

ABSTRACT

This thesis focuses on the relationship between law and urbanism, in particular the ways in which law influences urbanism and the form of public spaces. Urbanism, in the context of this thesis, is understood to be both a scientific discipline that examines the realities of the contemporary and historical city and the technical discipline of the planning of public spaces. In the first chapter of the thesis, the author attempts to define urban studies and urbanism, and through a historical excursion outline their development and the effect of past trends in current urban development. The first chapter thus introduces the social sciences context and basic concepts and includes the analysis of the legal concept of public space („veřejné prostranství“), to which the thesis refers in subsequent chapters. Then, the thesis maps the legal anchoring of public space, especially in terms of its planning. First of all, it describes the broader system of Czech construction law, its common theses with environmental law and legal norms which influence the form of the city, such as municipal building regulations and municipal ordinances. With regard to the time of the drafting of the thesis, space is also devoted to the new Czech Construction Act of 2021, which affects the issue of urban planning fundamentally. In more detail are presented the spatial planning instruments by which public space in the city is defined and the actors involved in the process of planning public space. Since the city is a community settlement, and since the purpose of most regulation is to make it a functional and suitable place for its inhabitants, the relationship between citizens and the city is the subject of the next chapter of the thesis. Here the author focuses on the role of residents as the „public“ of public spaces and moreover as actors in its planning. The planning involvement can be carried out through the institutes offered by construction law or through less formal civic initiatives or in mutual interaction of these options. The inevitable conflict between private and public interests is also an important theme of construction law, spatial planning, and urbanism. Several of the typical forms of conflict are dealt with in the last chapter of the thesis.