

The Baxa Doctrine



Chief Justice Josef Baxa of the Constitutional Court told [Respekt](#) earlier this month that resisting the temptation to reverse case law is a sign to him of conservative thinking and that giving into this temptation is a dangerous signal to politicians that a change to the make-up of the Court can bring about a dramatic change in its direction and in the values it is based on. With regard to the [Court's pension ruling yesterday](#), Baxa said that the justices are aware that courts are a [conservative institution](#) but also did not overlook the fact that the world is changing. If the system starts to become unstable, he said, changes must be made, otherwise the situation can become unmanageable, and the immutability of our laws is then of little use. Perhaps this will come in time to be seen as the Baxa Doctrine. The rapporteur for the pension law, Vojtěch Šimíček, told [Czech TV](#) that he absolutely disagrees with dissenting Justice Pavel Šámal that there was a divergence from previous Court rulings. From this it is apparent that it took only one major ruling to raise questions about the future direction of the constitutional order under the Baxa Court.

Read this later today in [Czech](#)



WHO ARE WE?

- an independent, non-profit, membership-based organisation
- a platform for senior members of local and international companies to meet, share experiences and look for opportunities to do business together



Find out more:

info@ibforum.cz

www.ibforum.cz