

Résumé – anglický jazyk

Název diplomové práce v anglickém jazyce: *The Constitution of the People's Republic of China de iure and de facto*

This thesis deals with the issue of the Constitution of the People's Republic of China *de iure* and *de facto*. As presumed, the Chinese Constitution *de iure* does not meet all the requirements for effective constitution of the modern state and that between the Constitution of the PRC *de iure* and *de facto* exists a discrepancy relationship, the thesis aims to individually identify and analyze common constitutional and political elements which collectively create a real form of the Chinese Constitution *de facto* ("living" Constitution), upon which constitutional mechanisms of Chinese political life are based on.

The work consists of three chapters, whereupon the work can be divided into two parts. The first part is the theoretical part, where the first chapter deals with defining the term of Constitution itself, whether from a purely normative point of view, as well as from other approaches, especially those from sociological and political science, which are crucial to properly understand the content of the Constitution *de facto*. Afterwards there is the categorization of various concepts of the Constitution, followed by the classification of different types of the Constitution.

The second part is the empirical part, which is divided into two chapters (2nd and 3rd). The second chapter deals with the historico-legal development of the Chinese constitutional system beginning from the formation of the PRC. This chapter is based on an analysis of primary legal documents from the field of Constitutional law. The main focus of this chapter is concentrated on the factual synthesis of the individual findings originating from empirical and historical approach to the examination of particular Chinese Constitutions, which have been accepted on the territory of the Chinese state since the establishment of the PRC. This is followed by the third chapter, which contains the very core of this diploma thesis that provides the reader with a comprehensive answer the set aim in which is carried out the identification and subsequent analysis of six individual elements based on the author's selection, which in their solid combination form the Chinese "living" Constitution.

Key words: Constitution of the PRC *de iure*, "living" Constitution, the Communist Party of China.