

Magdeburg law in Bohemia and Moravia in the period of 14th to 16th century

Abstract

This thesis aims to discuss the development and form of Magdeburg law in the period of 14th to 16th century including the analysis of existing research about Magdeburg law. The thesis is mainly focused on Litoměřice and Olomouc as the heads of Magdeburg municipal family in Bohemia and Moravia. The thesis is based on the comprehensive analysis of Magdeburg law beginning with its origins and development trends and ending with the description and characteristic of its legal sources as well as its most important legal institutes. The thesis uses not only legal-historical, but also historical and auxiliary historical methods, specifically the method of legal analysis of the text, diplomatic method, comparative method and analysis of the literature.

The aim of the thesis is first, to present the state of historical research and literature on Magdeburg law. The goal here is to offer the reader a comprehensive overview of current trends in the research, pending discourse and the various approaches to Magdeburg law. The second aim is to analyse the development of Magdeburg law with the special focus on Litoměřice and Olomouc, which could be described as the most important appealing cities within the Magdeburg legal area in Bohemia and Moravia. This development can be divided into the phases, namely the first phase of the penetration of German law during the medieval colonization in our territory, the formation and establishment of „appealing cities“, and the second phase of the unification of municipal law followed by the gradual decline and determination of the Magdeburg law. The third aim of this thesis is to discuss two main legal sources of Magdeburg law, i.e. deeds and legal, respectively municipal books. The conceptual features and characteristics of these legal sources are illustrated through specific cases. The fourth and final aim of the thesis is to conduct the content analysis of *Extrakt Práv saských*, which as the legal source *sui generis* contains the most important rules and institutes of Magdeburg law. This analysis is focused on the individual legal branches and its legal rules, the position of those branches compared to one another and also the comparison of studied legal rules with current legal principles.

Key words: Magdeburg law, historiography, appealing cities, Olomouc, Litoměřice