

Abstract

The Constitutional Court of the Czech Republic is incorporated in the system of the supreme state authorities and is responsible for the protection of constitutionalism. The aim of the thesis is to evaluate the role of the Constitutional Court of the Czech Republic in the political system of the Czech Republic on basis of delimitation of function thereof, and of basic relations to other state power bodies. The subject matter of the first part of the thesis is characteristics of the constitutional justice and the significance thereof in a democratic constitutional state. This interpretation also includes comparison of two principal models – a diffusion model, and a concentrated constitutional justice model. The basic idea of the thesis is to explore the characteristic position of the Constitutional Court between the law and the politics, it deals with political aspects of constitutional justice. The thesis is based on constitutional approach and aims to answer the question of how much the relation of the Constitutional Court towards the politics is determined by the system (institutionally, functionally). The main part of the thesis analyzes incorporation of the Constitutional Court into the system, the position of the Constitutional Court as an independent body of judicial power, and the relations thereof to the state bodies of legislative, executive and judicial powers. These relations follows from the manner of selection of constitutional judges and from widely delimited competence of the Constitutional Court, in which the control function thereof connected with possibility of direct interference into the activity of other public body power prevails. The wording is devoted mostly to the detailed description of the system relations between the Constitutional Court and constitutional bodies of legislative and executive powers, including the political persons involved, which are the themes related to the manner of constituting Constitutional Court, and to the character of individual types of proceedings before the Constitutional Court. The thesis is completed by a selection of some particular judgements of the Constitutional Court.