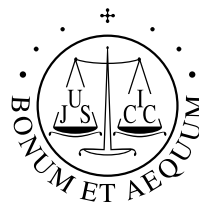


Church Law Society



CHURCH REPORTER

3/2021

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

19th March 2021 | Volume 6



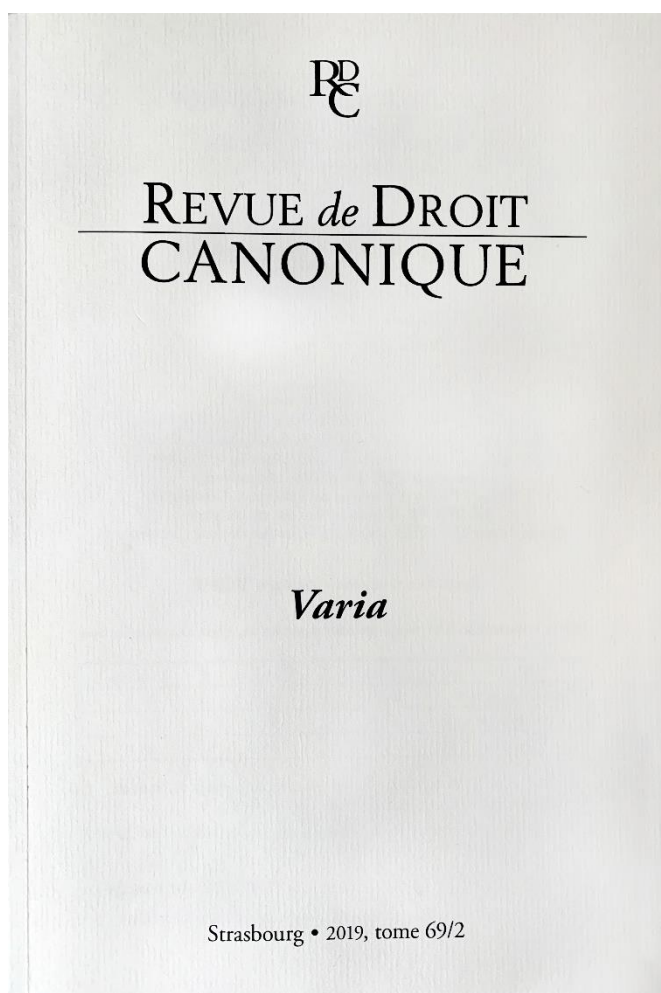
Memory of Miracle That Happened 22 Years Ago

On 12th March 1999, a miracle happened: the foreign ministers of the Czech Republic, Poland, and Hungary handed over instruments of ratification to Madeleine Albright, United States Secretary of State, in Independence, Missouri, and became members of the North Atlantic Treaty Organization (NATO).

We still consider this event to be a miracle and a great good sent by God to the Czech Republic, overcoming the danger coming from the East. May it strengthen us in the belief that a miracle will happen again, and evil will be overcome, i. e. pandemic that is now afflicting the whole world.

Záboj Horák

Excellent Issue of Revue de Droit Canonique



The Church Law Society has been cooperating for more than twenty years with one of the world's leading centres for the teaching and research of canon and religion law, located at the University of Strasbourg. The first meeting of colleagues from the Czech Republic and Alsace took place as part of the Second European-American Conference, organized in June 1999 by Professor Gerhard Robbers at the University of Trier.

In 2000, the chairman of the Society, Professor Jiří Rajmund Tretera, visited Professor Francis Messner, head of the Strasbourg centre, director of the Religion Law Department of the French Academy of Sciences and Professor at the Robert Schuman University in Strasbourg. He also met the then editor-in-chief of the Revue de Droit Canonique, published by the University of Strasbourg, which was Dr Jean Werckmeister (1947–2011) and

arranged with him the exchange of the journals Revue církevního práva/Church Law Review, published by the Church Law Society in Prague, and Revue de Droit Canonique, which is still ongoing.

Revue de Droit Canonique (RDC) is the oldest French scientific periodical on canon law. It was founded in 1951 by Professor Jean Bernhard and today it is led by Professor

Marcel Metzger and Professor Marc Aoun as editor-in-chief. RDC is characterized not only by the highly professional content of its articles in the fields of canon and church law, religion law, and the law of religious communities (especially Jewish law) and the legal history of churches, but also by beautiful graphic design.

In the latest issue n. 69/2, 2019, which we recently received, there are even colour pictures in several articles, which cause the text to be revived.

The first article in issue n. 69/2 *An Orthodox Consideration on the Legislative œuvre of Pope François* by Grigorios D. Papathomas focuses on the legislative acts presented by Pope Francis in the first five years of his pontificate. The legislative “œuvre” of Pope Francis being so large, the author of the paper deals mainly with two fields: Marriage and Family and Ecclesial Synodality. The first field represents the inner matter of the Church, whereas the latter one influences Catholic Church relationship with other Churches.

