

# **Development of Czech water law and legal relations related to water**

## **Abstract**

This dissertation thesis deals with the development of the legal regulation of water law and legal relations related to water in the Czech Republic. It provides an interpretation of the issue from the beginnings of the Czech state to the present. The thesis is divided into sixteen chronological chapters focusing on individual periods of development of this issue. The individual chapters are divided into sub-chapters dealing with sub-fields of water law and legal relations related to water. The first four chapters provide a theoretical introduction and a common basis for the other chapters. The first chapter contains an analysis of the concept of water law and the systematics of water law. The second chapter provides an outline of the development of water law in antiquity as an illumination of the earliest roots of water law. The third chapter discusses the foundations and structure of Roman water law as the methodological basis of the field of water law. The fourth chapter deals with the basic features of the development of water law in the territory of states neighbouring the Czech Republic.

Chapters 5–15 form the core of the thesis and deal with individual periods of development of Czech water law and legal relations related to water. Chapter 5 deals with the development in the pre-Hussite period. The sixth chapter deals with water law in the period of the Estates. The seventh chapter focuses on the absolutist period, from 1620 to 1811. An interpretation of the absolutist period is divided into two chapters. The eighth chapter deals with the development of water law after 1811, beginning with the adoption of the General Civil Code (General civil code for the entire German hereditary lands of the Austrian monarchy, known as ABGB from its German original designation). This legislation fundamentally influenced the nature of Czech water law until the adoption of the Austrian Reich Water Law.

The ninth chapter contains an interpretation of the development of Czech water law from 1869 until the dissolution of the Austro-Hungarian Monarchy. The tenth chapter deals with the development of water law in the period of the First Czechoslovak Republic. The eleventh chapter describes the partial changes that water law underwent during the existence of the Protectorate of Bohemia and Moravia. The twelfth chapter deals with the development of water law in post-war Czechoslovakia and includes the creation of the Water Management Act (1955). The thirteenth chapter describes the short period from the adoption of the so-called socialist

constitution to the enforcement of the Water Act of 1973. The fourteenth chapter deals with the period when the 1973 Water Act was in force in Czechoslovakia until the so-called Velvet Revolution. The fifteenth chapter briefly describes the development of Czech water law post 1989. The final chapter contains biographies of leading figures in the field of water law. The thesis contains two appendices. The first appendix contains a comparison of the Czech, Moravian and Silesian provincial water law. The second appendix contains examples of model scenarios concerning water law matters. At the very end of the thesis, the reader will find a illustrated appendix depicting the issues contained in water legislation.

**Klíčová slova: water, water law, legal history**