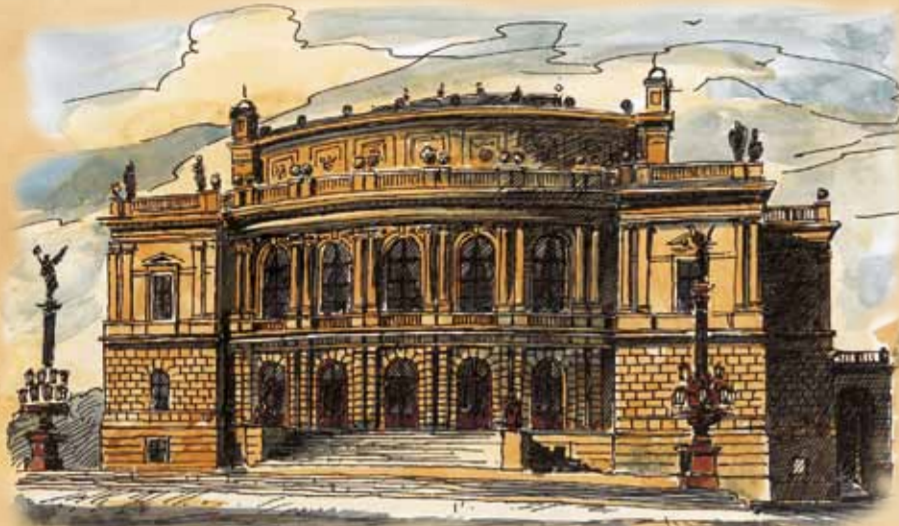


A look into the history of the Parliament:

The tradition of having a representative body dates well into the past when it comes to the territory of what is today the Czech Republic. As of the 13th century, political representatives of the Czech Kingdom – i.e. the nobility, clergy and, to a limited extent, cities – gathered in a provincial diet (land assembly). Similarly, diets were also formed in Mo-

was a classical parliamentary democracy. In accordance with the Constitution of 1920, legislative power was exercised by the National Assembly, which was composed of two chambers – the Senate and the Chamber of Deputies. Elections were held on the basis of a proportional electoral system. The political situation in the Czechoslovak Republic was rather complicated, due to the many political parties which existed at the time and thus, many Governments were successively formed.



The Rudolfinum – the seat of the Chamber of Deputies during the first Czechoslovak Republic (pre-WWII)

avia and in Silesia, but the Czech provincial diet had a special position. The creation of provincial diets mirrored the political situation – by means of these diets, the estates of the Czech Kingdom, headed by the nobility, aimed to increase their political powers. The diet represented a platform in which the estates were able to articulate their demands vis-a-vis the King, and, to a limited extent, in which they were able to control his Government. The political power of the estates was thus limited by the political power and

Nonetheless, the First Republic maintained its democratic character until 1938. After the cession of some of Czechoslovak territory in accordance with the Munich Agreement (which the National Assembly never approved), the National Assembly was effectively stripped of its political powers and banished from political life as a result of the Empowerment Act of December 1938. After the occupation by German troops, President Hácha formally dissolved the National Assembly.

abilities of the King, and the power of the provincial diets increased when the centralized power of the King was weak. After the incorporation of the Czech lands into the Hapsburg monarchy, the powers of the provincial diet gradually weakened. This was apparent in the 18th century which was a time of increased centralization, when power was concentrated into the hands of the monarch and the central Austrian Government. At a symbolic level, however, the provincial diet continued to represent one of the few institutions which reflected Czech statehood.

The National Assembly was reconstituted at the end of the second world war. In October 1945, a unicameral interim National Assembly was convened which approved the Decrees of the President of the Republic, which had been issued prior to its constitution. In the first post-war elections in 1946, citizens were given only a limited choice. Only non right-wing political parties which had not, according to the views of the time, discredited themselves during the period of the war, were allowed to propose candidates to stand for election.

