

This dissertation deals with the relationship between state and religions as social phenomena and examines it from several perspectives in order to review the meaning of the term “lay state.”

In the first chapter, it analyses the common history of states and religions, describes the important role of religion in the ancient states and then focuses on the rise of Christianity and its spread in the Roman Empire, its role after the fall of Rome and in the formation of the new social and state structure of Europe. It discusses the fight for supremacy between Popes and Emperors and the fall of the temporal power of the church. It suggests that neither religion, nor states can prevail over each other because of their different nature. The church failed in its attempt to usurp temporal power over states, and so did the totalitarian states of the twentieth century in their aspiration to annihilate religion and to substitute it with their atheistic ideologies.

In the next chapter the dissertation examines international documents concerned with the human rights, especially with the freedom of religion. It describes the shift in its

perception: initially viewed as a domain the states should not interfere in, is now accepted as a domain that gives rise to several positive obligations that are incumbent

on states to address.

This is followed by description of the position of religion and religious groups in several European states. The examination is based on the three church

-state relations models: the separation model, the hybrid model and the state-church model, but it agrees with the criticism of these models- they are outmoded and not relevant anymore.

It concludes that more appropriate would be a multi-disciplinary approach consisting from law, sociology and theology.

Two last chapters deal with the freedom of religion and the legal position of religious groups in the Czech Republic on the constitutional and sub-constitutional level. Although it is proved that the Czech Republic is a lay state, there are still some problems which must be addressed, and this is especially true about the property settlement between the State and the religious organizations.

The dissertation concludes that Europe faces to many challenges due to the changing society and that the lay conception of state may be a good answer to some of them. At the same time it insists that a lay state is by no means a panacea and that it is necessary to examine the changes in the society to tailor the legislation in order to facilitate to a harmonic development of it.