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Bakala the pro in a land of dilettantes



Zdeněk Bakala's advantage in the OKD matter has always been that he is a consummate professional up against a bunch of amateurs. When his lawyers drafted his [letter of Aug. 2 to the OKD commission](#), they started by noting the constitutional limits of such commissions and established that other commitments would keep Bakala out of the CR at the appointed time. They then stated that it is his undeniable right not to testify. Taken alone, this statement of an "undeniable right" seems to violate Bakala's [duty as a witness to testify](#). Yet this duty isn't enforceable on a person not present in the CR, and there is no law requiring such a person to travel to the CR to testify. Nor is there any punishment under the law for a person who doesn't appear before a commission. In short, Bakala did nothing that is legally actionable by not appearing. He might be losing the PR battle to Commission Chair Lukáš Černožský, but his highly paid lawyers are winning the legal battle.

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