

**Constitutional Act No. 150/1948 Coll.
Constitution of the Czechoslovak Republic (Ninth-of-May Constitution)**

Preamble

We, the people of Czechoslovakia, hereby declare that we are firmly determined to build our liberated State as a people's democracy that will ensure a peaceful journey to socialism. ...

We have now decided that our liberated State will be a national State, freed from all hostile elements, living in companionship with the family of Slavic States and in friendship with all the peace-loving peoples of the world. We want it to be a State of people's democracy, where the people not only make laws for themselves through their representatives, but also enforce them in the same way. We want it to be a State where the entire economy serves the people and is managed in such a way that the general well-being increases with no economic crises, while ensuring fair distribution of the national income. Along this journey we wish to reach a social order where exploitation of man by man will be completely eliminated - to socialism. ...

[keywords: national state, people's democracy, socialism]

Basic Constitutional Articles

Article I.

- (1) The Czechoslovak State is a People's Democratic Republic.
- (2) The people are the sole source of all power in the State.

[keywords: people]

Article II.

- (1) The Czechoslovak Republic is unitary State of two equal Slavic nations, Czechs and Slovaks.
- (2) The territory of the State forms a single and indivisible unit.

[keywords: unitary state, Czechs, Slovaks]

Article III.

- (1) The People's Democratic Republic does not recognize any privileges. Working for the benefit of the whole collective and participating in the defence of the State is a general duty.
- (2) The State guarantees all its citizens, men and women, the freedom of personality

and its expression, and ensures same options and same opportunities to everyone.

(3) All citizens have the right to education, to work, to fair remuneration for work done, and to rest after work. The national insurance provides for sustenance of citizens in the case of their incapacity for work.

[keywords: defence of state, citizen rights]

Article IV.

(1) The sovereign people exercise state power through representative assemblies elected by the people, controlled by the people, and accountable to the people.

(2) The right to vote into representative assemblies is general, equal, direct, and secret. Every citizen can vote as soon as they reach the age of 18. Every citizen can be elected as soon as they reach the age of 21.

(3) To take care of public affairs and exercise their democratic rights, the people create voluntary organizations, especially political, trade union, cooperative and cultural, women's and youth organizations, as well as sport activities organizations.

[keywords: representative assemblies of people]

Article V.

The supreme body of legislative power is the unicameral National Assembly. It consists of three hundred members (deputies), elected for a period of six years.

[keywords: national state, people's democracy, socialism]

Article VI.

The head of state is the President of the Republic, elected by the National Assembly for a period of seven years.

[keywords: national state, people's democracy, socialism]

Article VII.

The supreme body of governing and executive power is the Government. It is responsible to the National Assembly. It is appointed and dismissed by the President of the Republic.

[keywords: national state, people's democracy, socialism]

Article VIII.

(1) The holder and executor of state power in Slovakia and the representative of distinctiveness of the Slovak nation are the Slovak national authorities.

(2) Slovak national authorities ensure the equality of Czechs and Slovaks in the spirit of people's democracy. In mutual cooperation with all the authorities of the Republic they strive to create equally favourable conditions for the economic, cultural, and social life of both nations.

[keywords: national state, people's democracy, socialism]

Article IX.

(1) The national body of legislative power in Slovakia is the Slovak National Council. It consists of one hundred members (deputies), elected in Slovakia for a period of six years.

(2) The national body of governing and executive power in Slovakia is the Board of Commissioners. The Board is responsible to the Slovak National Council and the Government of the Republic. It is appointed and dismissed by the Government of the Republic.

[keywords: national state, people's democracy, socialism]

Article X.

National committees are the holders and executors of state power in municipalities, districts, and regions and the guardians of people's rights and freedoms.

[keywords: national state, people's democracy, socialism]

Article XI.

(1) Judicial power is exercised by independent courts.

(2) Judges include both professional judges and lay judges; both of them are equal in decision making.

(3) Judges shall exercise their office independently and are only bound by the legal order of people's democracy.

[keywords: national state, people's democracy, socialism]

Article XII.

