

**Church Law
Society**



CHURCH REPORTER

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Newsletter for the English speaking members and friends of the Church Law Society
Prague – Brno – Olomouc – Stříbro – České Budějovice

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Prague, Wenceslas Square, 21st August 1968 in the morning: Russian tanks and protesting Czech people.

Source: ČTK

The Danger of a Russian Attack on Ukraine and the Latest Issue of the Church Law Review

If an elephant has its foot on the tail of a mouse and you say that you are neutral, the mouse will not appreciate your neutrality.

Desmond Tutu
Anglican bishop, South Africa

Our periodicals do not interfere in the political field, but they cannot remain silent where the freedom of entire nations is at stake. These days, when we are sending the first issue of this year's Church Law Review of to the printer, Russia's offensive manifestations of an independent and free Ukraine, a country that is close to us geographically, emotionally and in its history, are escalating. After all, part of today's Ukraine, Subcarpathian Ruthenia, was part of Czechoslovakia in 1918–1945.

The attacks on Ukraine, which began in 2014, are hard to bear, as is the then Russian annexation of Crimea. We have vivid memories of the days of September 1938, when our country was threatened by Nazi Germany with the help of its minorities in Czechoslovakia, and 21st August, 1968, when Russian troops invaded Czechoslovakia without warning and liquidated our freedom. In particular, the insidious and unexpected Russian occupation of an independent country such as Czechoslovakia has taught us to be wary of claims and tactics by the Russian superpowers.

We firmly show solidarity with the Ukrainian people and support all the countries and institutions that stand up for Ukraine.

Here we bring you the text of the Editorial of Church Law Review No. 1/2022, following its title to the book of interviews with the world-famous Czech thinker Jan Sokol *Courage to Freedom*. The very title of the Editorial and the content of the articles is a contribution to current international events.

Jiří Rajmund Tretera

Church Law Review No. 86–1/2022 Editorial **Courage to Freedom in Law**

Courage to Freedom is the title of the latest book of interviews with Professor Jan Sokol, Czech philosopher and Christian thinker, organizer of science, dean of the faculty at Charles University, candidate for the office of the President of the Republic, from whose departure for eternity was one year on 16th February 2022. This issue concludes with a review of the above-mentioned book, the title of which we have borrowed for this Editorial and, given the focus of our journal, targeted at law.

The courage to be free is necessary in law, both church law and civil (secular) law. At all stages: in reflection on law, in teaching and writing, in the making of law, its interpretation and application. And it is also necessary because law and the justice that makes law what it is, and the freedom to exercise them, must be courageously and constantly defended verbally, in writing, and, in the case of those who believe in God, in prayer. The latter is always needed. We saw this in the autumn of 2021, when surely tens of thousands, and perhaps hundreds of thousands, of people in our country prayed for the enforcement of the principles of constitutional law in the appointment of a new Czech government. And they succeeded. We can jokingly say that the state statistical office did not, and fortunately could not, try to apply its census methods in this case.

In the first place, this issue of the Review contains an article written by Jurij Popovič from the Greek Catholic Faculty of Theology, University of Prešov (Eastern Slovakia), on the territory of the Metropolitan Greek Catholic Church sui iuris in Slovakia. We are pleased that the author used English so that the ideas applied in the article could be read by a greater number of people worldwide. This is not the first article to be published in English in our journal. We thank all those who have already sent us such articles and look forward to those that will be sent to us.

Dr Popovič was born in Subcarpathian Ukraine, the part of Ukraine that before the war was one of the countries that made up what was then Czechoslovakia. Its official name was Subcarpathian Ruthenia until the forced cession of this territory to the Soviet Allies in the summer of 1945. We are still accustomed to using this traditional name in our country, as can be seen from many of the titles of theses at our faculty. It is not far from Subcarpathian Ruthenia to Prešov.

I have quite a nice personal memory of the author from an important meeting, which is always a symposium of canon law in Spiš, Eastern Slovakia. It happened at the end of August 2014. We were sitting next to each other as listeners of one of the lectures of our world canonical authorities, concerning the secrets of the legal proceedings for the annulment of a marriage. Dr Popovič told me casually and without emotion that Russia had just invaded Ukraine. That memory is very topical today. **We and the whole world have no choice but to wish Ukraine, with the support of international law and the international community, to resist the attacks on its territory, obviously imminent in recent months, and always to support it by all appropriate means. And to pray for Ukraine.**

The article describes the current topic of the appointment of pastors according to the Code of Canons of the Eastern Churches (CCEO). In reading the well-pedagogically crafted text, the clarity of the legal provisions comes to the fore. This is also the case of the author's article. It is necessary for those who apply canon law to be mindful of the wording of the law and its meaning, thereby creating stability not only for parish priests but also for their parishioners.

We are delighted that Professor Michal Skřejpek from the Faculty of Law in Prague, leading European Roman law scholar, has contributed an article to this issue of the journal. He discusses unilateral vows in ancient Rome. The processing of history is also a mirror for the present. Nowadays, it sometimes seems that the word promise has lost its sanctity, whether in public or private life. Recent months have given hope for change in our country's public life. So let us have the courage to fulfil what we have promised, whether it is a marriage oath, a promise to our country, to our nation, to our Church and to God.

