

The Protection of the Republic Act – Abstract / Key Words

This thesis deals with The Protection of the Republic Act No. 50/1923 Coll. of the Acts and Regulations (Act) accepted at the beginning of the twenties of last century in responds to the assassination of the former Minister of Finance JUDr. Alois Rasin. Its purpose was to incorporate into the legal system criminal measurements to protect the newly founded Czechoslovakia and its constitutional officials especially all democratic principles on which this state was based but at the cost of restriction of some constituonally guarentted civil rights and freedoms.

The aim of this thesis is to offer a detailed picture of the purpose and importance of the Act in the time of its creation; explain the reasons that led Svehla's cabinet and the coalition parties of the National Assembly to accept it; outline the difficult process of its approval; describe its content; some forms of its application in practice and assess whether the Act fulfilled its purpose.

The thesis is divided into seven parts. The first chapter analyzes the causes of Act creation in the light of internal and foreign historical-political events. The initial moment is the creation of the Czechoslovak republic and the accepting of its first act the so-called receptional norm and the end of the chapter deals with the assassination of Minister Rasin and the events that followed. The second chapter describes the particular phases of the Act acceptance procedure on the grounds of the National Assembly and mostly its turbulent debate in the Chamber of Deputies. Passage from the speeches of coalition and opposition legislators are also a part of this chapter. The third chapter contains an interpretation and rationalization of particular sections of the Act in its original version including some examples from the judicature. Related fourth chapter deals in detail with the three main cases connected with the Act and offers statistical data for the application of the Act in the judicial practice in the 1920's and mainly 1930's. The fifth chapter deals with the unfavorable political development in the 1930's which gave rise to several tighter amendments of the Act. Finally the sixth and seventh chapters is briefly touching The Protection of the People's Democratic Republic Act No. 231/1948 Coll. which zákon č. 232/1948 Sb., o Státním soudu was cancelled and replaced the Act and the further development of the criminal adjustment of republic protection in our country to present time.

The main purpose of the Act was to effectively regulate the extreme political currents in the interwar period which attempted from left and right seeking to disestablish democratic structure of Czechoslovak republic. The Act is often criticized for restriction of

constitutionally guaranteed civil rights and freedoms and because of excessive criminal repression. But the fact is that the members of the Czechoslovak government had no choice if they refused to establish leftist or rightist oriented dictatorship as it happened in big part of European continent or to refused to countenance to outline threats. The Act fulfilled its purpose but it didn't manage as it wouldn't be able to manage any other act to prevent the Nazi danger coming from abroad and finally German occupation of Czechoslovakia.

Key Words: The Protection of the Republic Act, The Protection of the People's Democratic Republic Act