

Summary in English

The First Amendment to the United States Constitution and the development of its interpretation

The aim of the paper is to analyze the First Amendment to the United States Constitution. The main reason for my research is my long-term personal interests in the fields of law which are covered by the First Amendment. The thesis is composed of an introduction, six chapters and a conclusion.

The study begins with the introduction where it is discussed methodology, my motives for choosing this topic, importance of the topic and potential contribution of this thesis to the Czech legal science.

Chapter One examines historical roots of the First Amendment's rights and freedoms. It focuses on their development both in the England and in its American colonies. It tries to find main tendencies contributing to reasons for adopting rights and freedoms embodied in the First Amendment.

Chapter Two concentrates on the main political and legal events involving adopting the First Amendment, and then it attempts to find a proper interpretation of the First Amendment using both historical and teleological approach. The second chapter also discusses the scope of the First Amendment. The chapter ends with the examination how external factors (such as legal philosophy or politics) influenced the decision making process of the Supreme Court of the USA which produces legally binding interpretation of the First Amendment.

The development of the interpretation of the particular rights and freedoms of the First Amendments is explained in chapters Three, Four, Five and Six. The chapter Three, which deals with the freedom of religion, is subdivided into two parts; first one explains the development of the "establishment clause" and the second one discussed the "free exercise of religion" clause. The Chapter Four examines freedom of speech. Freedom of speech affects many fields of society life, therefore I focus on six main spheres which are the most helpful to describe main principles of freedom of speech in the United States. The chapter Five introduces the concept of freedom of press in the United States and finally the sixth chapter is an analysis of freedom of assembly and right to petition.

In the conclusion I sum up main points of my paper and suggest that the main development of the first amendment law came in 40s with decisions *Barnette* and *Everson* and culminated in 60s and early 70s with decisions *Sherbert*, *Brandenburg* and *Lemon*. At the very end I highlight the impressive level of freedom of religion during the whole history of the United States, while the level of freedom of speech became equivalent of freedom of religion by the late 60s.