

PROTECTION  
OF THE RIGHT TO FREEDOM OF THOUGHT,  
CONSCIENCE AND RELIGION  
IN THE SLOVAK REPUBLIC<sup>1</sup>

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**Summary.** The paper deals with protection of the right to freedom of thought, conscience and religion in the Slovak Republic. It focuses to religious freedom, legal framework of State-Church Relations, recognitions of Churches by the State, they public manifestations, status and autonomy. It elucidates constitutional guarantees of freedom of conscience, thought and religion. It zooms in specific legal acts, documents, current practice, problems, challenges and possible development, and reflects the complex correlation of the issue of State-Church relations and position of Churches in the society with the need of protection of the State and society.

**Key words:** religious freedom, legal framework of State-Church relations, recognitions of Churches by the State

INTRODUCTION

We live in an era in which culture of values, identity and faith is increasingly important. This brings challenges and threats. After the collapse of Communism, political and economic liberty revived. The external manifestations of religious life were revived, too. Today we are often talking about the boundaries of religious freedom, and we are talking about the need to limit external manifestations of religious freedom because of the security of the State. We are living in times of terrorist attacks and other manifestations of

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religious extremism. Therefore, it is necessary to think again about the legal framework of State-Church relations, recognition of Churches by the State and funding of Churches and especially about the participation of new religious movements in the society.

Nowadays the definitions of the terms thought, conscience, belief, religion and religious conviction have been missing in the Slovak law. The States, in general, do not reserve the right to define these terms for the sake of law, although, without any doubts, they occur as core notions in legal texts. They rely more upon court decisions since these reflect reality and practice. These also reflect knowledge of social sciences, life science, and philosophy. This mainly regards a definition of religion in its substance as a special phenomenon within human activity – mostly etymological, reflecting the importance of religion as expressed by the language of the given society, essentialist, determining positive features, negative patterns, necessary elements, objectives and subjects of religion; or analogical, analysing elements of religion as a phenomenon and creating general patterns.

Freedom of thought can be interpreted as the right to independent reflection of the reality and decision-making on the basis of this reflection. It enables any formulation of the approach to the issues of conscience and belief. We reflect the opinion of certain theoreticians of law according to whom the freedom of religion, belief or worldview, as well as conscientious freedom and freedom of thought should be judged in an unequivocal way irrespective of whether certain belief is or not religion. The freedom of thought protects the human internal world against State interventions and any ideological influence; it may evolve into the freedom of conscience and religion. Gradually, an opinion starts to dominate that the right to religious freedom also includes the freedom of the worldview; these were supposed to be fundamental opinions on the position of a man and the social life<sup>2</sup>, what is already reflected by some countries in their legislation; for instance, the European Union in its approach to religious and worldview organizations.

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<sup>2</sup> H. Barancová, *Právo na slobodu myslenia, svedomia a náboženskú slobodu*, in: *Právna ochrana slobody svedomia*. eds. M. Moravčíková, V. Križan, Právnická fakulta Trnavskej univerzity v Trnave, Trnava 2013, pp. 17–22.

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PROTECTION OF THE RIGHT TO FREEDOM OF THOUGHT,  
CONSCIENCE AND RELIGION IN THE SLOVAK REPUBLIC

The Slovak Republic mainly guarantees religious freedom through the Constitution of the Slovak Republic, Constitutional Act No. 23/1991 Coll. of Acts (Coll.) which incorporates the Charter of Fundamental Human Rights and Freedoms, and Act No. 308/1991 Coll. of Laws on the Freedom of Religion and the Status of Churches and Religious Societies. Slovakia is also bound by international legal documents among which we would mention the Universal Declaration of Human Rights, the Convention on the Protection of Human Rights and Fundamental Freedoms, the International Pact on Civil and Political Rights, the European Social Charter and the primary legislation of the European Union. Also worthy of mention are the Framework Agreement between the Slovak Republic and the Holy See, the Agreement between the Slovak Republic and the Registered Churches and Religious Societies and the set of so called partial treaties and agreements between the Slovak Republic and these religious entities.

In the preamble to the Constitution, the Slovak Republic joins the spiritual heritage of Cyril and Methodius and the historical message of Great Moravia. At the same time, it declares that is not bound to any ideology or religion. Article 24 of the Constitution guarantees freedom of thought, conscience, religion and belief. This right includes the possibility to change own religion or belief, and freedom, either alone or in community with others and in public or private, to manifest own religion or belief in practice, worship, observance or teaching.

