

# **The Concept of a Minimal State in the Context of the Human Rights Standard Achieved**

Abstract

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This thesis examines a minimal state in the context of the human rights standard achieved. In other words, it analyses what activities and actions the state is obligated to undertake regardless of the political will of its actors. The aim of the thesis is to demonstrate that a minimal state represents a concept that is no longer achievable in the contemporary world, in spite of what power the relevant actors might have at their disposal. To do so, it employs a method of identifying the obstacles that stand in the way of establishing the minimal state.

The thesis is divided into two main parts. The first, theoretical part, initially deals with the categorization of the origin of these obstacles, distinguishing between obstacles arising from constitutional foundations, obstacles from international obligations, obstacles arising from diplomacy and international politics, and obstacles stemming from natural resources and economic realities. Subsequently, it discusses the concept of a minimal state in general, providing a framework for the reader's understanding, before briefly considering the views of relevant authors on its content. The first part concludes with a short discussion on the advantages and disadvantages of a minimal state, and moves on to discuss possible minimal states in contemporary reality, which is used to provide a final definition of a minimal state for the purpose of examination in the following section.

In the second part, which forms the core of the thesis, the work deals with the identification of specific obstacles that practically or potentially prevent the Czech Republic from becoming a minimal state, or at least approaching one. It analyses individual groups of sources and argues why specific obligations constitute an obstacle to a minimal state.

Conversely, the thesis deliberately does not address the moral justification of a minimal state as such, along with questions of justice and social cohesion. Its aim is to show what would prevent the achievement of a minimal state after a societal debate, concluding that such a society desires this outcome. Therefore, it focuses on examining the specific obstacles to achieving this goal. At the same time, the thesis does not advocate for the elimination of the state as a whole, but only implicitly highlights areas where state and public power could be considered for reduction in accordance with domestic and international influences and limits.

**Key words: minimal state, state obligations, human rights**