

Abstract

The purpose of my thesis is to present wide range of institutes relating to position of government in constitutional system and analyzes their impact on political and constitutional reality. My thesis focuses on three questions relating to cabinet: formation, composition and termination.

The thesis is composed of two parts – general part and a special one. General part is divided into two sections. First section discusses classification of constitutional systems and a meaning of government for those classifications. This is achieved through analysis of several classifications from domestic and foreign scholars.

Second section then introduces important institutes which can be found around the world and which influence position of government in a constitutional system. First chapter deals with formation of government, analyzes role of head of state (either monarch or president) as well as parliament's role in process of government selection and investiture. Second chapter then is concerned with composition of government – that means it analyzes who can be (either personally or functionally) member of government. Final chapter of this section focuses on termination of government – especially through motion of censure (which is analysed in many existing forms) and possible dissolution of legislature by executive both as a consequent of censure motion or as an important part of „checks and balances“ as argued by W.Bagehot. In this chapter thesis argues against contemporary trend of strengthening executive for „stability“ reasons.

Special part is sorted into 9 sections each divided further into chapters. Each section covers an area with similar constitutional characteristics and presents and analyzes particular constitutional systems. Areas covered by the thesis are Commonwealth countries, European monarchies, republics of Western Europe, Central European republics, Balkan republics, former Soviet republics, Middle East countries and some other. Final chapter is then focused on Czech republic, analyses its constitutional system and examines possible impact of recent constitutional development.

As a conclusion thesis argues that risk of autocratic leadership is greater than risk of instability and suggests possible constitutional arrangements which believes can promote democratic development in society.