The execution of State administration in the area of Churches and religious societies, in harmony with the law on organization of the activities of the Government and the organizations of central State administration, is covered by the Ministry of Culture of the Slovak Republic.

The basic Slovakian confession-related piece of legislation, Act No. 308/1991 Coll. of Laws on Freedom of Religion and the Status of Churches and Religious Societies in its first part derives the definition of the right to freedom of thought, conscience and religion from the Charter of Fundamental Rights and Freedoms: "Everyone has the right to his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance. Everyone has the right to change his religion or belief or to have no religion" and develops it further. Everyone is guaranteed the right to freely spread his religion or the conviction to be of no religion. No one can

be forced to adopt any religion or to be of no religion. The profession of belief shall not be a reason for the restriction of the rights and freedoms of citizens guaranteed by the Constitution, especially, the right to education, choice and execution of occupation and access to information. In Article 2, the Law recognizes the rights of believers “a believer has the right to celebrate holidays and ceremonies according to the requirements of own religion in harmony with the generally binding regulations”. The Law also anchors the right of parents or legal guardians to decide on the religious education of children under the age of fifteen.

Article 5 of the Law lists other rights of believers, the rights to associate, to establish Churches and religious societies and to join already existing Churches or religious societies and to participate in their life, in particular: to take part in religious acts; to take part in worships or other rites; to be educated in a religious spirit, in line with the conditions set by the internal regulations of Churches and religious societies and generally binding legal regulations to teach religion; to establish and maintain religious contacts internationally; to own religious literature in any language<sup>3</sup> and to disseminate it under the conditions defined by generally binding legal regulations; to opt for spiritual or monastic status and to decide for a life in communities, orders or other similar societies.

Article 1 para 1 contains a definition pursuant to which “For the purpose of this Law, a believer is everyone who professes a religious belief”. The Law awards these special rights to those who profess religious belief, and it does not apply to bearers of other, non-religious convictions and world-views’.

These provisions cannot be separated from Article 4 para 1 of the Law which for its own needs understands a Church as “a church or a religious society as a voluntary association of persons of the same religious belief in an organization established on the basis of affiliation to the religious belief on the grounds of internal regulations of the church or religious society” in connection with para 4 of the Article: “The State recognizes only those churches and religious societies which are registered”.

Reflecting the legislation and the execution of public administration in the field of Churches and religious societies, which not only encompasses

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<sup>3</sup> The list of these rights undoubtedly reflects the knowledge of law and practical experience of the Church policy before 1989.

the sector of culture<sup>4</sup>, but also of education, health care, social issues and the interior, we may state that the Slovak Republic is in no way behind the family of democratic countries in ensuring the right of thought, conscience and religious belief to their citizens and those who are in its territory in accordance with the law, and does not have significant problems with the execution of the right to individual freedom of thought, conscience and religion and its external manifestations. It is also necessary to take in the condition of non-discrimination. In this context, one may mention an often-discussed issue nowadays, religious symbols in the public sphere, including those worn on the human body, not to mention the cases of the “Muslim scarves”. In this sense, the Slovakian legal practice is of interest. Act No. 224/2006 of Coll. on Identity Cards and amendments stipulates in Article 5, para 4 that “the scanning of the image of the face is done in civil clothing, with no head covering and no glasses with dark glass parts. The scanning of the image of the face of a female member of a religious society may also be done in a religious robe and with the head covering which is part of her clothing”. The present application practice of this provision in the Slovak Republic enables the scanning of the image of the face with the head covering also of Muslim women who apply for it in spite of the fact that by now Islam is not recognized as a Church or religious society in Slovakia pursuant to the Law on Freedom of Religion and the Status of Churches and Religious Societies. Such practices may be viewed as efforts to maximally ensure external manifestations of the individual’s right to religious freedom.

#### THE MANIFESTATION OF RELIGION AND THE AUTONOMY OF CHURCHES

The acts of thought, conscience and belief not manifested outwardly shall not be subject to State regulation. The outer manifestation of such acts is a constitutive element of the freedom of thought, conscience and religion. No one can be prevented from acting in accordance with his conscience and religious conviction, in private or public, alone or in community with others, within the relevant limits. This is the external dimension of absolute rights<sup>5</sup>.

