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Lexikon für Kirchen- und Religionsrecht



Edited by
Heribert Hallermann,
Thomas Meckel,
Michael Droege
and **Heinrich de Wall**



Published 01/2019

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- fast and easy research because of digital availability without DRM
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The editors

Heribert Hallermann is Professor emeritus of ecclesiastical law at the Julius Maximilian University of Würzburg. Professor Hallermann's research focuses on the constitutional law of the Latin Church, on the common rights and duties of the faithful, the ecclesiastical law of associations and religious orders, and the ecclesiastical university law.

Thomas Meckel is Professor of ecclesiastical law, religious law and church legal history at the Philosophisch-Theologischen Hochschule Sankt Georgen Frankfurt. Professor Meckel's research focuses on the theological foundations of ecclesiastical law/theology of law, constitutional law, the right of promulgation and sacramental law, state ecclesiastical law/religious law as well as the history of ecclesiastical law.

Michael Droege is Professor of public law, administrative law, religious constitutional law and ecclesiastical law at the Eberhard Karls University of Tübingen. Professor Droege's current research projects focus on the financing and assets of religious communities, e.g. current issues of ecclesiastical tax law or the transparency of ecclesiastical property law.

Heinrich de Wall is Professor of ecclesiastical, constitutional and administrative law at the Friedrich-Alexander-University Erlangen-Nürnberg. Professor de Wall's research focuses on state ecclesiastical law, Protestant ecclesiastical law, the history of state theory and general administrative law.

Excerpt from the lemma list, Vol. 2

- Konzil, Evangelisch
- Konzil, Katholisch
- Konzil und Codex, Katholisch
- Konziliarismus, Historisch
- Konziliarität, Evangelisch
- Konziliarität, Orthodox
- Konzilsappellation, Katholisch
- Kooperator, Katholisch
- Koordinierungsrat der Muslime, Staatlich
- Kopftuch, Staatlich
- Kopulatheorie, Historisch
- Koran, Islamisch
- Körperschaft des öffentlichen Rechts, Staatlich
- Körperverletzung, Katholisch
- Korrekte Kanonistik, Katholisch
- Koscher, Jüdisch

Excerpt from the lemma „Körperschaft des öffentlichen Rechts, Staatlich“ Hermann Weber

„... K. sind nach dt. Verfassungsrecht (Art. 140 GG i. V. m. Art. 137 Abs. 5 WRV) auch die Religionsgemeinschaften, soweit sie solche – wie die großen Kirchen, aber auch die jüd. Gde. u. eine Reihe kleinerer Gemeinschaften – bei Erlass der WRV bereits waren. Anderen Religions- u. Weltanschauungsgemeinschaften sind auf Antrag gleiche Rechte zu gewähren, „wenn sie durch ihre Verfassung und die Zahl ihrer Mitglieder die Gewähr der Dauer bieten“. Seit dem Zeugen-Jehovas-Urteil des BVerfG vom 19.12.2000 (BVerfGE 102, 370) ist endgültig klargestellt, dass Religionsgemeinschaften, die K. werden wollen, über die genannten Voraussetzungen hinaus rechtstreu sein müssen. Das BVerfG verlangt hierfür, dass die antragstellende Gemeinschaft die Gewähr dafür bietet, dass sie das geltende Recht beachten, insb. die ihr übertragene Hoheitsgewalt nur im Einklang m. den verfassungsrechtlichen u. sonstigen rechtlichen Bindungen ausüben u. ihr künftiges Verhalten die in Art. 79 Abs. 3 umschriebenen fundamentalen Verfassungsprinzipien, die dem staatl. Schutz anvertrauten Grundrechte Dritter sowie die Grundprinzipien des freiheitlichen Religions- u. Staatskirchenrechts des Grundgesetzes nicht gefährden wird. Eine darüber hinausgehende Loyalität zum Staat fordert das Grundgesetz nicht (so das BVerfG)...“

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