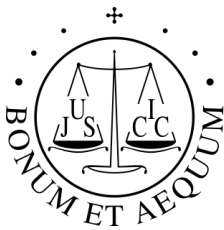
Professor Ján Duda from the Faculty of Law in Bratislava, Slovakia, has been known for his courage to truthfully name various aspects of Church life since the early 1990s, when he began organizing the Spiš Symposium on Canon Law, one of the largest canon law conferences in the world. In his analysis in the Review, he discusses the theological and legal aspects of the Synod of Bishops called by Pope Francis for 2021–2023 and reflects on synodality today and in the future.

Articles written by Associate Professor Radim Seltenreich always promise engaging style. This is no different now in his paper on Hugo Grotius as a *Christian* thinker. Grotius is not only the founder of international law, but also an eminent theologian whose work sought to overcome the raging Thirty Years' War and all wars by pointing to the principles of natural law valid under all circumstances, and to unify confessional approaches throughout the Church.

And I would also like to draw your attention to an article in our *Portraits* section. This time it concerns the priest ThDr. Antonín Mandl, leader of Catholic Action in the Prague Archdiocese after 1945, sentenced to 25 years in prison after cruel torture by the Communists.

Finally, happy news: these days, Professor Jiří Rajmund Tretera's book *End Your Visits, Doors Are Closing, or Eighteen Ballads and Romances from Hospital Halls and Hallways* is published. It is the third volume of the Church and Religion Law Series published by the Church Law Society in Prague.

Záboj Horák, Deputy Editor-in-Chief



Local group in České Budějovice

New Local Group of the Church Law Society Established

Since its foundation in 1994, the Church Law Society has had several dozen members in southern Bohemia and many enthusiastic supporters. In recent years, interest in organizing lectures and meeting members has increased.

Therefore, on 1st January 2022, the working committee of the Church Law Society established a new local group in České Budějovice (Budweis), the seat of Roman Catholic bishop and centre of the South Bohemian region. *JUDr. PhDr. Ing. Jan Škopek, Ph.D., DBA, LL.M.*, tax advisor and philanthropist from České Budějovice, was appointed chairman of the local group.

Mons. ThDr. Vlastimil Kročil, Ph.D., Diocesan Bishop of České Budějovice, expressed his joy and blessed the local group.

The chairman of the local group currently visits the members of the Society and promotes the activities of the Society in public. In the future, we expect to hold lectures in cooperation with the Faculty of Theology of the University of South Bohemia in České Budějovice.



*Saint Nicholas Cathedral in České Budějovice.
On the left, the Black Tower, the bell tower of the Cathedral.*



New Journal on Theology and Philosophy of Education

New international journal *Theology and Philosophy of Education* (TAPE) was founded in Prague on 20th January, 2022. It is an open-access journal for discussing different aspects of the theology of education and philosophy of education. It will be published twice a year in English. TAPE should provide the platform on which there is a chance of sharing the perspectives concerning the topics and problems connected with philosophy, theology, education, and their respective interconnection and cooperation.

Its quest is to help disseminate contributions that testify to the actual thinking of the education, which could help teachers and educators in their mission.

Editor-in-Chief of the journal is *PhDr. Bc. Zuzana Svobodová, Ph.D.*, who teaches at the Institute of Ethics and Humanities of the Third Faculty of Medicine of Charles University in Prague, at the Faculty of Theology of the University of South Bohemia in České Budějovice, and the Department of Theology and Philosophy of Jabok – The College of Social Pedagogy and Theology in Prague. She is the director of the Pedagogical Section of the Czech Christian Academy.

We are very pleased that, according to Dr Zuzana Svobodová, the inspiration for the newly founded journal *Theology and Philosophy of Education* was the activities of the Church Law Society, mainly its publishing activities and the activities of the *Association for the Support of Teaching Religion in Schools*, established by the Church Law Society.

Editorial board of the journal invites authors to submit their articles, discussions and book reviews. All papers (articles) submitted to *Theology and Philosophy of Education* are subject to blind review by two reviewers.

For more information, visit <https://tape.academy>.

Jakub Nagy

From New Publications

DANIEL, William L., *Ministerium Iustitiæ vol. II.*, The *Lex propria* and More Recent Contentious-Administrative Jurisprudence of the Supreme Tribunal of the Apostolic Signature, Montréal, 2021, 780 pp., ISBN 9782924974087.

GRAULICH, Markus, HALLERMANN, Heribert, *Das neue kirchliche Strafrecht*, Einführung und Kommentar, Kirchen- und Religionsrecht, Band 35, Münster, 2021, 278 s., ISBN 978-3-402-23748-9.

TRETERA, Jiří Rajmund, *Ukončete návštěvy, dveře se zavírají aneb Osmnáct balad a romancí z nemocničních sálů a předsálí [End Your Visits, Doors Are Closing, or Eighteen Ballads and Romances from Hospital Halls and Hallways]*, Knižnice církevního a konfesního práva, Svazek 3, Společnost pro církevní právo, Praha, 2022, 194 s., ISBN 978-80-906501-2-1, ISSN 2464-8558.

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Photo on the front page: Prague, Wenceslas Square, 21st August 1968 in the morning. Russian tanks and protesting Czech people. Source: ČTK

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