
Analysis of the constitutional system of the Czech Republic and proposals for its changes

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Constitutional Law and Theory of State is one of the key branches of jurisprudence. The importance of the branch reflects not only in the scientific work but also in the benefit to the society addressing current issues of constitutional and political system of the Czech Republic in the European and global context.

The branch of Constitutional Law and Theory of State develops international cooperation within the framework of mobility programmes of the Charles University. It has a long-lasting extensive cooperation with professional practice (one department member is a Justice of the Constitutional Court, two are members of the Government Legislative Council, one is a deputy minister and one serves as a director of the Parliamentary Institute).

Currently several bills (both government and private member's bills) are submitted to change the Constitution of the Czech Republic. These bills are not internally interlinked and coordinated. Simultaneously in the recent years (since 2013 in relation to the 20th anniversary of the adoption of the Constitution) a theoretical analysis of the operation of the constitutional system of the Czech Republic is being carried out. This analysis is based not only on the valid Constitution but also on the judgments of the Constitutional Court, the Supreme Administrative Court and the Supreme Court, the constitutional practice in general as well as the doctrinal opinions. Fundamental discussions of individual subsystems of the constitutional system of the Czech Republic and their mutual relations including comparative approaches form a central part of the analysis.

The principal output of the research is a collective monograph on this topic including a reasoned overview of proposed coherent changes to the constitutional system of both normative and organisational nature.

Selected outputs

- Gerloch, A. a kol.: Teorie a praxe tvorby práva, Praha, ASPI 2008
- Gerloch, A., Šturma, P. (eds): Ochrana základních práv a svobod v proměnách práva na počátku 21. století, Praha, Auditorium, 2012
- Gerloch, A., Kysela, J. (eds.): 20 let Ústavy České republiky. Ohlédnutí zpět a pohled vpřed, Plzeň, Čeněk 2013
- Pavlíček, V., Hofmannová, H. a kol.: Občanská a lidská práva v současné době, Praha: Auditorium, 2014
- Kudrna, J. (ed): Ústavní postavení prezidenta republiky a způsob jeho volby; Acta Universitatis Carolinae. Iuridica, 2011, č. 4
- Kudrna, J. (ed): Integrovaní ustanovení v ústavním systému ČR a vybraných evropských zemí; Acta Universitatis Carolinae. Iuridica, 2013, č. 4
- Antoš, M.: Parlamentní forma vlády v ČR a možnosti její racionalizace, v tisku (2015)