

## **Munich agreement and the results in terms of constitutional law**

Czechoslovakia was found in 1918 as a democratic country. The country's democratic character was grounded even in its constitution. Main political leaders of the state supported the development of international law, system of collective security and the peaceful co-existence with other countries. In internal relations the state ensures the observation of human rights and equality of conditions for everyone. "*Our republic is an ideally democratic state*" said the foreman of Jewish party in 1938. But it was not enough for the others which sacrificed this democratic country to avoid contention with his totalitarian neighbour. On 30<sup>th</sup> September 1938, Great Britain, France, Italy and Germany signed the Munich agreement. Czechoslovakia which was not a contracting party was constrained on abandonment of large frontier areas on behalf of Germany. It was the British prime minister's policy of appeasement plan, which he hoped would sacrifice a little peaceful country, avoiding war with Germany. History showed us he was wrong and in one year the biggest tragedy in modern history befell the world in the appearance of Second World War.

The Munich agreement is a document comparable with no others. Today it is considered to be void from the beginning. It was contracted contrary to international law and Czechoslovak constitutional law. Czechoslovakia was not a contracting party and the approval to receiving declared by Czechoslovakian government was in contradiction with Czechoslovakian constitution. Czechoslovakian constitution requests for acceptance of this kind of agreement, an assent of Parliament. So the agreement is an obvious third party detrimental pact, which is a contradiction with international law. Another big reason for being void is that Germany never intended to meet their obligations and so they took advantage of their partners. The last step in this tragedy came on 15<sup>th</sup> May, when the German army unlawfully occupied the rest of Czechoslovakia. This was also the main reason for other contractors of Munich agreement to withdraw from this agreement.

Consequences for Czechoslovakia were fatal. It lost almost one third of its territory. It was compelled to cooperate with Germany. The democratic regime turned into authoritarianism. Democratic institutes, like political plurality or separation of

powers, were replaced by its totalitarian opposites. Prospective state turned into nonviable and was completely exterminated in May 1939 when Protectorate Bohemia and Moravia were proclaimed. Thanks to Dr. Beneš and his theory of continuity, Czechoslovakia like world knew it before Munich was recovered after Second World War.

Klíčová slova: Mnichovská dohoda, Československo

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