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<sup>4</sup> The State administration in the field of Churches and religious societies in harmony with the competence law is executed by the Ministry of Culture of the Slovak Republic.

<sup>5</sup> A.I. Hrdina, *Náboženská svoboda v právu České republiky*, Eurolex Bohemia, Prague 2004, p. 104.

By its very nature religion plays a more and more important role in recommending certain way of life, the perception of reality and the protection of values in relation to its offer of answers to fundamental questions of life. The efforts to install principal changes in cultural, political and legal approaches which require the acceptance and reflection of the individual and social human consciousness in many cases come into conflict with religious entities' moral and ethical principles and perception of values<sup>6</sup>. And here we are aware of the linkage of the right to freedom of thought, conscience and religion with other rights, primarily the right to freedom of expression, freedom of association, freedom to assemble and a ban on discrimination.

If religiousness is a clear-cut attribute of mankind, it is also present at the levels of the organization of the society, and in the relations formed among people in the context of various groups they belong to. Religion goes beyond the individual and influences broad spheres of collectivism in its most diverse manifestations, from the core family to the international community, and in this way it also brings in the State. Religion is also an aspect of human sociability, which is also governed by the criteria of a religious nature in interpersonal relations. The need for the regulation of religion by law is dependent on the importance of religion in the society, because it is the laws that set the rules for the relations between individuals and groups in all fields of social life. If the religion is not restricted to the individual dimension but is present in collective manifestations of human sociability, then a law aiming to ensure justice and security in interpersonal relations shall play a regulating role in relation to religion. For this purpose, it may impose sanctions and use the coercive political power it has at its disposal<sup>7</sup>.

In their basic laws, the States define themselves as neutral in relation to confession and ideology, and often define their role in this area negatively, for instance, non-intervention in Church activities. Most of the structural elements of religious freedom, however, refer to the positive role of the State. In addition to the requirement to leave free choice of religion, its change or indifference to religion to everyone, there is also the requirement to ensure the freedom of public manifestation of religious practice and worship, to guarantee the freedom of citizens to assemble and associate for a religious

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<sup>6</sup> M. Šmid, *Ochrana slobody svedomia a bilaterálne zmluvy s cirkvami a náboženskými spoločnosťami na Slovensku*, in: *Právna ochrana slobody svedomia*, pp. 137–138.

<sup>7</sup> J. Bacelar Gouveia, *Náboženská svoboda a vláda práva v ústavním státě: portugalská zkušenost*, in: AA. VV., *Náboženství a veřejná moc v zemích Evropské unie. Sborník textů z konference*, Ministerstvo kultury České republiky, Prague 2009, p. 162.

purpose and to allow alternative service in place of armed military service. These positive interventions of the State are directed to the creation of external conditions in addition to the assurance of the citizens' religious freedom<sup>8</sup>.

In the judgment *Prais v. Council*<sup>9</sup> of 1976, the European Court of Justice stated in its decision the duty of Community institutions to take measures for the prevention of religious conflicts and, at the same time, to adopt positive organization measures which provide reasonable space for the protection of religious interests, without regard to the content of the teaching of individual religions and confessions.

In the judgment *Torfain Borrough v. Council*, the European Court of Justice decided that the retail opening hours governed by the legislation of the Member States on the protection of Sundays do not contradict the provisions of the Treaty. According to the reasoning of the judgment, the protection of Sundays and holidays is regulated by the Member States' legislation as the expression of political and economic decisions taking into account the cultural context of the State<sup>10</sup>. Among the construed conditions for the expression of external manifestation of the right to freedom of thought, conscience and religion resides the creation of a legal framework for the ritual slaughter of animals<sup>11</sup> or the provision of religious and moral education of children according to parents' own conviction, reflecting the development and mental capabilities of children, the dissemination of religious beliefs via the public media and uninterrupted by advertisements or other announcements.

The need to profess religion in community with others reflects the character of the human being as a social creature; perhaps, due to this, the existence of institutional religious groups is the direct logical consequence of the freedom of religion. Although, the freedom of religion is primarily perceived as an individual freedom, people exercise this freedom in community with others. The communities in which people associate for the purpose of the

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<sup>8</sup> S. Přibyl, *Svoboda svědomí a církevní zvěstování z hlediska kanonického práva*, in: *Právna ochrana slobody svedomia*, p. 156.