The rise of modern parliamentarism in the Czech lands:

The revolutionary year of 1848 brought political freedoms for some members of the public in the Czech lands. For the first time, some citizens were able to vote in elections and to determine who would represent them in the provincial diets and in the Empire Diet of the Austrian monarchy. These representative bodies became permanent parts of the political system of the Hapsburg monarchy at the beginning of the 1860s. Although the right to vote was not equal and was denied to many members of society, this period is considered to be a time when modern political culture was born, when the public first witnessed electoral campaigns and the rivalry of political parties and also a time when the press began to play an important role in determining public opinion.

The establishment of the Czechoslovak Republic and the Parliament:

The traditional provincial diet ceased to exist along with the dissolution of the Austro-Hungarian Empire. The newly formed Czechoslovak Republic (also called the First Republic)

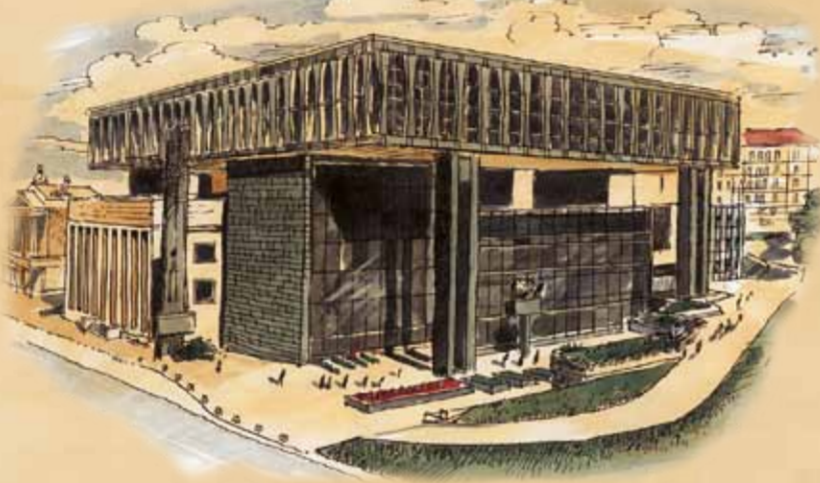
The Parliament and the Communist regime:

In February of 1948, the Communist party definitely took over power in Czechoslovakia. Following the resignation of democratic ministers, the vacant seats in the Government were filled by persons proposed by

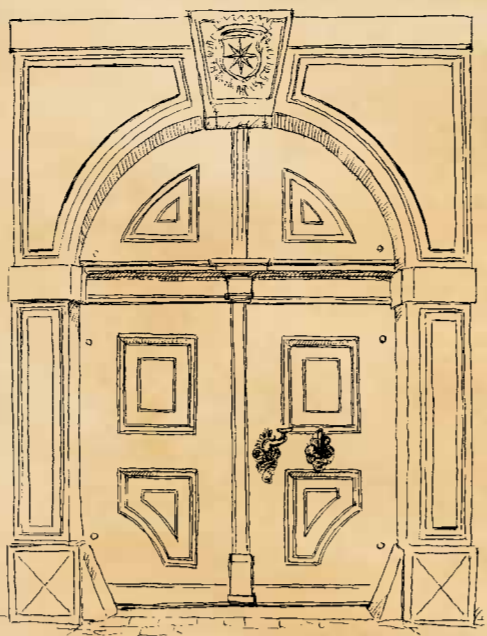
the communist Prime Minister, Klement Gottwald. Several days later and in a tumultuous atmosphere, the National Assembly approved the policy declaration of the Government. Over the course of the 40 years of rule of the Communist party, the Parliament represented a mere facade for the totalitarian regime. The Parliament automatically approved laws and expressed confidence in the Governments of the so-called National front. This fact remained unchanged even with the adoption of the Act on the creation of the Czechoslovak federation, which altered the composition of the Parliament. With this Act, a bicameral Federal Assembly, composed of the Assembly of the People and of the Assembly of Nations, was formed. The legislative bodies at the provincial level were formed by the Czech National Council and the Slovak National Council.

