general seems an inhuman, unjustifiable and thus unreasonable punishment.” (Tóth, 2012: 271)

We completely agree with the professional opinion of Ferenc Nagy, who besides presenting his approach also offers a solution to the issue: “it should be made possible that the judges responsible for the execution of prison sentences are given the chance to investigate the question and – after a multi-step procedure – may decide to grant or decline releases on parole.” (Nagy, 2009 according to Hagymási, 2009: 71)

Our approach is that the possibility of investigating the matter of granting release on parole after 40–45 years served, of course, does not mean that certain subjects would not be kept behind bars for the remainder of their lives. The sole aim of this suggested measure is to enable the courts to investigate whether or not the goals of imprisonment have been met and proceed accordingly. Mihály

Tóth takes a similar approach. He believes that it would be beneficial to introduce a system based on differentiation and proportionality that would provide a basis for multi-disciplinary periodic investigations where the convicts may at least recognise the fact that “instead of being buried alive for a lifetime, his fate would eventually be decided responsibly”. (Tóth, 2012: 272)

Renáta Uitz uses different wording but arrives at the same conclusion: she emphasises that providing the chance for revisions that are based on fixed and consistent rules would be nothing more than a symbol for a national criminal policy that treats the victim and the perpetrator as human beings. (Uitz, 2014) Szilvia Antal, László Nagy and Ágnes Solt aim serious criticism towards life imprisonment based on their research on the topic: “we consider the current legal background regulating life without parole unacceptable, as it can actually be considered a «lite edition» of death sentences since it completely disagrees with constitutional principles and the civilized criminal justice of modern Europe. It can never be assumed during sentencing that the suspects and convicts in question would commit another crime in the future. It is highly doubtful to allow the court to completely and irrevocably set a bar against possible changes in personality.” (Antal, Nagy & Solt, 2008: 62)

In the international outlook of his study analysing life without parole from the aspect of human rights, Gönczi adds that the English and American professional literature considers the permanent privation of freedom a slower and actually more disadvantageous form of death sentences and equal to torture. He provides evidence to this claim by reviewing a startling occurrence: in Belgium, a court sentence from 15 September 2014 gave permission to a person – who was psychopathic but self-aware enough to be condemned – sentenced to life without parole for *euthanasia* with medical help, which is basically suicide with assistance. The convict chose death rather than the hopeless deprivation from freedom for the rest of his life. (Gönczi, 2014)

The suggestion of György Magyar contains strictness and humanity alike. In his opinion, it has to be made possible that “the law treats bestial and completely depraved people with the highest possible severity by subjecting them to the second most severe sanction after death penalty but also employing rules of humanity during incarceration. At the same time it should also set a period of 20–25 years after which the convict is heard by a court of three members who after gaining the opinions of the governor, experts and psychologists and analysing the subject’s behaviour declare whether or not any hopes of further re-examinations and possible release should be kept alive. This procedure does not have to become a general practice, but the possibility should be left open. In regulating this by allowing the convicts to be heard by a commission each year after 20 or 25 years, thus allowing them to become aware that if their way of life within prison is acceptable, with no violent misconducts against staff members or fellow inmates, then there is a spark of hope remaining”. (Arató & Bátyi, 2009: 130)

In their most up-to-date approach, the CPT seems highly supportive of the possibility of parole for convicts sentenced to life without parole. The document emphasizes that: "Prisons must be safe, secure and ordered, for the sake of all who become involved with them. Since being locked up, especially for an unknown period, is inherently damaging for almost all human beings, steps must be taken to minimise the damage. One important method of achieving this for life sentenced prisoners is to give them a definite date for the first review for possible release, and a tailored individual programme which provides a realistic series of interventions for each prisoner leading towards that date." (CoE, 2016: 38)

The arguments of the suggestion's opposers are summarized by Mária Herczog: "Punishment is only one goal of detention, the other one being the fact that we are not to let these people back into the community [...] From the aspect of the community, protecting fellow humans, potential victims, us all from people who are multiple recidivists or who premeditatedly murder multiple people (one or more persons) is a reasonable goal." (Herczog, 2009 according to Hagymási, 2009: 71) András Polgár shares this view: "following the ban on death sentence, the only viable method of expelling these people from society is this sanction." (Polgár, 2009: 39) András Szabó takes a theoretical approach justifying its existence and its necessity: "The goal of the punishment is found within itself: public declaration of legal capacity, and retribution without regards to the goal." (23/1990. [X. 31.] Constitutional Court's Decision)

The gap between professional – and in many cases emotional – opinions seems to be unbridgeable as of yet. We hope that by collecting arguments for and against the introduction of probation, we can alter this static situation.

## CONCLUSION

We believe that from a systematic approach, the methods used during the execution of the life without parole sentences can be compared to a litmus paper. They show the state of the criminal justice system, its rigidity and flexibility, the constant search for answers to press issues and our perception of human beings.

Our study is only the introductory part of a pathfinding effort. We tried to give a brief introduction to the best-known international practices and approaches and at the same time point out difficulties and novelties.

In Hungary, the punishment of "life without parole" was exactly initiated 20 years ago. However, such a long period of time was not enough either, for the representatives of diverse penal policies, penologists, criminologists, criminal psychologists or the society to achieve consensus. We have introduced the principal international trends, together with the national experience, in order to provide help and create operational development concerning the Serbian location, custody and the employment of the affected inmates. Obviously, we do not possess the "perfect solution", but at least we might state that we are more or less aware

of what we are arguing about. To our judgement, science is solely capable of contributing to problem solving, if it has sufficient knowledge of the experiences of life in practice.

We agree with Vókó's forward-looking standpoint: "Recognizing practical questions will help the scientists, lawmakers and those who implement these laws achieve the best possible solution to professional questions. Progress is not to be sought until science and practice had been harmonized. This is something we all endeavour to achieve. It is in our mutual interest to bridge the gap between the differing jurisprudential approaches and today's trends of criminal justice theory and practice on which the criminal law of the future and prison services can build upon." (Vókó, 2010: 737)

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