
 Eastern approaches
Ex-communist Europe

Czech politics**Czechs close to compensating churches**

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MORE than two decades after the end of Communism, Czechs are close to compensating churches for properties seized during the four decades of Communist rule. A long-awaited restitution bill cleared the parliament's lower house after a lengthy debate in the wee hours of July 14th, but it still faces an uphill battle.



Under the terms of the deal between religious groups and parties of the centre-right ruling coalition, churches would receive property, mostly land, worth 75 billion Czech koruna (€2.9 billion), or about half the property nationalised by the Communists. The churches would be required to prove that they owned the property on February 25, 1948, the day of the Communist putsch. In addition, churches would receive financial compensation for the property that could not be returned, including the land or forests owned by third parties, worth 59 billion koruna (€ 2.3 billion), which will be paid over 30 years.

The country's strongest faith, the Catholic Church, would receive 80%, the largest chunk. The state would also phase out by 2030 the financing of religious groups, including paying the clergy's salaries.

The restitution plan is the third such bill to reach parliament since the 1989 Velvet Revolution. It comes long after the newly democratic state returned private property and, in most instances, years after other ex-Communist countries settled the matter.

According to Jakub Kriz, a law lecturer at the Prague-based CEVRO academy who took part in drafting a failed church restitution bill under Mirek Topolánek's cabinet, previous attempts at settling the matter were either half-hearted or lacked parliamentary support. "This is the first government that is serious about it and has a majority," said Kriz.

Perhaps incidentally, the restitution deal comes after a recent thaw in church-and-state relations, marked by Dominik Duka's arrival to the office of Archbishop of Prague in 2010. Mr Duka is now also a cardinal. He maintains friendly relations with Vaclav Klaus, the president, and the duo ended a lengthy church-and-state legal dispute over the ownership of the country's most revered church, the Prague St. Vitus Cathedral, which lies in the heart of the Prague Castle, the president's seat. Cardinal Miloslav Vlk, Mr Duka's predecessor, was ready to take the case to the European Court of Human Rights in Strasbourg.

However, this church restitution plan, just like its predecessors, is highly unpopular with Czechs who belong to one of the most secular nations in Europe, deeply distrustful of organised religion. It will be a highly charged issue at the regional elections in autumn. A December opinion poll by the Stem pollster found that 69% of Czechs polled were against the idea of returning property to churches in order to ensure their existence. Only 8%, a number which roughly corresponds with that of regular churchgoers, would "certainly" favour such a move.

Historians point out that anticlerical views are part of the Czech national psyche since the 19th Century when leaders of the Czech national movement began to see the Catholic Church as the official religion of the despised Austro-Hungarian Empire. The Communists only amplified those attitudes that remain common today.

Dislike of the Catholic Church oozes from a press release put out by activists who push for a referendum on the deal: "The Church, which has acted since the Middle Ages as an enemy of this nation and an instrument of its oppression, should once again become the largest land owner in our country."

The key political opponents, including the opposition Social Democrats and the populist Public Affairs, a formerly junior ruling party that split and left government, slammed the cabinet for burdening the state budget at a time when it is hiking taxes and cutting costs to tame the budget deficit. Critics see the deal as unjust to the beneficiaries of the private property restitutions from the early 1990s and flawed in its valuation of the seized property that should be compensated for in money. They warn that the law could open a door to claims for property seized by the state before 1948.

Experts expect legal battles. Mr Kriz said that German religious orders, which first lost their castles and land to the Nazis and then to the Czechoslovak state, hope to prove that Czechoslovak postwar courts had returned property to them by the time of the Communist putsch. They think they are eligible to claim it back under the bill's rules.

The plan has its backers sick of waiting for a solution. Municipalities, for one, would be finally allowed to sell or build on municipal land that was once in church hands. Its use has been restricted by law for more than two decades in anticipation of a complex church restitution deal.

The bill, however, still faces significant hurdles. The Social Democrats who dominate the parliament's upper house are expected to return it to the lower house for another vote. The government will need to scramble 101 votes in the 200-seat house in its favour.

While Petr Necas, the prime minister, started out with a safe majority of 118 votes, his government was backed by only 105 lawmakers in the latest confidence vote. They include independents holding grudges against the cabinet as well as those who oppose the restitution plan. Tough haggling over support for the bill is likely to ensue.

Even if the cabinet jostles the bill through, it could be dismantled by its leftist opponents once in power. "Its weakness lies in the lack of political consensus," Mr Kriz said of the agreement. The opposition is already warning that it will abolish the bill. This could open a path to court battles that are unlikely not end well for the state.