

# CHURCH REPORTER

## 4/2023

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

15<sup>th</sup> April 2023 | Volume 8  
English version



Holy Saturday, 8<sup>th</sup> April 2023, morning: the open Holy Sepulchre in the Dean's Church of All Saints in Stříbro.

Photo František Kratochvíl



## Local group in Stříbro

### Joyful Easter in Stříbro



*From this year's mass baptism in the Dean's Church of All Saints in Stříbro.  
Baptism performed by parish priest Miroslav Martiš, who is assisted by his acolyte Štefan Bodor, both  
members of the Church Law Society.*

During the Easter Vigil on Saturday, 8<sup>th</sup> April 2023, in the Church of All Saints in the West Bohemian town of Stříbro, twelve adult catechumens were baptised by the local parish priest, Miroslav Martiš. Then, along with two others who had already been baptised, they received the Sacrament of Confirmation.

This gives great hope for the future of the parish community.

*Text and photo František Kratochvíl  
member of the parish council, Marian men's congregation  
and chairman of the local group  
of the Church Law Society in Stříbro*

## Regarding the picture on the front page

It is a special custom in Central Europe to install a representation of the buried Jesus, called the Holy Sepulchre, in every church on Holy Saturday. The faithful come from early in the morning, when the Silent Hour is celebrated, and each of them gives adoration alone and in silence until sunset, when the celebration of the Saviour's Resurrection begins.

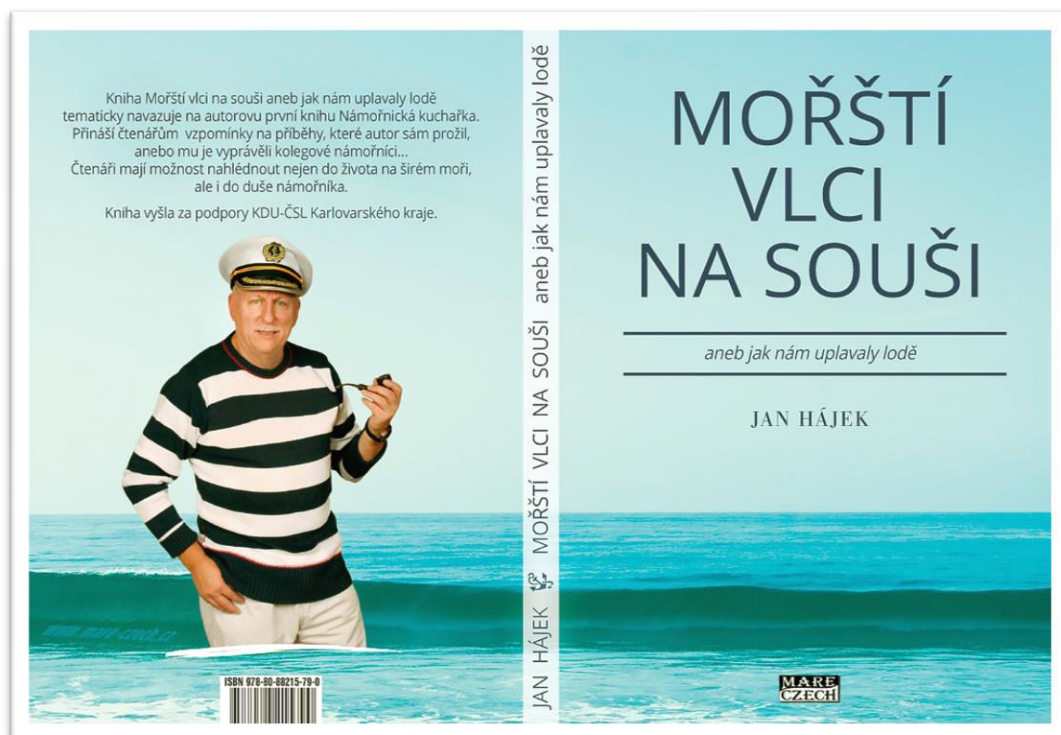
*Jiří Rajmund Tretera*

## Invitation to the presentation of Jan Hájek's book *Sea Wolves on Dry Land, or How Our Ships Floated Away*

We are happy to announce that we are all invited to the presentation of this latest book by the sailor and deacon, Mgr. Jan Hájek, which will take place