A return to a parliamentary form of government:

With the Velvet revolution of 1989, Czechoslovakia turned back towards a democratic system of Government. In June of 1990, the

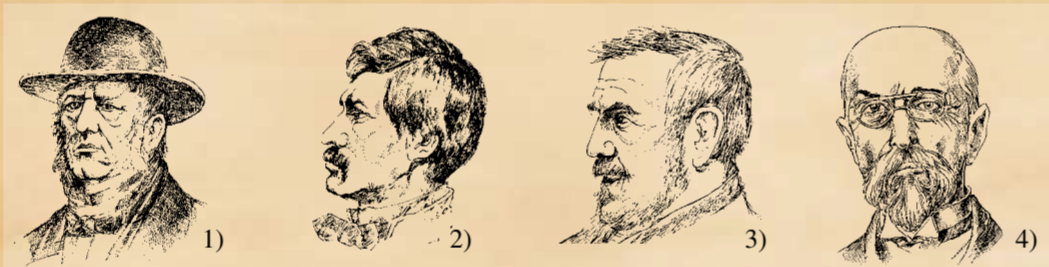


The former Federal Assembly



Portal no. 7 – Sternberg palace

of all state power. A necessary aspect of parliamentary life is therefore communication with the public and with representatives of various citizens' groups which represent the legitimate interests of citizens.



- 1) František Palacký (1798–1876), leading figure of Czech political and public life in the 19th century,
- 2) Karel Havlíček Borovský (1821–1856), politician and journalist with strong influence on Czech public opinion
- 3) František Ladislav Rieger (1818–1903), parliamentarian and politician in the 19th century
- 4) Tomáš Garrigue Masaryk, President of the Czechoslovak Republic from 1918

first free parliamentary elections were held. In 1992, the idea that the Czech and Slovak republics could coexist in a federal state was definitively abandoned and the Czechoslovak federation ceased to exist. On January 1, 1993, the independent Czech Republic was formed. The legislative branch of power was, at first, solely composed of the Chamber of Deputies of the Parliament. In 1996, elections to the Senate, the second chamber of the Czech Parliament, were held for the first time.

The functions of the Parliament:

Each parliament in a democratic state, including the Parliament of the Czech Republic, performs four main important functions in the constitutional system – the representative, legislative, control and creationary functions.

a) The representative function

The will of the people is expressed through the Parliament, the Constitution providing that the people are the source

of all state power. A necessary aspect of parliamentary life is therefore communication with the public and with representatives of various citizens' groups which represent the legitimate interests of citizens.

b) The legislative function

The legislative function is a typical expression of parliamentary work, wherein the legislative body, by enacting laws, creates the framework for political decision-making and functioning of society. In the Czech Republic, the Parliament adopts laws and Constitutional laws.

c) The control function

The Parliament controls the activities of the Government and of subsidiary executive bodies. Voting on confidence or non-confidence in the Government is thus one of the most important aspects of parliamentary life. Another aspect of parliamentary control of the Government are regular oral question periods and written interpellations (written questions put to Members of the Government), in which Deputies may ask ministers questions in connection with the exercise of their cabinet functions. Members of Government may be required to be present at meetings of bodies of the Chamber of Deputies (at committee meetings, for example). Deputies may also estab-

lish investigative commissions in order for certain matters to be investigated in an independent manner.

