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The topic of the PhD dissertation: Meaning of the fundamental values in legal order by the example of axiologically hard cases within the criminal law.

Summary of the dissertation in English

Chapter 1 illustrates fundamental values as beings existing relatively and declares itself in favour of the concept of situational axiology. At the same time, the author adopts Isaiah Berlin's view according to which in the event of a conflict between disproportionate fundamental values the comparison procedure can be used. The author also shares Berlin's understanding of values not as items of subjective evaluation but as elements of the all-encompassing form of life which can be strengthened or shattered by our decisions.

Chapter 2 adopts the separation thesis of fundamental values and the law and expresses an opinion that three relationships between fundamental values and rules of the positive law are possible: the relationship of superiority, the relationship of equivalence and the relationship of inferiority. Finally, it states the thesis that depending on a situational context each relationship can be correct.

Chapter 3 proposes practical procedures to use in the event of a conflict between fundamental values during an interpretation of a hard case in criminal law. The proposal is based in Isaiah Berlin's view that despite the presupposition of the relativistic stance we must acknowledge that some values have a different status than others and must be treated with priority.

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