**at 5 p.m. on Thursday, 20<sup>th</sup> April 2023, in Karlovy Vary (Carlsbad) Museum,  
Nová louka 23.**

The book can be bought on the website of the Mare-Czech publishers <http://www.mare-czech.cz/eshop/news.php> and on every Thursday in April in the aforementioned museum.



*Cover of the book Sea Wolves on Dry Land by the sailor and deacon, Jan Hájek*





## Local group in Prague



*The twelfth station on the newly created Stations of the Cross in the village of Kameničky near Hlinsko (Eastern Bohemia).*

*Photo Václav Slaviček, deacon and hospital chaplain in Kladno (Central Bohemia)*

# Church Law Review no. 90 is out!

## Read our Editorial

### From Ancient Israel to Canon Law Considerations *De Lege Ferenda*

Readers of this issue of the Church Law Review will this time find a really varied set of articles from different periods and different countries, from ancient Israel, via ancient Rome, the early modern age, the United States of America up to the present day. Common to all five articles is an interest in a balanced and harmonious relationship between law and religion, particularly in its historic aspect. The third article commemorates Benedict XVI (1927–2022), who passed away on the last day of last year, and is devoted to the highly topical subject of *Papa emeritus as a theological and canon law problem*. So, a hot contemporary issue, even calling out the need to regulate an important area of church law in the future!

But can history and the present even be separated? After all, legal-historical research mostly speaks to the present. And in two respects. Firstly, the present follows on from what happened in the past, i.e. to real history. Secondly, as we can observe by looking into ourselves and into our closest colleagues and co-workers, we interpret the past in order to name the present and to help students and experts in other fields to understand it better. And so we are always amazed when someone doubts the importance, and yes, the relevance of history to the present and the future.

The first article, written by Professor Michal Skřejpek from Prague's Faculty of Law, a leading European expert on Roman law, provides us with a scientifically very well-informed and inspiring interpretation of the *legal status of Vestal Virgins in ancient Rome*. The reader is drawn into the Romans' way of thinking and sees the respect that Roman society, despite being led by male warriors, showed to the Vestal Virgins. The ancient heritage, including its religious ideas, needs to be continually brought to mind, since, together with Judaism and Christianity, it forms the basis of Euro-Atlantic civilisation.

The article *The Development of Religion Law in the United States of America Divided into Periods from the 17<sup>th</sup> Century to the Present Day* is from the author of these lines. The author wanted to describe this relationship in chronological order and bring some new insights into the history of American jurisprudence in the field of religion law (for example, into the 'wall of separation' between the state and religious communities).

The above-mentioned, highly topical study by Associate Professor Drahomír Suchánek, a leading expert on papal elections in the Middle Ages, considers the legal status that should be held by a *Pope Emeritus in canon law*. It is undoubtedly necessary to regulate this area for the future given the fundamental and decisive position of the papacy in canon law and the need to protect this office that is so dear to all Catholics.

The legal historian Associate Professor Radim Seltenreich devoted his article to *the lawyer, philosopher, historian and theologian Samuel Pufendorf*, who was active in the 17<sup>th</sup> century. People reading this article will appreciate the author's fresh style and impressive insight into the life of this German thinker. Pufendorf spent part of his life in Sweden, created one of the theories of natural law and his ideas influenced the Englishman John Locke and, through him, the American Revolution.