(1) The economic system of the Czechoslovak Republic is based on:
nationalization of mineral wealth, industry, wholesale trade, and finance;

land ownership based on the principle "the land belongs to person working on it"; protection of small and medium-sized businesses and inviolability of personal property.

(2) The whole national economy in the Czechoslovak Republic shall serve the people.

[keywords: economic system]

Detailed Constitutional Provisions

Chapter One. Citizens' rights and obligations

Equality

Section 1 (1) All citizens are equal before the law.

(2) Men and women have equal status in the family and in the society and equal access to education and to all professions, offices, and ranks.

[keywords: equality before the law]

Personal freedom

Section 2 Personal freedom is guaranteed. It may only be limited or withdrawn by law.

[keywords: personal]

Section 3 (1) No one may be prosecuted, except in cases permitted by law, and only by a competent court or authority based on law and within a procedure regulated by law.

(2) No one may be arrested unless caught in the act, except for based on judge's reasoned written order. The order must be served at the arrest, and if this proves impossible, no later than 48 hours after it.

(3) No one may be taken into custody by official authority, except in cases established by law; such person must then be released or handed over to the court or authority, which, depending on the nature of the case, is competent for holding further proceedings, within 48 hours, at the latest.

[keywords: principle of legality]

Right of dwelling inviolability

Section 4 Right of dwelling inviolability is guaranteed. It may only be limited by law.

[keywords: dwelling inviolability]

Section 5 (1) Nobody's dwelling may be searched, except in cases permitted by law, and only by a court or an official body competent by law and by a procedure regulated

by law.

(2) A house search may be carried out, unless the law provides otherwise, only based on a written, reasoned order of a judge or authority. The order must be served at the search, and if this proves impossible, no later than 48 hours after it.

(3) The authority carrying out the search must prove its authority and issue to the person in whose dwelling the search was carried, upon their request, immediately, and if this is not possible, no later than 48 hours afterwards, a written confirmation of reasons for the search and its result, as well as items seized during it.

[keywords: dwelling inviolability]

The secrecy of correspondence and the secrecy of messages in transit

Section 6 No one may violate the secrecy of closed letters or other documents, whether kept in private or sent by post or other means of transport, except in cases established by law and in a manner regulated by law. Similarly, the secrecy of messages passed by telephone, telegraph, or other such public devices is also protected.

[keywords: secrecy of correspondence]

Freedom of residence

Section 7 (1) Every citizen can settle or stay anywhere in the Czechoslovak Republic. This right may only be limited in the public interest based on law.

(2) The right to move abroad can only be limited by law.

[keywords: freedom of residence]

Property freedom

Section 8 Within limits established by generally applicable legal regulations, every citizen can acquire real estate and other property in any place of the Czechoslovak Republic and perform gainful activities therein.

[keywords: property freedom]

Section 9 (1) Private property may only be limited by law.

(2) Expropriation is possible only based on law and for compensation, unless the law stipulates or will stipulate that compensation shall not be provided.

(3) No one may abuse proprietary right to the detriment of the whole collective.

[keywords: private property, expropriation]

Family and youth protection

Section 10 (1) Marriage, family, and motherhood are protected by the State.
(2) The State provides for the family becoming healthy basis for nation's development. Families with many children are provided with special benefits and support by the State.

[keywords: family, marriage, motherhood]

Section 11 (1) The State guarantees special care and protection of children, and, in particular, it applies systematic measures in the interest of the development of national population.
(2) Child's origin must not be detrimental to their rights. Details shall be stipulated by law.
(3) The State guarantees all opportunities for full physical and mental development to all young people.

[keywords: protection of children]

Right to education

Section 12 (1) All citizens have the right to education.
(2) The State provides for education and training to everyone based on their abilities and taking into account the needs of the whole collective.

[keywords: right to education]

Section 13 (1) All schools are public.
(2) Elementary school education is uniform, compulsory, and free.
(3) Details and exceptions shall be stipulated by law.

[keywords: education system]

Section 14 (1) All education and all upbringing should be arranged in such a way that it is in line with results of scientific research and not in disagreement with the people's democratic system.
(2) The supreme management of all education and upbringing activities, as well as their supervision, pertains to the State.