<sup>9</sup> The European Court of Justice, 130/75, 1976. In spite of the Commission's invitation, Ms Prais did not come to a tender on an administrative position in the Council because it was held on Friday and her Jewish religious conviction prevented her from participation.

<sup>10</sup> G. Robbers, *Stát a církev v Evropském společenství*, in: *Stát a církev v zemích EU*, ed. G. Robbers, Academia, Prague 2001, pp. 360–361.

<sup>11</sup> *Schächten. Religionsfreiheit und Tierschutz*, eds. R. Potz, B. Schinkele, W. Wieshaider, Plochl–Kovar, Freistadt–Egling 2001.

execution of their right to religious belief are most commonly designated as Churches or religious societies.

#### LEGAL STATUS OF CHURCHES AND RELIGIOUS SOCIETIES IN THE SLOVAK REPUBLIC

The Act on Freedom of Religion and the Status of Churches and Religious Societies considers a Church or a religious society as a voluntary association of persons of the same belief within an organization created on the grounds of the affiliation to a belief, on the basis of the internal regulations of the relevant Church or religious society.

All Churches and religious societies have the same legal status before the law, are legal persons, may associate, create communities, monastic orders, societies and similar communities. The Law also stipulates that the State recognizes only those Churches and religious societies which are registered, and it may conclude agreements on mutual cooperation with them<sup>12</sup>.

Every new religious entity not having the status of a registered Church from the period before the year 1989 which wishes to enjoy the rights of the “recognized” Churches and religious societies shall undergo the process of registration. The proposal for registration is to be submitted by at least a three-member preparatory body of the Church or religious society; the members shall be persons of legal age. The preparatory body shall demonstrate that the Church or religious society to be registered has recorded minimum of fifty thousand adult members with permanent residence in the Slovak Republic who are citizens of the Slovak Republic. A proposal for registration shall contain the name and the seat of the Church, identification data of the members of the preparatory committee, basic characteristics of the Church being established, its teaching, mission and the territory it intends to act in, also the affidavit of at least twenty thousand adult members who have permanent residence in Slovakia and are its citizens, confirming that they are affiliated to the Church or religious society, support the proposal for its registration, are its members, know the basic tenets of the belief and its teaching and are aware of the rights and duties resulting from their membership in the Church or religious society.

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<sup>12</sup> Article 4 of the Law on the Religious Freedom and the Status of Churches and Religious Societies No. 308/1991 Coll.

If the proposal meets all the requirements and has been reviewed by the registration body and has shown that the establishment and activity of the Church or religious freedom is not in contradiction with the laws, protection of security of citizens and public order, health, moral, the principles of humanity and tolerance, and that the rights of other legal persons and citizens are not endangered, the registration body will decide whether the Church or religious society will be registered<sup>13</sup>.

The State suffers some criticism for the high, 50 thousand numerous census. This numerous census is new since 2017. The change was brought by Act No. 39/2017 Coll. amending Act No. 308/1991 Coll. on the freedom of religious belief and the status of Churches and religious societies as amended. The required number of members was increased from twenty thousand to fifty thousand. The Slovak Parliament discussed the new issue in the autumn of 2016.

The essence of the draft amendment was the increase of the required number of the members of the newly established Church from 20 thousand to 50 thousand of major citizens of the State. The Slovak Republic has been criticised for the previous legal regulation. Especially small Churches do not have real chance to achieve this legal status. Change of the conditions for registration has been under consideration too, thinking about a two-tier model of registration of Churches – as established in the Czech Republic. In 2005–2006, the lower number of believers for registration required for registration was also under consideration. As a main reason for the proposed change, the explanatory memorandum to the parliamentary draft amendment of 2016 states that “the aim of the submitted draft is to eliminate speculative registrations of alleged churches and religious societies seeing the main aim of registration – getting funds from the State”<sup>14</sup>. The proposers also presented an extensive portfolio of benefits which, in addition to the funds from the natio-

