

# CHURCH REPORTER

## 9/2020

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

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Brno, Faculty of Law, Masaryk University, Thursday, 17<sup>th</sup> September 2020: Major Jiří Ignác Laňka, Police Chaplain, presents his paper at the 26<sup>th</sup> Church and State conference. Photo by Monika Menke

## Church and State Conference Successful

On Thursday 17<sup>th</sup> September 2020, the 26<sup>th</sup> annual scientific conference *Church and State* took place in the representative room of the Faculty of Law, Masaryk University in Brno. This time it was devoted to two topics. The first was the religion law aspects of the position of police chaplains, the second was the Chinese flu contagion and its influence on the relationship between the state and the church.

The conference was organized by the Department of Constitutional Law and Political Science, Faculty of Law, Masaryk University in Brno, in cooperation with the Church Law Society. It was attended by 24 people. 8 participants, who teach religion law at the faculties of law and theology in the Czech Republic or are lawyers and other experts, presented their papers. Participants from Slovakia did not arrive at the conference due to border restrictions caused by the epidemic.

The conference was opened by Dr Kateřina Šimáčková, judge of the Constitutional Court of the Czech Republic, guarantor of church law branch at the Faculty of Law, Masaryk University, and chairperson of the local group of the Church Law Society in Brno. She was followed by Associate Professor Martin Škop, Dean of the Faculty of Law in Brno, who warmly welcomed the participants.



*Participants of the 26<sup>th</sup> year of the Church and State conference in Brno. Photo Zábaj Horák*

The first part of the conference was devoted to the hot topic of *police chaplains*. Associate Professor Zábaj Horák, from the Faculty of Law Charles University in Prague, was the first to give a lecture on *The Importance and Purpose of Spiritual Care of Religious Communities for Benefit of the Police, Victims of Crime and Natural Disasters*. He was followed by Dr Tomáš Tuza, a doctoral student in the field of church and religion law from the same faculty and an attorney-at-law, with a paper on *Spiritual Care at the US Police*.

Major Dr Jiří Ignác Laňka, SCHLJ, who is the main person that pushed for the establishment of the institute of chaplains at the Police of the Czech Republic and is a chaplain in Prague, was the centre of attention of the participants. He currently works as the head of the Training Department of the Rapid Deployment Unit (URNA) of the Police of the Czech Republic and performs his chaplain activities free of charge. In his paper on *Spiritual Service at the Police of the Czech Republic*, he spoke about the genesis of police chaplaincy and its difficult founding, which was crowned with the first success, the Police President's *Instruction on the Provision of Spiritual Services of 7<sup>th</sup> June 2019*.

Participants of the international conference Fourth Prague Dialogues on Church and State Relations on *Spiritual Care in Public Institutions*, which took place at the Faculty of Law, Charles University in Prague from 13<sup>th</sup> to 15<sup>th</sup> June 2019, know Major Laňka well. He presented a paper and introduced the aforementioned Instruction, which was then completely new.

Deacon Major Laňka also informed about the *Agreement on Conditions for Establishment and Operation of Spiritual Care in Area of the Police of the Czech Republic and Other Security Forces* between the Czech Bishops' Conference and the Ecumenical Council of Churches in the Czech Republic of 14<sup>th</sup> April 2020, about which we informed on the pages of this periodical no. 4/2020.

In his paper and subsequent discussion, he stated that the chaplains serve the police primarily through individual dialogues with those who request it. They also baptize the children of police officers, officiate weddings and conduct police funerals. The spiritual centre of the police chaplaincy is the Church of the Assumption of the Virgin Mary and St. Charles the Great in Prague's Karlov, where Major Laňka is appointed deacon. He celebrates the police ecumenical service *For Safety* in this church continuously every third Thursday of the month for many years. Another area of work for police chaplains is the blessing of flags and new police stations for police units that request it.

After refreshments, the second part of the conference took place, focusing on the topic *Religion and State of Emergency*, of course devoted to the current situation caused by the Chinese flu. Dr Jaroslav Benák from the Department of Constitutional Law and Political Science, Faculty of Law, Masaryk University, and secretary of the local group of the Church Law Society in Brno, the main organizer of the conference, presided the session.

The first speaker was Associate Professor Jiří Dvořáček, a judge of the Metropolitan Ecclesiastical Court in Prague, a lecturer in church law at the Faculty of Law, Masaryk University in Brno, active in the Diocese of Görlitz (Germany) and formerly at the Catholic University and the Ecclesiastical Court in Eichstätt (Germany). In his paper, he focused on the consequences of the contagion for religious freedom in the Federal Republic of Germany.

The following speaker, a leading Prague attorney-at-law, Dr Jakub Kříž, who teaches religion law at the Faculty of Law and the Catholic Theological Faculty, Charles University, dealt with *Restrictions on Religious Freedom Due to Contagion*.

Attorney-at-law, Dr Ronald Němec, from Karlovy Vary and Prague, followed up on the topic *Legal Analysis of Church Space as Public and Private Space from Point of View of Valid Czech Law and Canon Law*.

