

Idea of humanity in the modern legal order (in chosen stages of Czechoslovakian and Czech statehood)

Abstract

This thesis is focused on the idea of humanity in the modern legal order (in chosen stages of Czechoslovakian and Czech statehood). The main purpose of thesis is to analyse how would be useful change the Constitution of the Czech republic from the humanitarian point of view and after that make a proposal of concrete changes according the Legislative rules of government.

Author uses analytical, synthetical and historical methods in order to catch the goal of the paper.

This thesis is dealed into universal part and specific part as a logical process. The thesis is composed of six chapters, each of them dealing with different aspects of topic. Chapter one is introductory and defines some of the basic terminology used in the thesis. The most important terms are idea of humanity, democracy, state, constitution and people.

In the chapter two author describes genesis and short historical introduction of idea of humanity. Crucial historical times for the idea of humanity is Antics, Middle Ages and the Age of Enlightenment. Amongst the most importants humanists mentioned in this thesis are Sókratés, Aristotelés, Panaitios from Rhodos, Seneca, Confucius, Gautama, Lao-c', Marsilius from Padova, Hus, Rousseau, Kant and Masaryk.

The chapter three is focused on idea humanity in the czechoslovak and czech constitutional history. Particularly is analysed the uprising of the Czechoslovakia and constitutions, i. e. constitutions from 1918, 1920, 1948, 1960 and 1992.

In the chapter four are mentioned some of humanitarian aspects of some constitutions of european states (for example Poland and Portugal), because comparative view is very helpful before the constitution will be changed.

The consideration *de constitution lata* is in the chapter five, author have found some problematic places in the Constitution of the Czech republic, such as absence of some important ideas, wrong concepts, violation of *pouvoir constituant* and so on. It is the basic step for the next chapter.

In the last chapter finally author suggests important changes of Constitution of the Czech republic. Mainly institutes of direct democracy, such as referendum, citizen initiative and much others.

Conclusion of thesis shortly is that idea of humanity is important element of modern legal order.

Key words: idea of humanity, democracy, constitution.