In his study *Rethinking the governance of Catholic parishes* Benoît Pigé analyses the different possible approaches to the parish governance. On the diocese of Poitiers the author demonstrates a “model where the priest loses his office of *curé* (in the sense of leader) of the parish to become guarantor of the Catholic communities’ communion in the diocesan Church”.

When the first lockdown in France ended in May 2020, the gathering in the places of worship still remained prohibited. The attitude of French bishops towards the restrictions differed. Some bishops permitted private masses in small circles, some did not. Article *The Church in France faced with the prohibition of gatherings in places of worship on sanitary grounds: the question of Mass at home* by Pierre-Marie Berthe evaluates this contemporary practice and its problematic aspects.

Christian Wehking’s study on *Sunday Rest and its evangelical perception during the Period of the Reformation. A Franco-German approach to the sources about the « Dies Domini »* reflects the changes in observance of the Lord’s Day Rest (i. e. the Sunday Rest and the participation in Sunday Mass) since the 16th century. The author emphasizes the importance of this living tradition of the Church also in the field of ecumenical dialogue.

In *Christ and the Adulterous Woman: A Legal Approach* François Gendron demonstrates that the origin of the legal principal which forbids the use of courts for purposes contrary to justice can be traced down in the story of merciful Jesus and the woman taken in adultery.

The last two papers concern with the manuscripts: *Canon law manuscripts of the Abbey Saint-Martial of Limoges (9th–11th century)* by Laura Viaut and *The production of the manuscripts of Gregorius IX’s Decretales in Italy. Some peculiarities in the history of the book* by Frédérique Cahu.

More information: <http://www.droitcanon.com/>

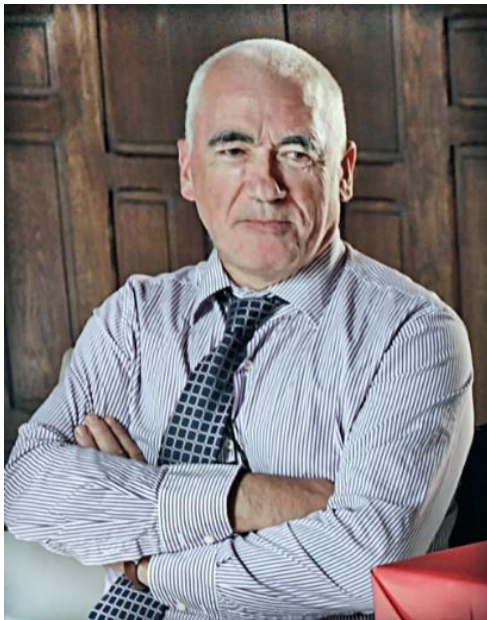
Jakub Nagy/Záboj Horák

Doctoral Studies in Canon Law at the University of Lucerne

The Faculty of Theology at University of Lucerne (Switzerland) has offered two PhD positions in Canon Law/Law and Religion (50%). The deadline for applications was 15 March, 2021. These days, there is an ongoing procedure on the basis of which doctoral students will be selected. Information for our periodical was provided by Professor Adrian Loretan and we thank him very much.

Záboj Horák

Professor Pierre-Henri Prélot Passed Away



We regret to receive the news that on 19th February 2021, Professor Pierre-Henri Prélot (1959–2021) from the Conflans-Sainte-Honorine, region of Île-de-France, member of the European Consortium for Church and State Research, left for eternity. We bring back a memory written by his colleague and friend Professor Francis Messner from the University of Strasbourg, who gave a lecture in June 2019 in Prague at an international conference “Fourth Season of Prague Dialogues on Church and State Relations: Spiritual Care in Public Institutions” organized by the Church Law Society and the Faculty of Law, Charles University.

Photo by Corinne Prélot

In memoriam Pierre-Henri Prélot

Le Consortium européen pour l'étude des relations entre les États et les Églises tient à saluer la mémoire de Pierre-Henri Prélot décédé le 19 février 2021. Membre actif et fidèle du Consortium il a participé à tous les colloques annuels et rédigé une contribution dans chacun des recueils d'actes. Il a en outre tenu avec une régularité de métronome la rubrique «France» de la *Revue européenne des relations Églises États*. Ses textes d'une grande clarté et d'un style élégant étaient très attendus par tous les lecteurs.

