

## **Abstract**

This thesis aims to give a reflection on the doctrine of the right of resistance in the Czech Republic, its liberal democratic system and legal order. The first part of the thesis presents a short description of the background and the development of the doctrine. It also deals with Article 23 of the Charter of Fundamental Rights and Basic Freedoms as an attempt of embedment the right of resistance in the Czech law. The subject matter of the second part are the transformation processes taking place in the current world that have an impact and threaten liberal democracies including the Czech Republic. This part also gives examples of the application of right of resistance.

The first chapter contains a short historical and a modern definition of the right of resistance. It also defines the following related notions – the revolution, the coup d'état and civil disobedience, that this thesis applies.

The second chapter focuses on the history of the right of resistance. It goes back to its roots in Ancient Israel, looks upon the Enlightenment authors dealing with the theory of Social contract and concludes with the post-war development. Special focus is turned to the disputed aspects of the right of resistance.

The third section deals with possible interpretations of Article 23 of the Charter of Fundamental Rights and Basic Freedoms in a complex manner. The chapter presents the Czech constitutional lawyers' interpretations of the right in light of its various aspects forming the contemporary state of legislation. The key point of this section is whether Article 23 can be considered as a notion of the right of resistance.

Chapter Four describes in detail processes in the society, which change and endanger contemporary liberal democratic systems including the one in the Czech Republic. The greatest emphasize is placed on the universal feeling of crisis, democratization process, globalization and anti-politics.

The fifth chapter deals with the notion People. It is examined from the point of view of constitutional law, but also political sciences and sociology. In relation to the notion of People, the thesis takes into account the nationality issues, the particularities of the Czech nature and contemporary politics. The last part of the chapter deals with the phenomenon of violence as the last resort of the right of resistance.

Finally, chapter Six examines the possibility to apply the right of resistance in various cases of threatened liberal democracy in the Czech Republic, these including the revolution or the

coup d'état. Special attention is paid to the potential conflicts with different concepts of democracy. The conclusion of the thesis makes a summary of the doctrine of the right of resistance in the Czech legal environment.