

Abstract

The purpose of this thesis is to investigate and identify the present status of relations between a freedom of an artistic work and a legal system of the Czech Republic with reflection of the way the legal proceedings can affect a public opinion on artistic work. In order to delineate and understand key aspects of the freedom of expression and of the artistic work is the opening theoretical chapter of the thesis divided into two major segments using jurisprudence and aesthetics separately.

The goal intended to be attained in the second chapter of this thesis is to identify the characteristics of freedom of artistic work in the most significant international treaties and national constitutional legislative system. Furthermore the chapter links the legislation to judicial practice of European Court of Human Rights, European Court of Justice and the Constitutional Court of the Czech Republic.

The core part of the thesis consists of major Czech art vs. law cases divided into three topics by the kind of artistic expression. All cases were chosen for the influence they have had on forming of the author's of this thesis opinions on controversial art.

Presented cases were compared to results of a public opinion questionnaire to evaluate the impact of chosen cases on opinions of selected sample of respondents.