

ABSTRACT: An attempt to newly codify civil law in Czechoslovakia before the Second World War

This master's thesis explores the attempt to create a new codification of civil law in the Czechoslovak Republic before World War II.

First and foremost, the thesis provides an overview of the historical context, serving as the foundation for the reformation of civil law. It does so by examining the existing regulations of civil law in Cisleithania and Transleithania, including their progressive amendments. From the outset, the thesis attempts to outline the willingness, or rather openness, of the legal community to potential changes, primarily within the ABGB. Emphasis is placed on the need to unify regulations in the newly formed republic, which faced various civil law regulations, known as legal dualism or trialism. It was equally essential to adapt civil law to modern societal and economic needs.

Furthermore, the thesis explores various possible forms of codification and legal unification, ranging from a mild revision of the ABGB to the creation of an entirely new legal code. The thesis also describes and evaluates the intended approaches to legal unification, introducing the role of the Ministry of Unification for this purpose. At this point, the thesis seeks to better understand and present the approaches of the main figures in codification efforts, led by Jan Krčmář.

The focal point of the thesis is the detailed analysis of the preparations of proposals by individual subcommittees and the super-revision commission that preceded the creation of the 1931 proposal and the 1937 draft. In this regard, the thesis primarily draws from contemporary primary sources. This section of the thesis contains a wealth of the author's own analysis and conclusions, which the author seeks to compare with a substantial body of literature already existing on this topic.

The thesis also begins to delve into family law regulations early on, partially foreshadowing the challenges that would arise in the preparation of the final version of the government's draft civil code in 1937.

The analysis reveals various approaches chosen during the preparation of the proposals, which defined the entire preparatory process. The thesis aims to approach these methods critically, rather than merely describing them. In conclusion, the thesis summarizes its findings into ten thematic sections, through which it evaluates the outcome of the *attempt to newly codify civil law in Czechoslovakia before the Second World War*.

Keywords: codification of civil law, unification of civil law, ABGB revision, 1937 civil code proposal