

Good morals in business relations

Abstract

This thesis explores the concept of good morals in business relations. Its aim is to contribute to a deeper understanding of the role of good morals in commercial relationships and to provide a comprehensive view of their significance and application in the current Czech legal environment. Through an analytical approach to case law, legislation, and theoretical concepts, it aims to offer a complex analysis of the importance and implementation of good morals in business interactions. Good morals, with a long tradition tracing back to classical Roman law, represent a key moral corrective in legal relationships, evolving through the First Republic and the General Civil Code to the current Civil Code. The work examines how good morals function as a tool for regulating business relationships, focusing on specific cases where the morality of actions between businessmen was subject to judicial review. The thesis begins with a historical excursion mapping the development of the concept of good morals from Roman law to the present day. Through extensive analysis of the jurisprudence of the Constitutional and Supreme Courts, the thesis aims to provide a comprehensive view of how good morals shape relationships between businessmen and how they are reflected in the current legal order. Special attention is given to the relationship between the principles of fair business transaction and good morals, and their specific application in business relationships, including an analysis of the legal regulation of the Civil Code and relevant jurisprudence relating to previous legal regulations, as well as current ones. Furthermore, the thesis addresses the analysis of legal regulations and jurisprudence concerning key institutions such as default interests and contractual penalties, which play a crucial role in ensuring the fulfillment of contractual obligations. The analysis emphasizes the necessity of a balanced consideration of contractual freedom, the principle of legitimate expectation, and other fundamental principles to achieve a fair resolution of disputes.

Klíčová slova: Good morals, businessman, default interest