

The thesis title

**The church autonomy in the Czech Republic
as an expression of freedom of religion and its legal limits**

ABSTRACT

The rigorous thesis deals with the constitutionally guaranteed autonomy of churches and religious societies as one of the essential elements of freedom of religion. It examines what is necessary content of it and seeks the highest permissible limits of its legal restriction in a democratic state governed by the rule of law (in general) and in the Czech Republic (in particular). It represents the autonomy of churches and religious societies as an integral part of religious freedom, which is an inalienable human right and freedom.

The general part of the thesis analyzes the content of freedom of religion and the content of church autonomy, trying to define its maximum limits, especially through the development of constitutional law in individual European states (by comparing their constitutions) and through the abundant judicature of the European Court of Human Rights. The special part of the thesis deals with the development of freedom of religion and church autonomy in the territory of the Czech Republic since reception of Austrian law in former Czechoslovakia during the First Republic, through the "period of darkness" under communist totalitarianism to the present day. The comprehensive part is devoted to the recent judicature of the Constitutional Court on the issue of freedom of religion and on individual elements of church autonomy.

Special emphasis is given to the economic independence of churches and religious societies, the solution of which in the Czech Republic was postponed for more than two decades even after the return to the values of a democratic state after 1989. The thesis analyzes the constitutional aspects of the lack of property

settlement of the state with the churches, the birth of the Act on Property Settlement and its principles and shows in detail how the Constitutional Court contributed to this solution by the persistent pressure of its judicature. The property settlement between the state and the churches and the disconnection of their economic activities from the state budget is examined as a matter of constitutional law. At the end the thesis compares how the level of church autonomy and of freedom of religion has increased in the Czech Republic as a result of the adoption of the Act on Property Settlement in 2012.

Key words: freedom of religion; church autonomy; property compensation