[keywords: upbringing, education]

Freedom of conscience and religion

Section 15 Freedom of conscience is guaranteed.

(2) A worldview, religion, or belief cannot harm anyone, but it cannot be a reason for refusal by anyone to fulfil their civic duty imposed by law.

[keywords: freedom of religion]

Section 16 (1) Everyone has the right to profess, privately or publicly, any religious belief, or to be of no religion.

(2) People of all religions and people without any belief are equal before the law.

[keywords: freedom of belief]

Section 17 (1) Everyone has the freedom to perform actions related to any religion or its absence. However, the implementation of this right must not be in conflict with public order or good morals. It is not allowed to abuse religion for purposes other than religious ones.

(2) No one may be directly or indirectly forced to participate in such an act.

[keywords: freedom of worship]

Freedom of speech and protection of cultural assets

Section 18 Freedom of speech is guaranteed.

(2) Everyone can express their opinion orally, in writing, by print, by image, or in any other way, within limits established by law. The exercise of this right must not harm anyone.

[keywords: freedom of speech]

Section 19 Freedom of mental creative activity is guaranteed. Scientific research and reporting its results, as well as art and its manifestations, are free as long as they do not violate criminal law.

(2) Cultural assets are under the protection of the State. The State shall provide for their accessibility to everyone, and shall promote science and art in the interest of the development of national culture, progress, and general welfare; in particular, it shall ensure that favourable conditions for work of creative workers are guaranteed.

[keywords: freedom of mental creative]

Section 20 (1) Everyone has the right to share their own opinions and results of their creative mental activity with general public and to spread and present them in any way.

(2) This right can only be limited by law with regard to the public interest and cultural needs of the people.

[keywords: freedom of presenting opinion]

Section 21 (1) Freedom of the press is guaranteed. Therefore, in principle, it is not allowed to make the press subject to preliminary censorship.

(2) The law establishes who has the right to publish newspapers and magazines and under what conditions, especially also with regard to the fact that profit shall not be the purpose.

(3) The law establishes how the publication and dissemination of non-periodical publications, especially books, music, and reproductions of works of art, shall be systematically managed while preserving the freedom of science and art and considering protection of valuable works.

[keywords: freedom of press]

Section 22 (1) The right to produce, distribute, publicly screen, as well as import and export movies is reserved to the State.

(2) Operating radio and television is the exclusive right of the State.

(3) The implementation of these rights is governed by laws that also provide for exceptions.

[keywords: radio, television, cinema, state monopoly]

Right of petition

Section 23 Everyone has the right to petition any public body.

[keywords: right of petition]

Freedom of assembly and association

Section 24 (1) The right of assembly and association is guaranteed, as long as it does not threaten the people's democratic system or public peace and order.

(2) Implementation of these rights is governed by law.

[keywords: freedom of assembly]

Section 25 (1) To secure their rights, employees can join together in a unified trade union organization and they have the right to defend their interests through it.

(2) Unified trade union organization is guaranteed broad participation in the control of the economy and in solving all questions concerning interests of the working people.

(3) Interests of employees in individual plants and offices are represented by a unified trade union organization and its bodies.

[keywords: trade union organization]

Social rights

Section 26 (1) All citizens have the right to work.

(2) This right is guaranteed in particular through the organization of work managed by the State based on the planned economy.

(3) Women are entitled to special adjustment of working conditions with regard to pregnancy, maternity, and child care.

(4) The law establishes special working conditions for young people, taking into account needs of their physical and mental development.

[keywords: right to work, motherhood]

Section 27 (1) All workers have the right to fair remuneration for work performed.

(2) This right is guaranteed by the State wage policy, managed under cooperation with the unified trade union organization and aimed at constantly raising the standard of living of the working people.

(3) Establishment of the remuneration for work shall be primarily based on the quality and quantity of work, as well as the benefit it brings to the whole collective.

(4) Under the same conditions, men and women are entitled to equal pay for equal work.

[keywords: fair remuneration]

Section 28 (1) All workers have the right to rest.

(2) This right is guaranteed by the statutory regulation of working hours and paid sick leave, as well as by care for the recovery of workers.

