

From the Church Law Society

Pavel Landa, Journalist and Writer, Named Honorary Member of the Church Law Society

As of 2 January 2013 the executive committee has named Pavel Landa, a member emeritus of the committee and retired editor of the Church Law Review, an honorary member of the Church Law Society. The nomination occurs to mark his jubilee. A renowned journalist, author of many newspaper and internet articles on current affairs, and several books with humorous insights, Mr. Landa became a member of the Church Law Society in 2004 and also one of the important supporters of the Society. He brought many thoughtful contributions and much humor into the Society and contributed greatly to the increased quality of the Church Law Review. We wish him much strength in his fight with a severe disease that has affected him since last year.

JUDr. Josef Plocek Awarded the Order of Tomáš Garrigue Masaryk

It is with great pleasure that we announce that the President of the Czech Republic, Mr. Václav Klaus, awarded JUDr. Josef Plocek the Order of Tomáš Garrigue Masaryk for his outstanding contributions to the development of democracy, humanity, and human rights.

JUDr. Plocek was born in Prague on 8 March 1925. He is one of the leading representatives of Catholic laymen who were persecuted by both totalitarian regimes. In 1942 the Nazis expelled him from the sixth grade of the archdiocesan high school in Prague. After WWII he completed studies at the law school and also took seven semesters of philosophy – studies that he was not able to complete because he was arrested by the Communist State Police.

Because he mailed a letter to the Vatican reporting on the situation regarding Czech religious and church life during the Communist regime he was sentenced on 16 August 1951 by a senate of the State Court in Prague to 13 years in prison as a “Vatican spy.” For nine years he endured slave labor in labor camps in the Slavkov region (Prokop, Camp XII, Svatopluk, Ležnice), the Jáchymov region (Vykmánov) and the Příbram region (Bytíz, Vojna), including work in uranium mines. He was released in 1960 in an amnesty.

JUDr. Plocek returned to Prague after 1960 and worked in manual jobs. Still later he worked as a lawyer for the Prague Archdiocese. Beginning in 1988 he was a leading representative of an underground group of Catholic lawyers who – under the leadership of ThDr. Oto Mádr – prepared proposals for the future arrangement of relations between the church and state. (See Horák, Zábaj, *Churches and Czech Education System*, Grada, Praha, 2011, pp. 55–56.) During that time JUDr. Plocek wrote and in samizdat (a dissident publication) published the book *Relations Between Churches and State: An Informative Study Based on Cited Literature*, Prague, May 1988. The 386-page book is of important significance for state law on churches and religious societies.

JUDr. Josef Plocek has been an active member of the Confederation of Political Prisoners. In 1994 he was one of the founding members of the Church Law Society. On 11 January 2005 the general assembly of the Church Law Society named him an honorary member.

Congratulations to the Church Law Society Members

Zuzana Dufincová, a notary public of the Metropolitan Church Court in Košice, Slovakia, defended with honors her doctoral dissertation at the Canon Law School of the Pontifical University of Saint Thomas Aquinas (also known as Angelicum). The defense took place on 26 September 2012. Upon her return from Rome, JCDr. Dufincová was appointed Chancellor of the Metropolitan Church Court. The chair of her dissertation committee was a judge of the Tribunal of Roman Rota, Prelate Mons. Professor Grzegorz Erlebach, the opponent was another member of the Tribunal of Roman Rota, Professor Domenico Teti, and the third member of the committee was the Dean of the Canon Law School of the Pontifical University of Saint Thomas Aquinas in Rome, Professor Michael Carragher OP. The chairman of the dissertation committee was the President of the Pontifical University of Saint Thomas Aquinas in Rome, Professor Miroslav Konštanc Adam OP. The title of the dissertation was “*Questione della conformità equivalente delle sentenze pro vinculo*”.

Mrs. Věra Dospělová, a notary public at the Metropolitan Church Court in Prague and a founding member of the Church Law Society, celebrated an important jubilee on 27 September 2012.

