

## **Abstract**

### **Distinction between the Civil Law and Anglo-Saxon Systems of Legal Culture and a Tendency towards their Convergence**

In the presented dissertation, it is assessed whether it is still relevant to consider the Anglo-Saxon and civil law types of legal culture as two specific, different socio-cultural systems. Therefore, the paper is focused on the comparison of the Anglo-Saxon and civil law types of legal cultures. In the work, it is hypothesized that in the Anglo-Saxon and civil law cultures, there is a long-term tendency to converge. The work seeks to find key factors that affect the relationship between the observed legal cultures.

The fundamental method of this paper is the comparative method in its sociological form. Typically, the multilateral comparative approach is employed. The historical comparison also has its place herein. The sociological conception is connected with the consideration of dominant currents of thought in both types of legal culture. The different way of writing court decisions or different methods of interpreting legal regulations are also reflected.

The dissertation examines the issue of scientific comparison and its possibilities, the essence of legal cultures, methodological approach and historical changes in the civil law and Anglo-Saxon types of legal culture. The sociological-legal significance of the distinction between Anglo-Saxon and civil law cultures is analysed. It is justified that the distinction between the two legal cultures makes sense not only in private law, but also in constitutional law and in the area of the separation of powers. Philosophical currents affecting the interpretation of legal regulations and the way court decisions are written are taken into account. The harmonizing effect of the use of the comparative method by national courts is discussed and the issue of whether it is still important to distinguish between “parent” and “subsidiary” legal systems is considered. It is analysed the effect that the adoption of the HRA 1998 has had in the approximation of Anglo-Saxon and civil laws, leading to a fundamental change in the traditional interpretation of legal rules in the United Kingdom. Divergent trends have also been considered, for example, the efforts to pass a new British Bill of Rights. Brexit is considered, too.

As part of the comparison of typical legal institutes, a comparison of approaches to contractual representation is also included in the work. As a global trend affecting both legal cultures, approaches to personal data protection are discussed. As the influence of Islamic law is evident on both sides of the English Channel, the ways in which both legal cultures deal with the conflict between the European and Islamic legal systems are included in the work. The dissertation shows that both cultures converge in the long-term perspective, however, in the short run, we can

observe a divergence of both legal systems. In the future, however, it can be assumed that due to globalization, both cultures will converge in the long term.

**Keywords: comparative legal method, Anglo-Saxon law, civil law**