[keywords: right to rest]

Section 29 (1) Everyone has the right to health protection. All citizens have the right to medical care and sustenance both in old age and in case of incapacity for work and impossibility to earn one's subsistence.

(2) Women are entitled to special care during pregnancy and maternity, and children and youth have the right to have their full physical and mental development ensured.

(3) These rights are established by national insurance laws as well as through public health and social care.

(4) Protection of life and health at work is ensured mainly by State supervision and regulations on safety measures at workplaces.

[keywords: right to health protection]

Basic duties of a citizen in relation to the State and society

Section 30 (1) Every citizen is obliged to be loyal to the Czechoslovak Republic, to observe the Constitution and laws, and to take care of the interests of the State in all their actions.

(2) In particular, it is the patriotic duty of every citizen to support the maintenance and enhancement of national property and to ensure that national property is not reduced or damaged.

[keywords: loyalty to state]

Section 31 Citizens are obliged to perform the public functions to which the people have called them, conscientiously and honestly in the spirit of a people's democratic system.

[keywords: public functions]

Section 32 Every citizen is obliged to work according to their abilities and to contribute to the benefit of the whole collective with their work.

[keywords: duty to work]

Section 33 Taxes and public fees may only be imposed by law. At the same time, the public authority may demand personal performances only based on law.

[keywords: tax, public fee]

Section 34 (1) The defence of the State and its people's democratic system is the supreme duty of every citizen. Service in the People's Democratic Army of the Czechoslovak Republic is the highest honour for every citizen.

(2) Every citizen is obliged to participate in military education, perform military service, and obey the call to defend the State.

(3) For the defence of the State and to prepare for it, cooperation and material resources can be demanded from everyone, and restrictions and material performance can be imposed.

(4) While exercising their authority, authorities and public bodies shall, *ex officio*, also consider interests of the defence of the State.

(5) Details shall be stipulated by law.

[keywords: defence of state]

General provisions

Section 35 Threatening with and imposing punishment is only possible based on law.

[keywords: principle of legality]

Section 36 (1) All public bodies shall base their management while performing their office or service on law and principles of a people's democratic system.

(2) If any public official violates this duty, they shall be punished according to law.

[keywords: principle of legality]

Section 37 (1) Demonstrations and activities aiming to put the independence, integrity, and unity of the State, the Constitution, the republican form of government, and the people's democratic system in jeopardy, are punitive.

(2) It is inadmissible to abuse such civil rights and freedoms for these purposes. In particular, spreading Nazism and Fascism, racial and religious intolerance, and national chauvinism in any way and in any form is prohibited.

[keywords: abuse of civil rights, independence, form of government, forbidden demonstrations]

Section 38 The law shall establish restrictions to rights and freedoms of citizens during war or in the case of events significantly threatening the independence, integrity, and unity of the State, the Constitution, the republican form of government, and the people's democratic system, or public peace and order.

...

[keywords: limits of citizen rights]

Chapter Eight. Economic system

Section 146 The means of production are either national property or the property of people's cooperatives, or they are privately owned by individual producers.

[keywords: means of production]

Section 147 The National property is composed, in particular, by economic values nationalized in accordance with provisions of special laws (Section 153), as well as by any public assets serving the general good.

[keywords: national property]

Section 148 Mineral resources and their mining;
energy sources and energy corporations;
mines and smelters;
natural healing resources;
production of items supporting health of the people;
enterprises with at least 50 employees or persons working for them, unless they are

enterprises of people's cooperatives;
banks and insurance companies;
public rail transport and regular road and air transport;
post services, public telegraph, and telephone;
radio, television, and movies (Section 22)

may be the national property.

[keywords: national property]

Section 149 (1) The national property is fundamentally hold by the State (national domain).

(2) Parts of the national property having no nation-wide importance and serving entirely or mainly the population of an administrative unit (municipality, district, region) can be held by people's administration unions (communal domain).

[keywords: national property]

Section 150 The State manages the national property either directly or through national corporations (§ 155).

[keywords: managment of national property]

Section 151 Economic business is either public (especially business of the State and people's administration unions), or pertaining to people's cooperatives, or private.

