

Motion of no confidence

Abstract

This diploma thesis is focused on the analysis of the motion of no confidence. Its aim is not only to subject this institute to legal analysis but also to assess its practical impacts on government stability and the effectiveness of the control mechanisms available to the Chamber of Deputies in relation to the government. From the point of view of structure, the work is divided into three consecutive chapters.

The first chapter is devoted to the history of the development of the institute of motion no-confidence, i.e. the incorporation of the institute into the Czechoslovak constitution and its transformation during various historical periods in our territory. In this part, I analyze individual constitutions, from the point of view of this institute and the overall relationship to the parliamentary control of the government's responsibility. The aim of the first part of the diploma thesis is to explain the position of the institute in the given institutes and to show the differences compared to its present form and meaning.

The second chapter of the work then analyzes the current form of the institution of a motion of no confidence in the Constitution and related laws. The overall responsibility relationship between the government and the parliament and the individual means of parliamentary control are described, in connection with the researched institute. The wording of the constitutional amendment is analyzed in detail. The current use of the institute is then subjected to criticism, which is directly related to the wording of the amendment set out in Article 72 of the Constitution. The aim of the second chapter of the diploma thesis is therefore primarily to analyze the current wording of the amendment and draw attention to its problematic aspects. There is also a subjective assessment related to a potential change in legislation.

The third chapter is mainly devoted to questions of practice and various modifications of this institute. The difference between collective and individual responsibility, between absolute and simple majority is explained and an in-depth analysis of the current use of the institute in the Chamber of Deputies is made. The chapter concludes with an explanation of the concept of a constructive motion of no confidence and its attempt to introduce it into the Czech constitution.

Key words:

Motion of no confidence, parliamentary control, government responsibility, parliament