

This thesis examines certain aspects of law in modern society. It focuses primarily on the chief functions of law in society from a sociological viewpoint.

The first chapter takes a general look at society today, and describes its main characteristics and their relevance to law. Firstly, dynamic change is constant and omnipresent in today's society. Law too is developing at a very dramatic pace, especially in connection with the Czech Republic's EU membership. Secondly, there is a notable shift of power in the state today. The state's sovereign power is being dissolved at an international level and decentralized on the local level. Within the state it is challenged by the growing power of the three "M": multi-national corporations, the media, and the mafia. Thirdly, some problematic aspects of modern politics and the making of the law are also examined. Despite of the above mentioned, the author concludes that there is no fundamental necessity to consider the present condition to be post-modern, rather than modern.

The second chapter takes a closer look at law and its relation to other social rules. The author stresses the importance of morality for the observance of legal rules. The conclusion is made that in the multicultural context of liberal democratic society, there seems to be a natural tendency towards a decrease of authority of moral rules, which leaves a determinable negative impact on the observance of legal rules.

The third chapter identifies the four main social functions of the law to be 1) the protection of fundamental human values, 2) the maintenance of social order, 3) the legitimization of public institutions and the exercise of power, 4) the reduction of uncertainty in social life. Some aspects of Czech law are critically analyzed, and it is concluded that much development is needed not only in the application of the law, but in the substantive law itself.

The fourth chapter provides a brief overview of postmodern legal thought and concludes that the Czech Republic is presently experiencing a post-communist rather than a post-modern condition. However, it is agreed that law seems to be rapidly approaching its outer limits and therefore traditional legal theory must prepare itself for a paradigm shift.