

Morality and law

For the most of us it is quite clear what law is. Most of us have certain idea what law represents. A lot of us may have a different idea, it is because of many elements which affect our law perception.

On the most basic level, law is something which is connected to specific values in society. Based on this idea we can certainly say that law is something which guarantees balance in society and system which provides safety. On the other hand, morality is a subject of a discipline called ethics. This subject represents a system which provides and protects distinctive values which have different normative quality. This system is formed by high amount of appropriate rules of behavior and its way to realize this behavior.

In the past, the connection between these two systems was very important, it was a noticeable fact that these two systems cooperate and communicate. Even though nowadays these systems are more and more divided, they still interact.

In the law of Czech Republic the connection between morality and law can be observed especially in the good manners. Good manners are intentions which are projected throughout the whole law system. The main goal of good manners and morality is to fill the gaps in the law. Another important goal is also to straighten the perception of justice in the eyes of major people. Because of nature of these two systems it is not easy to complete these tasks. It is also not just a task of the authors of the law but also a task for the judges who operate inside of the complex system. The role of the society is important because it is society and ordinary people who elect the candidates.

The goal of this thesis is to determinate the terms of “law” and “morality”. The conclusion of this thesis is that there are many approaches to interpret both of these terms.

Law is a system which is perceived as a system with many controversial topics. The range of law as well as range of morality remains unclear. This problem remains because both of these systems develop every day. Laws can be created and join the whole system, this implies also to moral norms. This thesis presents different points of view how to interpret the term “law” and “morality”.

This thesis also provides analysis of the relationship of these two systems. Law and morality were always in a deep connection, this connection is based on their shared

fundamentals, but it is not the only reason. There are many arguments why the role of the morality was weakened and why the role of the law was strengthened. Many changes in the society took place, one of the most important changes is definitely the decline of traditional social structures and values connected with them. As a conclusion it can be said, that law is becoming a universal system in society which guarantees social integrity and safety.

The weakening role of morality does not necessarily mean that morality is losing its importance. It is still necessary for law and morality to cooperate. The relationship between the system of law and the system of morality can be observed in the positive morality and positive law. The difference which still remains is that morality does not benefit from the possibility of state sanction. Many differences of law and morality can be observed, but it is still clear that these two systems are able to cooperate and complement each other, because they have same basis which is natural law.