

## **Abstract**

### **Legal biennial and the activity of political committee in 1928-1950**

The dissertation deals with the activities and composition of the Political Commission of the Ministry of Justice and its role in the recodification work during the so-called legal biennial, ie in the period 1948-1950. During this period, new legislation was created in all major branches of the law and resulted in a complete reconstruction of Czechoslovak law. The aim of the present work is to study and approach the work of the political commission in the course of the recodification work, including its insertion into the deeper context of the re-codification in the Czechoslovak Republic, and to demonstrate that the political commission has in fact and fundamentally influenced the final form of these legal regulations.

Given that the concepts of codecs elaborated in the preceding period became the basis for the recodification work during the legal biennial period, the first part of the dissertation is devoted to these previous attempts to recodify the main branches of law in the 1920s and 1930s and their outcomes in the form of curricula of the individual codes.

In the next part the attention is paid to the legal two-year legal. In the first place, the author discusses in general its legal anchoring and publication, as well as the organization of recodification works and the results of the legal biennial in the main legal branches. It then focuses on the work of the political commission. Here, attention is paid to the process of its establishment and staffing, including the key for the selection of its members. The process of selecting the personalities that eventually happened, respectively, were appointed as members of the political commission, was a key factor in the fulfillment of the meaning of its existence, because to a large extent the individual members and their authority, argumentation or power position decided to the final text of the submitted resolutions. The biographies of the individual members of the political commission are also presented here and, in addition, the changes in its composition, which have taken place mainly following the IX. Congress Communist Tents of Czechoslovakia. Codification works are also set in the context of re-codification in other socialist states, and the author also analyzes individual foreign aspects that have been reflected and influenced by the political commission.

The final part of the presented paper deals with the question of the extent to which, respectively, in which provisions the influence of the political commission actually manifested itself in the final text of the selected "big" codes. The chapter is devoted to assessing the impact

not only of the political commission but also of the National Assembly, whose vote has become only some necessary formality pretending to be a democratic element on the way to adopting new legislation. The author here analyzes the stenoprotocols from the meetings of the National Assembly and the parliamentary press from the individual meetings of the commissions (especially the constitutional-legal committee) and performs their detailed comparison with the political committee resolutions as well as with other available information from the course of the individual curriculum for qualitative assessment the key role of the political commission in the process of recodification.

Although the legal biennial period may, from the current point of view, only appear as ancient history, the opposite remains true. The legal regulations adopted during this period largely influenced the Czech (or Czechoslovak) legal order over many decades and created thought schemes that, for example, in the sphere of civil or family law, despite numerous amendments, remained virtually until the 21st century. It was for the most part a political commission, who outlined the ideological framework of this legislation and who revised the text proposed by the subcommittees in terms of their compatibility with the prerequisites of socialist law. Due to the lack of completion of the current recodification work (for example in the field of criminal procedural law but also in the most recent amendments to the recent recodified civil law), it is appropriate to analyze the origin of individual legal institutes or specific legal provisions as well as the motivations that led to their formulation. Knowledge of these facts can serve as an example and inspiration - both positive and negative - in the creation or amendment of legal regulations.

**Key words:**

legal biennial

political committee

Ministry of Justice