

# **Equality of rights and dignity in the jurisprudence of the Czech Constitutional Court – Human dignity and the human being as an object**

## **Abstract**

This thesis analyses in detail the approach and jurisprudence of the Czech Constitutional Court to human dignity and the objectification of man. Using a historical and theoretical context, key ideological trends that have influenced the development of the concept of human dignity are presented. Beginning with the ancient understanding of dignity as personal honour and social status, the thesis gradually traces the development of human dignity to the ideas of I. Kant, who laid the foundations for the prohibition of the instrumentalisation of the human being. The focus is on German wartime and post-war developments. From the wartime period of World War II, the thesis briefly discusses the Nazi Euthanasia program. The reasoning of the post-war German Constitutional Court subsequently became a source of inspiration for the decision-making of the Czech Constitutional Court.

Subsequently, the approach of the Czech Constitutional Court to human dignity and to certain problematic issues related to the application of the Charter of Fundamental Rights and Freedoms is discussed. These include the anchoring of human dignity in Article 1 of the Charter and Article 10(1) of the Charter, the distinction between the meaning of human dignity in the Charter and aspects of human dignity in relation to free will and social rights.

Finally, the third part analyses the case law of the Czech Constitutional Court with a focus on the objectification or instrumentalisation of the human person. The thesis identifies four categories of cases where the Czech Constitutional Court uses arguments involving the objectification of human being. The first category is cases of limiting the autonomy of the mentally ill, the second category concerns decisions about children, the third concerns limitations of personal liberty, and finally the fourth category concerns the protection of privacy and interference with so-called personality rights.

In the final part of this thesis, the author reflects on the results obtained in the discussion and reflects on their significance. Finally, the author reflects on directions for future research in the field of human dignity.

**Keywords:** human dignity, prohibition of instrumentalization of human beings, Article 1 of the Charter of Fundamental Rights and Freedoms