d) The creationary function

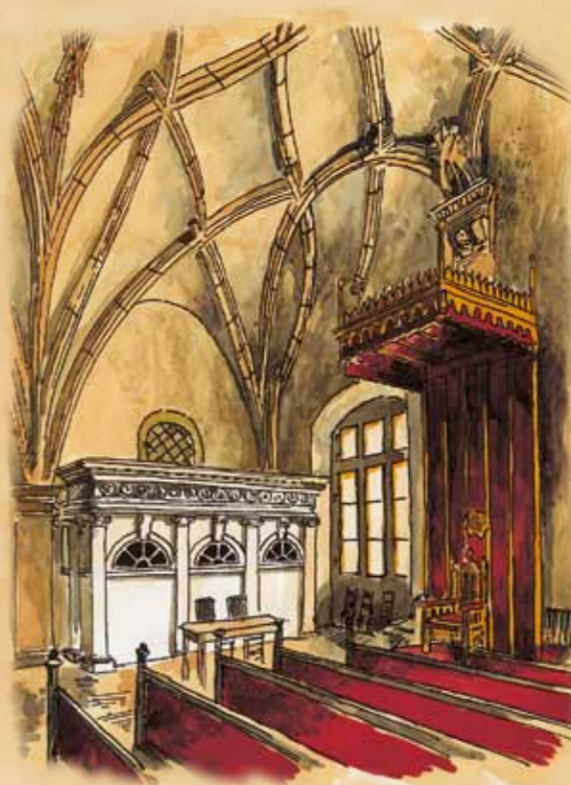
This function is typical primarily for parliamentary forms of government in which the parliament plays a central role in the Constitutional system as a whole. The Chamber of Deputies and the Senate elect or propose candidates for the exercise of certain important functions (judges of the Constitutional Court, the Ombudsman, Members of the Supreme Audit Office etc.).

Elections to the Chamber of Deputies:

Elections to both chambers of the Parliament of the Czech Republic are held on the basis of a universal, equal and direct right to vote by secret ballot. The main principles of parliamentary elections are outlined in the Constitution of the Czech Republic and in Act no. 24/1995 of the Collection of laws. The right to vote is granted to all Czech citizens of 18 years of age or older. The right to be elected to the Chamber of Deputies is granted to all Czech citizens of 21 years of age or older. Elections are called by the President of the Czech Republic and voting takes place in permanent electoral districts. Votes may also be cast at Czech embassies abroad. Voters are required to vote personally (i.e. a voter may not em-



The Zlatá bula seal



Prague Castle – the throne hall

The electoral system determines the method for allocating mandates within the legislative body. The Czech Constitution provides that elections to the Chamber of Deputies take place on the basis of proportional representation (as opposed to elections to the Senate, which take place on the basis of a two-round majoritarian system). In order to be allocated seats in the Chamber of Deputies, a political party must gain at least 5% of all votes cast. In the case of a coalition of political parties, this minimum threshold is multiplied by the number of political parties forming the coalition. The formula applied

“Political decisions shall proceed from the will of the majority, expressed by free vote. Majority decisions shall respect protection of minorities.” (Article 6, Constitution)

power anyone else to exercise his or her right to vote) upon providing proof of identity and state citizenship.

The electoral campaign must be held in good conscience and in good faith. In the course of the campaign, it is prohibited to publicize untrue information regarding candidates and political parties and campaigning is strictly forbidden in the area near polling stations at the time of elections. The law also provides that no statistical polls regarding the elections may be made public in the time period commencing three days prior to elections and ending at the end of voting. Political parties, political movements and coalitions of parties with candidates standing for election to the Chamber of Deputies are entitled, in total, to 14 hours of free broadcast time on Czech Radio and Czech Television (public broadcasting). This time is equally divided between the parties, movements and coalitions standing for election.

for dividing seats among political parties which have met this threshold is the d'Hondt system, which provides for the division of the election results of the political parties by the numbers 1, 2, 3 to n. Mandates are then allocated to the parties in accordance with the size of their shares, as determined by this method.

Voting in the Chamber of Deputies:

Voting is a typical method employed in the decision-making procedures of all parliaments. The Chamber of Deputies may only adopt a resolution if deliberations are attended by a minimum quorum of one third of all Deputies, i.e. 67 Deputies. A resolution of the Chamber of Deputies is adopted by the vote of a majority of actually present Deputies, i.e. by a regular majority. In certain cases, however, the Constitution provides that a resolution of the Chamber of Deputies may only be adopted by a qualified majority. A qualified majority requires