R. D. ThLic. Mgr. Petr Kubíček, J.C.D., a founding member of the Church Law Society, celebrated his 50th birthday on 14 November 2012.

A. R. P. Professor JUDr. Ignác Antonín Hrdina DrSc., OPraem, will celebrate his 60th birthday on 6 March 2013. He serves as a professor in the Department of Pastoral Areas and Legal Studies at the Catholic Theological School in Prague, as a professor of Roman and Canon Law at the Law School of the West Bohemian University in Pilsen, as the judicial vicar (officialis) of the Metropolitan Church Court in Prague, and is the provisor of the Monastery of the Royal Canon of Premonstratensians at Strahov.

The 65th Evening Event from the Lecture Series

The Effects of Law on Society and the Church

On Monday 26 November 2012 an evening panel discussion took place at the Law School of Charles University in Prague; the topic was *Teaching Church Law and State Law on Churches and Religious Societies at Law Schools in the Czech Lands since 1918*. The successful evening featured the following speakers:

- Associate Professor Zábaj Horák, who spoke about teaching the topic at the Law School of Charles University and at the German University in Prague in the period between the two world wars,
- Professor Jiří Rajmund Tretera, who talked about the history of teaching the topic in the Czech lands in 1939–1989 and at the Law School of Charles University since 1990, including a brief mention of the teaching of the topic at the Law School of Masaryk University in Brno,
- Associate Professor Damián Němec, who discussed teaching the topic at the Theological School and the Law School of Palacký University in Olomouc since the beginning of the 1990s,
- Associate Professor Jiří Kašný, who spoke about teaching the topic at the Theological School in České Budějovice and at private universities in Prague up to the present.

The discussion at the end of the event featured the following additional speakers:

- Dr. Monika Menke from Sts Cyril and Methodius Theological School of Palacký University in Olomouc, who summarized the teaching of church law at the Olomouc Theological School between the two world wars, and
- Mrs. Věra Dospělová, a notary public at the Metropolitan Church Court in Prague, who recalled lectures given at the Law School of Charles University in Prague, which she has enthusiastically attended since the mid-1990s.

Brief News

From the Conference *Trnava Legal Days*, Trnava 2012

The renowned international research conference *Trnava Legal Days* took place at the Law School of Trnava University in Trnava on 20 and 21 September 2012. The topic of the conference was *The Value System of the Law and Its Impact on Legal Theory and Practice*. A detailed report authored by a conference participant, Mgr. Jakub Kříž, Ph.D., is available in the section INFORMATION.

From the Spiritual Administration of Prague University Students

Beginning on 1 March 2012 Prague Archbishop Cardinal Dominik Duka OP created the *Spiritual Administration for the Academic Community of the Czech Technical University in Prague*. R. D. Mgr. Ing. Vladimír Slámečka, a priest of the Hradec Králové Diocese, was appointed the president of the Administration, and the St. Bartolomeus Church in the Old Town of Prague became the Administration church. The Administration cooperates with the Roman Catholic Academic Parish in Prague – a personal parish of students and employees of all Prague universities.

As of 1 September 2012 R. P. Bc. Ludvík Vít Grundman OP was appointed the chaplain of the Catholic Theological School of Charles University in Prague.

On Tuesday, 2 October 2012, a votive mass to the Holy Spirit was celebrated in the Church of the Holiest Savior to mark the beginning of the new academic year. The mass was well attended by students and employees of Prague universities and also by the members of the general public. The mass was celebrated by Mons. Tomáš Halík, the parish priest of the *Roman Catholic Academic Parish in Prague* and the President of the Czech Christian Academy. Six priests concelebrated the mass with Mons. Halík; the priests are active in the spiritual administration at various Prague universities or as their teachers and scientific laborers.

From the Case Law

We point out the finding of the Constitutional Court of the Czech Republic No. I. ÚS 3314/11 from 2 October 2012 in the matter of restitutions, Ženklava, Ostrava-Opava Diocese.