[keywords: economic business]

Section 152 (1) Areas of business reserved to the State:

1. in the area of the exclusive national property Section 148), unless such property is held by people's administration unions pursuant to law (Section 149 (2));
 2. under the nationalization laws (Section 153);
 3. under laws regulating internal and foreign trade, as well as international shipping.
- (2) Considering the public interest and needs of the national economy, the State may leave the use of individual economic or other objects to people's administration unions or people's cooperatives or other legal entities.

[keywords: state monopoly]

Section 153 (1) Specific economic areas and specific economic or other values nationalized and respective scope of nationalization shall be established by law.

(2) The scope of nationalization established by law cannot be limited.

(3) By nationalization, the ownership of concerned corporations and other economic objects and property values and authorizations is transferred to the State.

[keywords: nationalization]

Section 154 (1) Nationalized businesses are organized by the State exclusively in the form of national corporations.

(2) Using this form, the State may also manage other State businesses, as well as economic objects acquired by the State now or in the future in any way other than nationalization.

[keywords: nationalization]

Section 155 (1) National corporations form part of national property and are subject to the supreme management and supervision of the State.

(2) National corporations are independent legal entities.

[keywords: national corporation]

Section 156 The economic activities of people's administration unions is managed by national committees. These economic activities or their parts may be organized in a form similar to national corporations.

[keywords: national committee]

Section 157 (1) People's cooperatives are associations of workers for joint activity, the purpose of which is to improve standard of living of its members and other working people, without achieving the highest possible profit from the invested capital.

(2) The State grants support to people's cooperatives to boost national economy development and general well-being.

[keywords: people's cooperatives]

Section 158 (1) Private ownership of small and medium-sized enterprises with up to 50 employees is guaranteed.

(2) Personal property of citizens is inviolable. This provision applies, in particular, to household and personal consumption products, family houses, and savings acquired through work, as well as inheritance rights to them.

[keywords: private ownership, personal property]

Section 159 (1) The maximum admissible area of land that may be privately owned by an individual or by co-owners or by jointly farming family is 50 hectares.

(2) Private ownership of land is guaranteed for up to 50 hectares for farmers who work on it personally.

(3) Details shall be stipulated by law.

[keywords: nationalisation of land]

Section 160 With participation of farmers, the State shall control the agricultural policy in such a way as to gradually increase the productive technical level of the countryside and to balance the social and cultural differences between city and countryside.

[keywords: agricultural policy]

Section 161 Private monopolistic profit-making organizations, especially cartels, trusts, and syndicates, are prohibited.

[keywords: private monopoly]

Unified Economic Plan

Section 162 Through the Unified Economic Plan, the State manages all economic activities, in particular production, trade, and transportation, in such a way as to ensure appropriate level of national consumption, to increase the quantity, quality, and flow of production and to gradually raise the standard of living of the population.

[keywords: Unified Economic Plan]

Section 163 (1) The Unified Economic Plan is always drawn up for a certain period of time and is announced in the form of a law.

(2) The drawing-up and implementation of the Unified Economic Plan pertains to the Government as one of its main tasks. While doing so, the Government relies on creative initiative of the working people and their organizations.

(3) The Government submits regular reports on the implementation of the Unified Economic Plan to the National Assembly.

[keywords: Unified Economic Plan]

Section 164 (1) Everyone who is assigned any task in implementation and fulfilment of the Unified Economic Plan is obliged to carry it out conscientiously and economically according to their personal and economic possibilities.

(2) Both natural persons and legal entities are obliged to adapt their economic activity to the Unified Economic Plan.

[keywords: Unified Economic Plan]

...

Chapter Ten.

Transitional and final provisions

Section 170 The Constitution takes effect on the day of its publishing.

[keywords: no vacatio legis]

Section 171 (1) All parts of this Constitution (preamble, basic articles, and detailed provisions) apply as a whole.

(2) When interpreting the individual provisions of this Constitution the spirit of this whole text and principles on which it is based shall be considered.

(3) Interpretation and application of all other regulations of the legal order must always be in line with the Constitution.

[keywords: interpretation of law, application of law]