The large emblem of the Czechoslovak republic from 1920

“The people are the source of all power in the State; they exercise it through bodies of legislative, executive and judiciary powers.” (Article 2, Constitution)

a vote in favour by three fifths of all Deputies, i.e. 120 Deputies. This qualified majority is required for the adoption of a constitutional law or for the ratification of an international treaty, where the treaty transfers some powers of the state to an international organization or institution. In certain other cases, the Constitution provides that a resolution of the Chamber of Deputies may only be adopted by an absolute majority. An absolute majority requires a vote in favour by a majority of all Deputies, i.e. 101 Deputies. This kind of absolute majority is required for votes regarding the declaration of a state of war, for a vote of non-confidence in the Government and for votes to override the veto of the President of the Czech Republic or to override the Senate. The Rules of Procedure of the Chamber of Deputies distinguish two basic methods of voting – by public vote or by secret ballot. In the standard procedure, voting takes place by a public vote so that the public, i.e. the electorate, can see how a Deputy voted in each particular case. Voting is carried out most often by means of an electronic system and by raising hands. The results of such a vote are immediately displayed on a display panel and published on the web pages of the Chamber of Deputies. Exceptionally, voting is carried out on a name by name basis. This method is em-

body, the Parliament ensures the democratic legitimacy of the entire constitutional system of government. For this reason, i.e. in order to fulfill its representative function, the Parliament must build lasting relationships with the public. The most visible aspect of the public's participation in parliamentary procedures is the presence of members of the public in



The mirror hall in Kroměříž – the meeting hall of the Empire diet in 1848–1849

ployed when voting on confidence or non-confidence in the Government.

The Parliament and the public

The Parliament is a sovereign and top-level legislative body and is the main symbol of democratic representation. As an elected

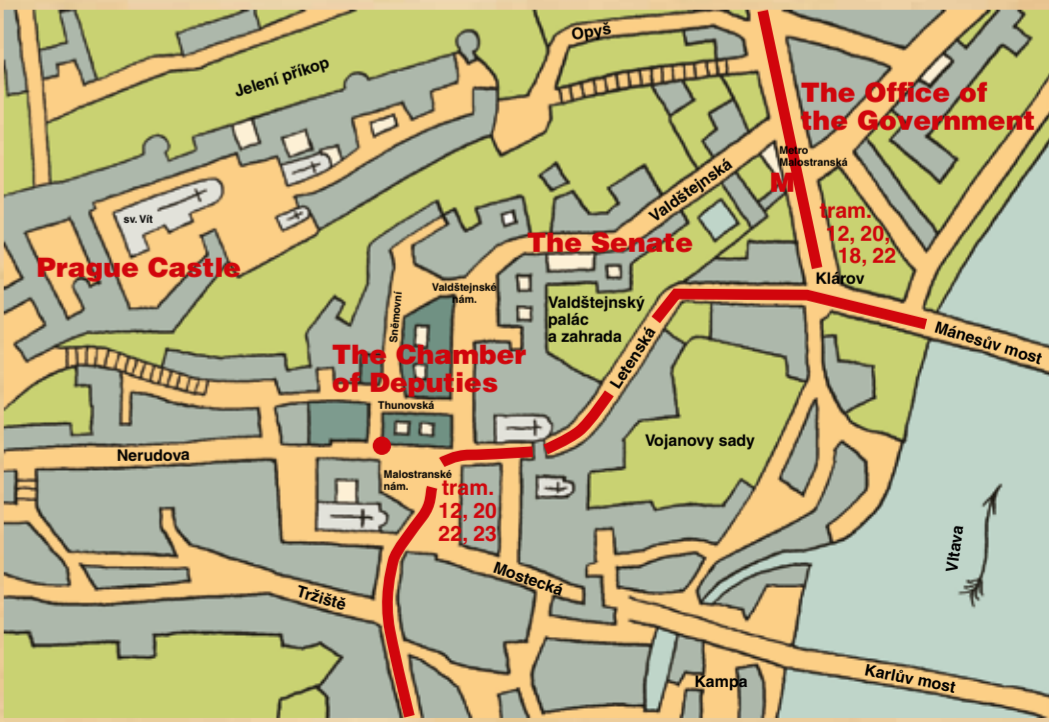
the visitor's gallery at plenary sessions or at meetings of parliamentary bodies such as committees and commissions.

Members of the public may also participate in tours of the parliamentary buildings or in expert seminars organized and held throughout the year by the Division for communication and education of the Parliamentary institute.

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