

SUMMARY

The goal of this diploma thesis is to verify hypotheses that the current legal framework of election law is in accordance with constitutional principles. Furthermore, author's intention is to highlight parts of the statute which may violate the Constitution. Such verification or rejection of hypotheses is deduced from the answers on the research questions, for instance if the voting system used within the course of the election to the Czech House of Representatives and if is desirable to modify the voting system and, if relevant in what manner (by what means).

In order to answer these questions, the author applied the method of analyzing primary and secondary information sources, their interpretation and deduction of relevant conclusions.

This thesis is divided into twelve chapters (incl. preface and conclusion, resume and bibliography) provided that the merit of the work can be found from chapter five to chapter eight. The second chapter is devoted to theoretical elaboration of individual voting systems. The following chapter discusses the evolution of the voting system used within the course of Czech and Czech-Slovak parliamentary elections in the 20th century. Fourth section of this paper is dedicated to constitutional establishment of the voting system used within the actual Czech parliamentary election and basic principles of election law. In the last chapter, there are summarized acquired knowledge as well as confirmed or, in case, disprove hypotheses outlined in the beginning hereof.

The crucial part of this work in particular consists of the discussion of the current legal framework the voting system used within the course of election to the Czech House of Representatives as well as important amendments of the election statute and relevant case law of the Constitutional Court. Then, the author presents its own suggestion on how to change the voting system *de lege ferenda* through individual modifications of the current election statutes and comprehensive amendment to the election statute itself. Hence, due to the prescribed range of this paper, the author decided not to include the assessment of organization and judicial review of the election nor the comparison with other voting systems in the neighboring countries or deep mathematical analyze of the election results.

On the basis of the study of applicable legal rules and doctrine, it was demonstrated that the current voting system does not violate any binding constitutional principles with this respect. Moreover, the author identified certain issues arising from the current legal

framework and proposes a new solution which does not violate the Constitution. In the end, the author introduces his own proposal on the modification of the voting system using semiproportional system with voting bonus for the winner of the election.