

Abstract

This diploma thesis focuses on the comparison of two crucial legal codes of the Bohemian common law of the first half of the 16th century, i.e. *Vladislavské zřízení zemské* and *Zřízení zemské of 1549*. The aim is to answer the question whether it is possible to perceive *Zemské zřízení of 1549* in the same way as it is understood by the majority of the current historiography, meaning whether *Zemské zřízení of 1549* is only the redaction of *Vladislavské zřízení zemské*. I want to concentrate on the thought if it is necessary to reconsider the general view on this matter. It may be established that these legal codes are relatively independent works due to their dissimilarities as they differ significantly in their origin, authors, historical context, central ideas, and structure. In general, the distribution of power is a key aspect of forming the law, which applies not only to the early modern period, and this idea is reflected in the structure and content of both these codifications.

In the first chapter, I focus on the contextualisation of both codes from the point of view of the legal history and discuss the political science thinking of selected classical authors. My next goal is to describe the legal development not only in the Kingdom of Bohemia but in the Moravian Margraviate as well as, this research can reveal some interesting parallels between Czech and Moravian common law in the 16th century.

In the second chapter, I focus on the comparison of the various aspects of *Vladislavské zřízení zemské* and *Zemské zřízení of 1549*. The core of the comparison is the introductions of both legal codes followed by the analysis of a number of key articles about, e.g. the relationship between the monarch and the estates, the distribution of power in the state, the functioning of the basic institutions of the early modern state, and of selected areas of private and public law. Part of this thesis is also the concordance between these articles, which will also help to clarify the link between the two researched codes.