The Catholic Association of Hospital Chaplains has Commenced Its Activities

The first general meeting of the *Catholic Association of Hospital Chaplains in the Czech Republic* took place on 2 October 2012 in the pilgrim house Stojanov at Velehrad. The Association is an organization of all hospital chaplains appointed by the Roman Catholic Church and the Greek Catholic Church to serve the ill in hospitals, their families, doctors and other medical and care personnel.

A hospital chaplain is – similarly to a military chaplain – a man or a woman who is sent by the Church to provide pastoral service in the hospital environment. One of the necessary requirements is a completed theological education at the master's level.

The newly established Catholic Association of Hospital Chaplains is a part of the Czech Bishops Conference as a professional section. At its first meeting the Association elected its committee and a supervisory committee.

More detailed information is available in the section INFORMATION – Today We Present.

From the Student Conference on the Legal Protection of Religious Minorities at the Law School in Prague

The Law School of Charles University in Prague hosted a student conference within the project NAKI. The conference on the legal protection of religious minorities took place on 24 October 2012 and was well attended by students from the Law School, the CEVRO Institute, and other universities and colleges.

Among others the following speakers spoke on the listed topics:

René Petráš (Law School of Charles University): The History of Religious Minorities in the Czech Lands,

Harald Christian Scheu (Law School of Charles University): Religious Minorities and Cultural Conflicts,

Jakub Kříž (CEVRO Institute): Registration of Religious Societies in the Czech Republic Under the New Civil Code,

Petr Šustek (Law School of Charles University): The Conscientious Objection in Health Law,

K. Děkanovská (Hus Institute of Theological Studies): Religious Minorities and the Religious Dialogue,

Wolfgang Wieshaider (Vienna University): Position of Religious Minorities in Austria.

From the International Research Conference on the Legal Status of Church Institutions at the Law School in Trnava

An international research conference took place on 5 November 2012 at the Law School of Trnava University in Trnava; the topic of the conference was *International and National Legal Aspects of the Legal Status of Particular Entities of International Law and of Churches and Religious Societies*.

A number of Slovak and Czech participants presented their contributions: Professor doc. JUDr. Marek Šmid, Ph.D. (President of TU Trnava), JUDr. Vojtech Vladár, Ph.D. (Law School of TU Trnava), doc. JUDr. Stanislav Příbyl, Ph.D, J.C.D. (Law School of TU Trnava), doc. ThLic. Mgr. Damián Němec, dr (Law School of TU Trnava), JUDr. Kamila Bubelová, Ph.D. (Law School of UP Olomouc), JCDr. PaedDr. Jozef Marčín, Ph.D. (Catholic University Ružomberok), JUDr. Róbert Gyuri (Public Administration School of UPJŠ Košice), JUDr. Mgr. Martina Gajdošová, Ph.D. (Law School of TU Trnava), PaedDr. Marián Cipár (Trnava Self-administrated Region), ThDr. Martin Šabo, Ph.D. (Law School of TU Trnava), ThLic. Mgr. Michaela Moravčíková, Th.D. (Law School of TU Trnava).

From the 24th Congress of the European Consortium for Church and State Research, Budapest 2012

The 24th congress of the European Consortium for Church and State Research took place on 8–11 November 2012 at the Law School of Péter Pázmány Catholic University in Budapest. The topic of the conference in 2012 was *Religion and the Role of the State in the European Union*. Doc. JUDr. Zábaj Horák, Ph.D., who participated at the congress, authored a detailed report about the congress that is included in the section INFORMATION.

The Law on the Property Settlement with Churches and Religious Societies has been Published

Law No. 428/2012 Coll. of 8 November 2012 on the property settlement with churches and religious societies and on amendments of certain other laws was published on 5 December 2012 in the Collection of Laws of the Czech Republic No. 155. The law came into force on 1 January 2013, with the exception of section 13 of the law (the section limiting transfers of property that was subject to a wrongdoing), which came into force on 5 December 2012.