Pierre-Henri Prélot est agrégé des facultés de droit, diplômé de l'École Supérieure de Commerce de Paris (ESCP) et titulaire d'un doctorat en droit public. Il a été professeur à la faculté de droit de l'université de Cergy Pontoise pour laquelle il s'est fortement engagé en exerçant diverses responsabilités administratives. Il a notamment été Doyen de cette Faculté, de 1997 à 2002, directeur de l'école doctorale de droit et sciences humaines et vice-président

et membre des conseils d'administration et du conseil scientifique de cette université. Il a également exercé d'éminentes fonctions nationales en tant que membre du jury du concours externe d'agrégation de droit public (2015–2016) et membre du Conseil national des Universités (section 02/droit public) en 2003–2007 et 2011–2015.

Fort de son expertise en droit des cultes, Il a été sollicité par le ministère de l'Intérieur en 2005 pour siéger dans la Commission de réflexion juridique sur les relations des cultes avec les pouvoirs publics avec les deux autres co-auteurs du *Traité de droit français des religions*, Jean Marie Woehrling et Francis Messner. Spécialiste du droit de l'éducation, il a fait partie de la commission du ministère de l'Éducation nationale chargée par le Conseil supérieur des programmes (CSP) d'élaborer l'avant-projet de réforme de l'enseignement d'éducation morale et civique au lycée en 2018.

Pierre-Henri Prélot était un enseignant dévoué à ses étudiants et un chercheur renommé pour ses travaux sur le droit des religions, le droit et l'histoire constitutionnels, l'histoire des idées, le droit des libertés fondamentales et le droit de l'enseignement. Esprit novateur et réticent à tout conformisme, Il avait initié avec d'autres universitaires français les travaux en droit des religions en France et la discipline lui doit beaucoup. Le long chemin parsemé d'embûches de la rédaction du *Traité du droit des religions* a illustré ses qualités académiques augmentées d'une rare capacité de travailler en équipe, de respecter et d'entendre les arguments de tous sans distinction de statut et de hiérarchie. Son exceptionnelle compétence en droit des religions était très appréciée à l'université de Strasbourg où il était membre du comité de rédaction de la *Revue du droit des religions* et régulièrement sollicité pour prendre part aux conférences et séminaires.

Pierre-Henri Prélot a été un collègue attachant, attentif, profondément humaniste, doté de fortes convictions quant à sa conception exigeante de l'université. Nous garderons le souvenir d'un homme engagé et brillant, toujours prêt à porter et à accompagner des dossiers complexes avec enthousiasme et une incomparable ténacité. Nous restent aussi en mémoire nos nombreuses discussions et ses réparties humoristiques au cours des repas d'après colloques qu'il affectionnait particulièrement. Ses qualités humaines étaient à la hauteur de ses mérites académiques.

Le départ de Pierre-Henri laisse un grand vide, son acuité intellectuelle et son amitié vont évidemment nous manquer. Mais sa marque demeure et gageons qu'elle inspirera de futurs engagements dans le champ du droit des religions en France.

Francis Messner

From New Publications

BERLINGÒ, Salvatore, CASUSCELLI, Giuseppe, *Diritto ecclesiastico italiano, I fondamenti, Legge e religione nell'ordinamento e nella società d'oggi*, G. Giappichelli Editore, Torino, 2020, 336 p., ISBN 978-88-921-3650-2.

Journals, periodicals

Ecclesiastical Law Journal, Cambridge University Press, Cambridge, ISSN 0956-618X, Vol. 23, No. 1, January 2021,

including:

BLANEY, Ian, *The Treatment of Human Remains under the Ecclesiastical Law of England*, pp. 3–18,

FRANK, Rashri Baboolal, *Historical Milieu of Tribunals in South Africa: The Role of Church Tribunals*, pp. 67–81,

DOE, Norman, NIKIFOROS, Dimitrios, *William Beveridge (1637–1708)*, pp. 82–99.



*South Bohemian town of Třeboň. A typical view of a contemplative landscape in southern Bohemia.
In the centre of the picture is the parish church of Our Lady Queen and St. Giles.*

Photo Sylvie Grulichová

Church Reporter – Newsletter for the English speaking members and friends of the Church Law Society, Prague – Brno – Olomouc – Stříbro, published by Church Law Society, Sudoměřská 25, 130 00 Praha 3, Czech Republic.

Photo on the front page: Strasbourg, University of Strasbourg, headquarters of Revue de Droit Canonique, September 2015. Photo by Záboj Horák

Editor-in-Chief: P. Jiří Rajmund Tretera OP
Deputy Editor-in-Chief: Záboj Horák
Editorial Board: Jan Beránek, Vojtěch Círus, Tomáš Grundza, Jakub Nagy, Marek Novák
Photo editor: Antonín Krč

Available online at: spcp.prf.cuni.cz/newsletter. Issues appear monthly. E-mail: spcp@prf.cuni.cz
ISSN 2695-012X