



# MASARYK UNIVERSITY FACULTY OF LAW

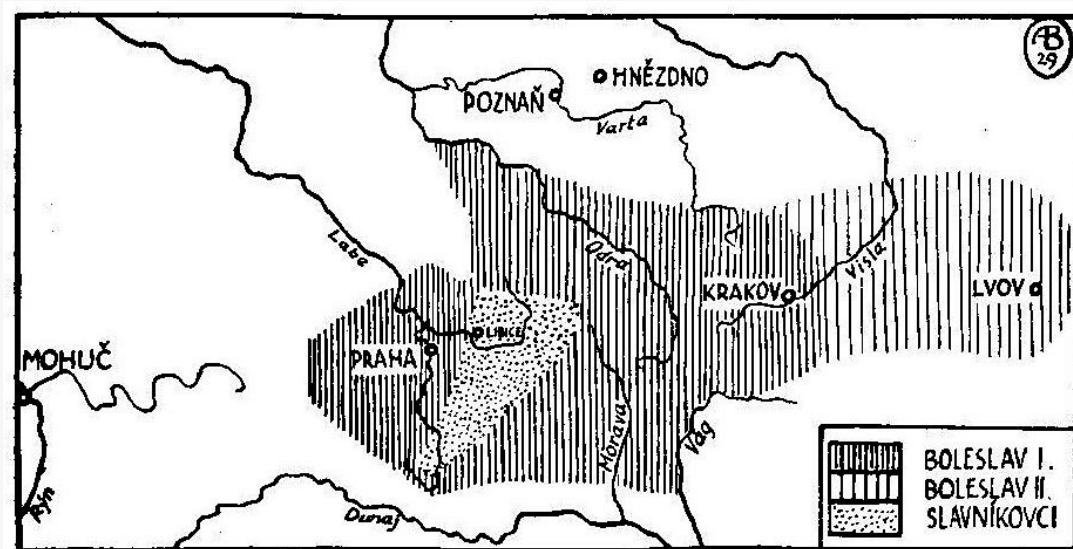
# Middle ages

Zápatí prezentace



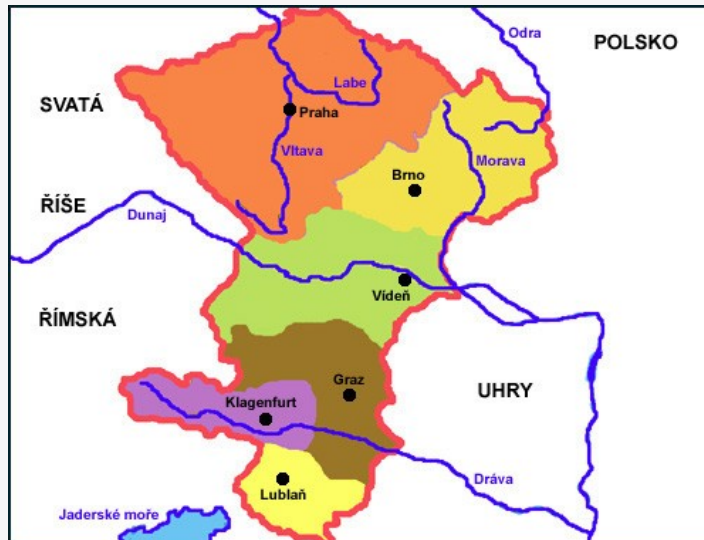
# Early Middle Ages

- Bohemia part of Great Morava - around 867
- Bohemian principality
- 935 - constitution of the territory
- 995 - liquidation of Slavník family
- 1029 - Moravia a part of our state
- 1035 - Statutes of Gniezdno (Břetislav decree)
- 1085, 1158 Kings tittle for Vratislav II. and Vladislav II.