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<sup>13</sup> M. Moravčíková, *Medzinárodné a vnútroštátne právne aspekty subjektivity osobitných subjektov medzinárodného práva a cirkví a náboženských spoločností*, in: *Medzinárodné a vnútroštátne právne aspekty subjektivity osobitných subjektov medzinárodného práva a cirkví a náboženských spoločností*, eds. M. Šmid, M. Moravčíková, Právnická fakulta Trnavskej univerzity v Trnave, Trnava 2013, pp. 130–145; Idem, *Security in the state-Church relations in Slovakia*, in: *Bezpieczeństwo prawne państw demokratycznych w procesie integracji europejskiej: Polska – Słowacja – Ukraina*, eds. J. Krukowski, J. Potrzyszcz, M. Sitarz, Towarzystwo Naukowe KUL, Lublin 2016, pp. 235–248.

<sup>14</sup> Explanatory Memorandum to the draft act of the MPs, amending Act No. 308/1991 on the Freedom of Belief and the Position of Churches and Religious Societies No. CRD-1747/2016, p. 1.

nal budget, are brought by the status of registered Church or religious society. They stressed the access of the registered churches' clerics to public facilities, especially schools and the right to teach religions in public schools and carry out pastoral activities in health care, social and other facilities. More than in the explanatory memorandum, the real motives were discussed within the parliamentary debate focused on Islam and migration. Another group of MPs submitted an amending draft, requiring the increase of the number of the members necessary for the registration up to 250 000. This proposal was not accepted.

The draft amendment was approved by the National Council of the Slovak Republic on 30 November 2016 with the expected date of effect 1 January 2017. The President used his right to return the act for re-discussion. He reasoned his decision by concerns about the possible lower level of ensuring the right to religious freedom in the country. The members of parliament did not adopt the President's arguments and approved the act again on 31 January 2017. Act No. 39/2017 Coll. amending Act No. 308/1991 Coll. on the Freedom of Belief and the Position of Churches and Religious Societies as amended became effective on 1 March 2017. Section 23 of this Act contains a transitional provision reading that the proceedings concerning the registration of Churches or religious societies started before 28 February 2017 would be completed according to laws effective until that day. In fact, this transitional provision concerns only the registration of Church Christian Communities of Slovakia which has been seeking the status of the registered Church and religious society since 2007. The relevant national authority rejected the application of this entity twice, the organisational committee (of this entity) has lodged an appeal to the Supreme Court. The impact of the amendment is broader, it significantly tightens the focus criterion for registration. Considering the number of citizens of the country, another application for registration of a new Church or religious society does not appear likely, unless it would be a branch of the existing traditional Church which separated from such Church. Bearing in mind the verbalised statements of political representatives and deputies of political parties which submitted and supported the amendment, concerns about religious extremism and terrorism played a significant role in its drafting. The new confessional regulation *de facto* does not enable the formation of new Churches and religious societies recognised by the State, however in no way it limits religious freedom of persons, autonomy and activities of already existing Churches and religious societies, any exercise of the right of freedom of belief, especially pastoral care. It provokes a debate on the right to autonomy of Churches which are active within

the society but are not registered under Act No. 308/1991 Coll, i.e. they do not have legal personality as Churches and religious societies have. They function as civil associations or foundations (e.g. Islamic foundation) and do not enjoy the rights of registered societies.

Earlier, in 2008, the Prosecutor General of the Slovak Republic challenged in his application among other things the large number of members affiliated to the Church or religious society seeking registration required by law<sup>15</sup>. The Constitutional Court did not satisfy his proposal and, among other things mentioned in the reasoning of the decision which follows from the principle of a democratic rule of law that the Slovak Republic as a State has the authority to define the conditions for activities of Churches in its territory and to express these conditions in the form of registration. The situation when a certain Church or religious society is not registered does not mean and does not imply the fact that the members of such groupings are limited in the very substance of their right to freedom of religion and its manifestation. The Church registration and the setting of the number of members are according to the Constitutional Court not a necessary condition for the execution of freedom of the right pursuant to Article 24, but concern only the conditions for their establishment as Churches and religious societies recognized by the State<sup>16</sup>.

