

Abstract

In the presented thesis the author analyses the possible influence of the membership of judges in political parties, churches, and religious societies, on independence and impartiality. On one side, there stands a political orientation and expression of political opinions, which is quite significantly repressed in the Czech Republic for all the judges. On top, the draft of the amendment of the Courts and Judges Act presently discussed in the Parliament includes a prohibition of membership of judges in political parties. On the other side, there stands a religious belief and a membership of a judge in a church and in a religious society that does not raise nearly any doubts about judges' independence and impartiality. That is why the author has decided to analyze both of the memberships together in the presented thesis and compare them to each other. The thesis itself is systematically written in eight parts which are divided into chapters and subchapters. In the beginning, the reader is introduced to the basic terms – independence and impartiality of judges. Then the author continues presenting rules of judicial ethics that aim to uphold independence and impartiality. Consequently, the author analyses the influence of political orientation and religious belief on judges' decision making. Generally speaking, political orientation and religious belief can be manifested as part of freedom of expression by becoming a member of political parties, churches, and religious societies. In the part concerning political parties, the author also emphasizes the mentioned amendment of the Courts and Judges Act and the arguments presented by the legislation. The author concludes that the membership of judges in political parties should not be forbidden. In connection to nearly absent membership rules in five examined churches and religious societies, the membership in these subjects rather does not raise doubts about a breach of independence and impartiality of judges.