

Abstract

The diploma thesis deals mainly with four topics – the rule of law, democracy, the democratic state governed by the rule of law and its real form in the Czech Republic during the global pandemic of COVID-19.

The development of the rule of law, democracy and the democratic state governed by the rule of law continues and is influenced by the challenges that arise over time.

The original formal conception of the rule of law was focused primarily on the observance of the rule of law, while the material conception already takes into account certain value aspects and fundamental human rights.

Today's form of democracy differs significantly from its original ancient Greek definition. It was originally intended to be applied to small homogeneous units in which individuals would participate in voting on all important matters. Over time, however, it began to apply to large nation states, which required the adoption of the institute of council.

A democratic state governed by the rule of law is a concept based on the dynamic balancing of the components between which a certain tension may arise. Its ideal is fulfilled by a situation where its individual aspects are continually improved in the most balanced way possible.

All these the above-mentioned institutes have been affected by the global pandemic of COVID-19. In its first wave, there were often unconstitutional interferences with fundamental rights and freedoms due to insufficient and ambiguous information. However, as time passes, these interferences are no longer excusable. Nevertheless, the procedure followed by all three branches of state power doesn't reflect this situation. The executive power seems to be trying to gain a certain ascendancy, and the legislative and judicial powers did not initially act against this. At present, the situation seems to be improving, but this trend is relatively weak and may turn for the worse at any time.

After defining the general issues, this thesis deals with one of the key resolutions of the Constitutional Court and then evaluates the development in the Czech Republic from March 2020 to the present, taking into account the legislative and case law context.