## Bohemian kingdom 13th century

- 1212 Bohemian kingdom
- Strong kings Přemysl I. Otakar, Vaclav I., Přemysl II. Otakar (not successful candidate on emperor title - competitor of Habsburg)
- Václav II. - king of Bohemia and Poland
- Václav III. - King of Bohemia, Poland and Hungary





# Bohemian kingdom 14th century

- Václav II.
  - Reforms - finances (Prague penny, „groš“)
  - *ius regale montanorum* 1300
- Václav III. assassinated
- Interregnum (Henry of Kärnten, Rudolph Habsburg, Henry of Kärnten)
- 1310- 1346 John of Luxemburg
- 1346 -1378 Charles IV
  - *Majestas Carolina* - draft of codification of the Land Law order (not successful)
- 1378-1419 Václav IV





# Bohemian kingdom 15th century

- 1415 - Jan Hus burned in Kostnice as a heretic
- His followers revolting
- 1419 - defenestration in town hall in New City of Prague, king Václav IV died x czechs will not to have as king his brother Zikmund (king of Hungary)
- Start of the „hussit revolution“
- 1421 - Council in Čáslav - towns have a share on the state affairs, beginning of a state of professions
- 1432 Battle of Domažlice - last cruciate was defeed - begin of negotiations with Concil in Basel
- 1437 „Basilejská kompaktáta“ - recognitions of hussits, with reservations - both hussits „utrakvists“ and catholics (sub una specie)
- 2 half of 15th century - conflict with Hungary
- Bohemian King Jiří of Poděbrady (an effort to unite the Europe against the Turks, not succesful)
- Jagello dynasty - catholic, but toleration of utrakvists and lutherans





# Bohemian Kingdom in 16th century

- 1526 - Ludvík Jagellonský died in battle of Moháč (Hungary) - Bohemian and Hungarian Kingdom without the king
- Vote of Habsburg dynasty in both kingdoms
- Ferdinand I. tended to centralisation
- 1547 - 1st. Revolt of nobles defeated, less power for towns
- 1609 - Majesty of Rudolf II. - guarantee of religious freedom
- 1618 - Catholics with support of a king restricting non-Catholics - Third Defenestration in Prague - the beginning of 30-year war (to be continued....)





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# The relationship of the Czech state and the Holy Roman Empire



# Holy Roman Empire and Bohemia

- 935- Death of Václav I. (Hl. Wenceslaus)
- 935-972? - Bolesav I. - constituing of Czech state
- Conflict with Saxony x ended in 950 - then cooperation with empor Oto (955 battle on Lech)
- 1002-1003 polish invasion by Boleslav the Brave - czech duke Jaromír aks for feud the empor of Holy roman Empire





# Holy roman Empire and Bohemia II.

- Begin of 11 century - part of Empire
- Rex pro persona grata: Vratislav II (around 1087 - by empor Heinrich IV) Vladislav II (1157 - Barbrarossa battle of Milan)
- End 12th century: century - Moravian Markgraf
- 1212 - Golden Bula of Sicily - Czech Kingdom
- end of 13 century - Bohemian King one of Kurfürts
- Begin of 14. century - The Přemysl dynasty death by sword (+Wencel III. assassinated In Olomouc) - the Bohemian Kingdom is free for feud - the Epmor Fridrich give it to his son Rudolf of Habsburg (he died one year later)
- Golden bula of Charles IV - privileged position of Bohemian Kingdom - the king has full jurisdiction on the territory of kingdom



# Civitas - the town in legal sense

- Half of 13th century - creation of the first towns in legal sense
- Created by a monarch (1222 Uničov)
- Rights
  - Political - self-government and own court (not a king's official as a judge)
  - Economical - the right to make beer, the right of a mile (banning the crafts within 1 mile of the town, approx. 13 kilometers)
- Legal families - Magdeburg and „Nürberg“ family
- Schöppenbuch (Notarius Johannes - Brno, half 14th Century)
- Efforts for codification
  - Beginning of 16th century, protection against nobility
  - Pavel of Koldín - the rights of the Prague Old Town - „Nürberg legal family“
  - 1579 - Rights of towns in Czech kingdom



# Important legal monuments

- **Ius regale montanorum** - mining code for Kutná Hora (used by mining Court in Jihlava), influence on codification in Hungary, Spain and South America
- „Vladislavské zřízení zemské“ - only codification of the law of the land, that was initiated by nobility and not by the king
- **Rights of towns in Czech kingdom** - Pavel of Koldín, unification of the rights of towns in Czech lands, Moravia and from the beginning of 18th century partially in Silesia, in force up to 1811 (ABGB)