

Abstrakt v anglickém jazyce

In my thesis, I scrutinize reflection of the relationship between sovereignty, law and power, and the problem of realizing law in the decisionist theory of Carl Schmitt (1888–1985), as presented in his early and Weimar writings, i.e. in the texts published before 1933. Following introductory remarks on the subject, scope and methodology of the thesis, I open it with a few observations on the relationship between law and power in general. Afterwards, I present basic features of the order typical for modern state, which plays an essential role for Schmitt's philosophy, and outline key attributes of the main theoretical approaches in the 19th century jurisprudence. Subsequently, I examine the problem of the realization of law in connection with the concepts of state, dictatorship and sovereignty in *The Value of the State and the Significance of the Individual*, *Dictatorship* and *Political Theology* and argue that it forms the central axis of Schmitt's decisionism. Dealing with the question of how to distinguish a sovereign from a mere wielder of power, I further analyse Schmitt's concepts of representation and office. Given that it is not clear in *Political Theology* whom to designate as sovereign in a modern democratic state, I put forward an answer to the question of whether, according to Schmitt, it is the *populus*, the multitude or the sovereign dictator. In the next part, I focus on the *Concept of the Political*, the social preconditions of decision, the dialectic between political and social antagonisms, and Schmitt's critique of the process of depoliticization. I argue that at the core of Schmitt's endeavour in the early 1930s lies the thought that "the state ought to be again a state". Subsequently, I summarize the key features of Schmitt's philosophy of law against the background of the so-called Hobbes-Crystal. Finally, in conclusion, I put forward answers to the main research questions of the thesis.

Klíčová slova v anglickém jazyce

Carl Schmitt; sovereignty; law; state; power; dictatorship; state of exception; realization of law; representation; people; multitude