

Abstract

The diploma thesis deals primarily with the so-called first stage of the nationalization process in Czechoslovakia, which took place between 1945 – 1948, and the post-war confiscations of the same period, as well. The objective of the thesis is particularly to describe and analyze the then relevant legal regulations and place them adequately in the historical context. The content of the five thematic chapters is adapted to this topic.

First, it attempts to define the basic concepts of nationalization, appropriation, socialization, expropriation and confiscation. Subsequently, it examines the basic historical roots of the concept of nationalization. It does so especially by comparing the approaches to proprietary rights through the prism of two dominant ideologies, namely liberalism and socialism.

The core of the thesis consists of the nationalization and confiscation decrees themselves and the issues related. The National Institute of Administration was closely associated with this issue, as well. From the legislator's point of view, it was also necessary to distinguish which assets were to be confiscated and which, on the other hand, nationalized. The film industry first, followed by mines and large industrial enterprises, the food industry, banking and insurance companies were subject to nationalization.

The immediately following part very briefly maps the further fate of the property nationalized in the first phase as well as the property that has not been nationalized yet. It does so particularly by presenting the related legal regulations from the period of 1948 – 1989. This category includes especially the laws of the so-called second stage of nationalization, the Constitution of May 9, the Constitution of 1960, and the Codes of Civil Law.

The last part attempts to outline the possible use of knowledge gained from the legal and historical analysis of nationalization and confiscation on more current issues, namely the restitution and privatization of legislation of the early 1990s. The specifics of the restitution legislation are subsequently illustrated by the selected case law of the Constitutional Court of the Czech Republic. In conclusion, the issue of church restitutions is addressed, as well.