The article by Associate Professor Jiří Kašný, who teaches at the Anglo-American University in Prague, provides a systematic and thorough *view of family law in the Book of Genesis*. In a synchronous manner, clearly and without unnecessary problematising, the article provides an overview of family relations in this first book of the Hebrew Bible, as well as the Christian Old Testament. The article is a highly informed legal reflection and, at the same time, a spiritually uplifting read.

We hope that we have inspired readers to immerse themselves in the pages of this issue of the Church Law Review, which the editors have prepared with such pleasure.

*Záboj Horák, Deputy Editor-in-chief*

## Presentation of Professor Ignác Antonín Hrdina's book

The Catholic Theological Faculty of Charles University and the Royal Canonry of Premonstratensians at Strahov invite you to the presentation of the book *A History of the Sources of Canon Law* by Prof. JUDr. Ignác Antonín Hrdina, DrSc., O.Praem., which will take place at 4 p.m. on Thursday, **20<sup>th</sup> April 2023** in the Winter Refectory of Strahov Monastery in Prague. Assoc. Prof. JUDr. Stanislav Příbyl, Ph.D., Th.D., J.C.D. (České Budějovice) and Prof. JUDr. Mgr. Vojtech Vladár, PhD. (Bratislava) will speak at the presentation.



KATOLICKÁ TEOLOGICKÁ  
FAKULTA  
Univerzita Karlova

**STRAHOV**  
Klášter · Abbey · Stift

# The Czech Society for Catholic Theology admitted as a member of the Council of Scientific Societies

On 12<sup>th</sup> April 2023, a plenary session of the Council of Scientific Societies of the Academy of Sciences of the Czech Republic was held in the Academy of Sciences' ceremonial hall in Prague 1, on Národní třída (opposite the National Theatre). The Council of Scientific Societies brings together 87 scientific societies in the Czech Republic. The Church Law Society has also been a member of this highly prestigious organisation since 2014, as one of three societies representing legal science. Together with us, the Czech Society for Environmental Law and the Czech Society for International Law are also members of the Council of Scientific Societies.

It is well known how difficult it is to be admitted as a new member of the Council. The criteria in order for a scientific society to be accepted are set very high and it is never certain which applicants will succeed in the secret voting by representatives of all the societies and get the necessary qualified majority of votes.

We prepared carefully for this year's vote as we knew that among the applicants was the *Czech Society for Catholic Theology* which we are so close to and which acts as the Czech section of the *European Society for Catholic Theology*. For a long time, we have been connected with this society through our collaboration within the Czech Christian Academy. And today, our society's authorised representative, who attended the plenary session and voted on our behalf, our secretary Tomáš Grundza, was happy to announce that a '*good thing has been achieved*', as they sing at the end of Bedřich Smetana's national opera, *The Bartered Bride*.

The Czech Society for Catholic Theology was admitted with 48 votes in favour, while the representatives of 16 societies voted against and two representatives abstained. Our colleagues led by their president *Mrs. PhDr. Zuzana Svobodová, Ph.D.*, are the first theological society in the Czech Republic to be recognised as representing theology as a science.

The second society that was also admitted is the Czech Biophysical Association, which received 51 votes.

Our warmest congratulations!

Prague, 12<sup>th</sup> April 2023

*Jiří Rajmund Tretera, Záběj Horák, Tomáš Grundza, Jakub Nagy*



# Pastoral Care of Lawyers in Prague

## Annual Scientific Conference of the Central European Academy

The Central European Academy, the Faculty of Law of the University of Miskolc (Hungary), and the Central European Association for Comparative Law are pleased to invite you to a scientific conference: II. ASCEA – ANNUAL SCIENTIFIC CONFERENCE OF THE CENTRAL EUROPEAN ACADEMY.

The conference will take in Budapest on **21<sup>st</sup>–22<sup>nd</sup> September 2023**. The arrival of the participants is scheduled for 20<sup>th</sup> September and the departure for 23<sup>rd</sup> September.