It is significant that one of the judges of the Constitutional Court did not identify with the finding of the Court plenary and requested the publication of his dissenting opinion. Judge Lajos Mészáros states in his differing opinion that: “For the assessment of an intervention into the freedom of manifestation of own religion requiring a high numerous census, one should view it from the perspective that the census of twenty thousand members could be

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<sup>15</sup> He reasoned that by setting a required number of members of a Church or religious society which is too high in the European context and difficult to achieve in Slovakia, the legislation prevents the acquisition of a legal personality by low numbered Churches and religious societies. The State obviously does not fulfill its duty to create the legal conditions for the execution of the right to freedom of religious belief manifestation in accordance with an individual's own choice, and by this restriction it directly intervenes the freedom of religion.

<sup>16</sup> Equally, the Constitutional Court has not met or has not found a correlation between Act No. 308/1991 and Declaration on the Protection of Human Rights cited by the prosecutor general because by registration the Law does not regulate religious freedom as an individual right. If it concerns the execution of religious freedom by refugees, the possible registration of the Church they affiliate to is not a necessary condition for the execution of their religious freedom in Slovakia as stated by the Court. Press release No. 3/2010 of the Constitutional Court of the Slovak Republic sp. zn. PL. ÚS 10/08 of 3 February 2010.

accepted for the acquisition of special rights, however, it should be tested from the viewpoint that it is a condition for the acquisition of pure legal personality since our legislation does not make a difference between the acquisition of pure legal personality (basic legal standard) and a legal personality with special rights. This means that there is no possibility to acquire at least a legal personality with a low number of members; one can only acquire a legal personality with a high number of members, altogether with special rights<sup>17</sup>. In the past, it seemed that in this specific Slovakian case, perhaps, the issue of non-registered Churches could be resolved by a system of multi-tier registration, whereas the proportionality test and maintenance of the mechanisms of the protection of both the society and the individual are necessary<sup>18</sup>. Today, following the adoption of Act No. 39/2017 Coll. significant qualitative changes cannot be expected in the near future.

We live in a time endangered by extremism, terrorism and speculators. State and society protection is becoming a priority. But we have to ask whether the restriction of Church registration is a sufficient and good solution. We have to study whether, and to what extent, we are dealing with the emergence of the ecclesiastic gray zone. Unregistered Churches cannot demand State support, they even do not have legal status under public law. Often, we do not have the basic documents authorized by them, which State their internal law. There may be a legitimate concern that the hostile attitude of the State towards them may evoke the equally tense response.

## CONCLUSION

The role of the State is to set legal conditions for the enforcement of the right to freedom of religion and belief based on the choice of an individual

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<sup>17</sup> The dissenting position of the judge of the Constitutional Court Lajos Mészáros on the decision of the plenary of the Constitutional Court of the Slovak Republic in the matter sp. zn. PL. ÚS 10/08. M. Moravčíková, *Freedom of thought, conscience and religion or belief*, in: *Freedom of conscience and religious freedom*, eds. M. Moravčíková, M. Šmid, Leges, Praha 2015, pp. 33–54.

<sup>18</sup> In this context one may refer to the statement of the European Court for Human Rights of 3 March 2009 in the matter *Lajda a spol. v. Czech Republic*. The ECHR rejected the complaint as inadmissible since it considered the requirement of the previous applicable law of ten thousand Church adherents too high. W. Wieshaider, *ESLP a početný census pre registráciu náboženských spoločností*, in: *Ročenka Ústavu pre vzťahy štátu a cirkví 2010*, eds. M. Moravčíková, E. Valová, ústav pre vzťahy štátu a cirkví, Bratislava 2011, p. 191. The Court, however, did not offer any suitable example of a reasonable required number.

so that even the members of low-numbered Churches and religious societies do not experience discrimination and that these entities, too, may enjoy their right to autonomy since without legal personality several principal manifestations of Church autonomy cannot be applied. Today, this challenge is for many countries. The Slovak Republic is furthermore endorsed by the Act on the Economic support of Churches and Religious Societies No. 218/1949 Coll. According to this act the State provides financial support of registered Churches and religious societies directly from the State budget – if the Church so requests. This is one of the crucial reasons for restricting registration conditions. Another reason is the vast set of rights and benefits that registered Churches and religious societies have. This is primarily about free access to public facilities and the possibility of teaching religion in public schools. Detailed examination of the rights and benefits of registered Churches makes the Church policy of the State much clearer. The development of contractual relations between the State and the Churches seems hopeful.

#### REFERENCES

- Bacelar Gouveia, Jorge. 2009. "Náboženská svoboda a vláda práva v ústavním státě: portugalská zkušenost." In AA. VV., *Náboženství a veřejná moc v zemích Evropské unie. Sborník textů z konference*, 162–166. Prague: Ministerstvo kultury České republiky.
- Barancová, Helena. 2013. "Právo na slobodu myslenia, svedomia a náboženskú slobodu." In *Právna ochrana slobody svedomia*, edited by Michaela Moravčíková, and Viktor Križan, 17–22. Trnava: Právnická fakulta Trnavskej univerzity v Trnave.
- Hrdina, Antonín I. 2004. *Náboženská svoboda v právu České republiky*. Prague: Eurolex Bohemia.
- Moravčíková, Michaela. 2013. "Medzinárodné a vnútroštátne právne aspekty subjektivity osobitných subjektov medzinárodného práva a cirkví a náboženských spoločností." In *Medzinárodné a vnútroštátne právne aspekty subjektivity osobitných subjektov medzinárodného práva a cirkví a náboženských spoločností*, edited by Marek Šmid, and Michaela Moravčíková, 130–145. Trnava: Právnická fakulta Trnavskej univerzity v Trnave.
- Moravčíková, Michaela. 2015. "Freedom of thought, conscience and religion or belief." In *Freedom of conscience and religious freedom*, edited by Michaela Moravčíková, and Marek Šmid, 33–54. Praha: Leges.
- Moravčíková, Michaela. 2016. "Security in the state-Church relations in Slovakia." In *Bezpieczeństwo prawne państw demokratycznych w procesie integracji europejskiej: Polska – Słowacja – Ukraina*, edited by Józef Krukowski, Jadwiga Potrzyszcz, and Mirosław Sitarz, 235–248. Lublin: Towarzystwo Naukowe KUL.
- Potz, Richard, Brigitte Schinkele, and Wolfgang Wieshaider (edited by). 2001. *Schächten. Religionsfreiheit und Tierschutz*. Freistadt–Egling: Plochl–Kovar.
- Příbyl, Stanislav. 2013. "Svoboda svědomí a církevní zvěstování z hlediska kanonického práva." In *Právna ochrana slobody svedomia*, edited by Michaela Moravčíková, and Viktor Križan, 155–163. Trnava: Právnická fakulta Trnavskej univerzity v Trnave.

- Robbers, Gerhard. 2001. "Stát a církev v Evropském společenství." In *Stát a církev v zemích EU*, edited by Gerhard Robbers, 355–366. Prague: Academia.
- Šmid, Marek. 2013. "Ochrana slobody svedomia a bilaterálne zmluvy s cirkvami a náboženskými spoločnosťami na Slovensku." In *Právna ochrana slobody svedomia*, edited by Michaela Moravčíková, and Viktor Križan, 128–154. Trnava: Právnická fakulta Trnavskej univerzity v Trnave.
- Wieshaider, Wolfgang. 2011. "ESLP a početný census pre registráciu náboženských spoločností." In *Ročenka Ústavu pre vzťahy štátu a cirkví 2010*, edited by Michaela Moravčíková, and Eleonóra Valová, 188–197. Bratislava: ústav pre vzťahy štátu a cirkví.

OCHRONA PRAWA DO WOLNOŚCI MYŚLI, SUMIENIA I RELIGII  
W REPUBLICIE SŁOWACKIEJ

**Streszczenie.** Artykuł dotyczy ochrony prawa do wolności myśli, sumienia i religii w Republice Słowackiej. Koncentruje się na wolności religijnej, prawnych ramach stosunków Państwo-Kościół, uznawaniu Kościołów przez Państwo, ich manifestacjach publicznych, statusie i autonomii. Wyjaśnia konstytucyjne gwarancje wolności sumienia, myśli i religii. Przybliża konkretne akty prawne, dokumenty, bieżącą praktykę, problemy, wyzwania i możliwy rozwój oraz odzwierciedla złożoną korelację kwestii stosunków Państwo-Kościół i pozycji Kościołów w społeczeństwie z potrzebą ochrony Państwa i społeczeństwa.

**Słowa kluczowe:** wolność religijna, ramy prawne stosunków Państwo-Kościół, uznanie Kościołów przez Państwo