The conference aims to gather together young researchers and PhD students from selected scientific disciplines and legal branches and provide them with an opportunity to present their research results in English in the form of an approximately 15–20-minute-long presentation before an international audience consisting of senior and junior researchers.

The participants will have the chance to present on a variety of topics (see the registration link below), among others, also on the topic of **Restitution of Church Property in Central Europe after 1989**.

Each topic will constitute a separate panel within the conference. The individual panels will be organised by the Central European Junior Programme participants conducting research in the given field.

Participation at the conference is subject to pre-registration. The registration link is available at the following address: <https://forms.gle/VfwMNNNiWNUibCQA8>. It is necessary to register by no later than **30<sup>th</sup> April 2023**.

Participation at the conference is free of charge. Accommodation and meals are provided to the participants, while travel expenses if travelling by plane / train / bus are also covered by the organisers. Car travel expenses cannot be covered or reimbursed.

Participation at the conference comes with a commitment by the presenter to prepare a scientific paper on the presented topic (40,000 to 60,000 characters including abstract, spaces, footnotes, tables, captions and references), which can be published in the *Central European Academy Law Review*. The Review provides free linguistic proofreading services for participants, whose articles are accepted by the journal.

Scientific papers meeting the formal requirements should be submitted not later than 1<sup>st</sup> November 2023 through the journal website at the following address, where the formal requirements are also indicated: <https://ojs.uni-miskolc.hu/index.php/cealr/about/submissions>.

In case of questions regarding the publication, please contact the editorial team at the following email address: [cealawreview@uni-miskolc.hu](mailto:cealawreview@uni-miskolc.hu).



## Details about the scientific panel of the conference

### Restitution of Church Property in Central Europe after 1989

*The conference is focused mainly on the situation in the following Central European countries – Slovakia, Czech Republic, Hungary, and Croatia, but also others, which could bring many positive influences and information to the topic.*

### Questionnaire for the participants of the ASCEA conference 2023

- 1. The introduction of state-church models in single countries. What is the influence of the current state-church models on former restitution? Why are restitutions important in the modern world?*
- 2. Church property before the communist revolution. How was it acquired? What was the stratification of church property before nationalisation?*
- 3. Restitution method. How many laws regulate the process? Were there any international agreements? What is the preferred manner of restitution in each country – natural refund, state bonds, or money transfers?*
- 4. Restitutions in the decisions of the European Court of Human Rights. Is restitution a human right? What does the protection of the Church on a European level mean?*
- 5. Nationalisation of church property in non-communist countries. Were there historically similar confiscations in Central Europe? Is there any nationalisation in non-communist states?*
- 6. Criticism of the restitutions. Does the state need to return all confiscated properties? Should it also pay any monetary satisfaction for the loss that is caused?*

*Editorially shortened*



## From New Publications

PEÑA, Carmen, CAMPO IBÁÑEZ, Miguel (Coords.), *El derecho canónico ante los abusos sexuales*, Dykinson, Madrid, 2023, 296 pp., ISBN 978-84-1170-012-2.

### Journals, periodicals

**Ius Canonicum**, Edificio Biblioteca de Humanidades, Universidad de Navarra, Pamplona, 2023, ISSN 0021-325X, ISSN-e: 2254-6219.

Vol. 63 No. 125,  
from the contents:

BAURA, Eduardo, *El ejercicio de la potestad de la Curia Romana a la luz de la «Praedicate Evangelium» y el derecho de los fieles al buen gobierno.*



## Local group in Olomouc

**Rev. Jan Rajlich OP, a missionary in Africa  
(Kenya), from Blackfriars Priory in Olomouc,  
wishes us a Happy Easter**



In the quotation from Isaiah 43, 18–20, it says that even jackals and ostriches give honour to the Lord.

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Photo on the front page: Holy Saturday, 8<sup>th</sup> April 2023, morning, the open Holy Sepulchre in the Dean's Church of All Saints in Stříbro. Photo František Kratochvíl

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