Another lecturer was Dr Adam Csukás, a doctoral student in church law and religion law, Faculty of Law, Charles University, and lawyer of the Synod Council of the Evangelical Church of Czech Brethren, who dealt with *Legal Measures of Evangelical Church in Relation to Contagion*. He deals with this topic in practice and has experience with it.

Finally, Mgr. Kamila Abbasi, a doctoral student in constitutional law at the Faculty of Law, Masaryk University, presented her paper on *Muslim Veil in Italian and French Prisons*.

The conference was attended by Associate Professor Damián Němec OP, head of the Department of Church History and Ecclesiastical Law of the Saints Cyril and Methodius Faculty of Theology, Palacký University in Olomouc, and chairman of the local group of the Church Law Society in Olomouc, and Dr Monika Menke, from the same department, secretary of the Olomouc local group, who acquired the visual documentation.

The conference was also attended by Dr Michal Lamparter, who together with Professor Jiří Rajmund Tretera, OP, founded and led the series of conferences until 2009.

Further visual documentation of the official photographer of Masaryk University is available here: <http://cirkevastat.law.muni.cz/content/cs/fotogalerie/>.

## On 28<sup>th</sup> September We Will Celebrate the National and State Holiday of St. Wenceslaus



As every year, the Czech nation will celebrate the feast of the main patron saint of the Czech lands, St. Wenceslaus. Prince St. Wenceslaus, a martyr, lived at the beginning of the 10<sup>th</sup> century and is considered one of the first creators of the Czech state. In an extraordinary way, Christians celebrate the feast of St. Wenceslaus, as the patron saint of the faith, especially those who have as part of their faith the cult of saints, intercessors in Heaven. But the personality of St. Wenceslaus unites all Czechs without distinction. The Parliament of the Czech Republic declared St. Wenceslaus Day as a holiday of Czech statehood 20 years ago. This day is a day off throughout the country.

We are waiting with hope and anxiety for the traditional St. Wenceslaus celebrations to take place this year, when a number of restrictions on public gathering have been set again. We will report on this in the next issue. The name Václav (Wenceslaus) is a popular first name in the Czech Republic.

# Bishop Václav Malý Celebrated His 70<sup>th</sup> Birthday



Mons. Václav Malý, today the Prague auxiliary bishop, who in his tumultuous youth was one of the leading activists of the anti-communist resistance in Czechoslovakia and was one of Václav Havel's closest collaborators, celebrated his 70<sup>th</sup> birthday.

He was born on 21<sup>st</sup> September 1950 in Prague. After his studies at the Faculty of Theology in 1969–1976, he was ordained a priest in 1976 and then, until 1978, he served as a chaplain. In 1977, he signed Charter 77, a legal document requiring the then communist leadership of the state to respect human rights in accordance with the Helsinki Accords on Human Rights. In 1978, he became a member of the Committee for the Defence of the Unjustly Prosecuted.

From January 1979, when the communist authorities revoked his state approval for clerical work, he worked as a surveyor. He was arrested in May 1979, accused of subverting the republic and held in custody until December 1979. From 1980 to 1986 he worked as a boiler operator in Prague hotels.

He was a spokesman for Charter 77 from 1981 to 1982. He became widely known to the Czechoslovak public during the Velvet Revolution at the end of 1989, when he moderated large anti-communist rallies such as the rally of three-quarters of a million people on the Letná Plain in Prague on 25<sup>th</sup> November 1989, or several rallies on Wenceslas Square in Prague. He was a co-founder and first spokesman for the Civic Forum, a political association of anti-regime-oriented politicians, led by Václav Havel.

Since 1990, he has voluntarily resigned from all political positions and left politics to pursue his priestly mission and, above all, his pastoral ministry. He worked in Prague parishes for several years. In 1996 he was appointed titular bishop of Marcelli and auxiliary bishop of Prague. As the Episcopal Vicar of the Archbishop of Prague, he is in charge of the pastoral care of priestly vocations, church education, the teaching of religion in schools and catechesis.

As part of his activities at the Czech Bishops' Conference, he is a member of the Commission for the Priesthood and chairman of the Council of Iustitia et Pax, Minorities and Migrants, and the Council for the Pastoral Care of Compatriots Abroad.

*Ad multos annos!*

## From New Publications

WOLF, Judith, UHLE, Arnd (eds.), *Institutionen unter Druck: Europarechtliche Überformung des Staatskirchenrechts*, Essener Gespräche zum Thema Staat und Kirche, Band 55, Aschendorff Verlag, Münster, 2020, 196 p., ISBN 978-3-402-10579-5,

including:

GREINER, Stefan, *Funktionalität oder Institutionalität: Das kirchliche Arbeitsrecht als Exempel – Zum Konflikt von EuGH und BVerfG*, pp. 101–127.

OHLY, Christoph, HAERING, Stephan, MÜLLER, Ludger (eds.), *Rechtskultur und Rechtspflege in der Kirche: Festschrift für Wilhelm Rees zur Vollendung des 65. Lebensjahres*, Kanonistische Studien und Texte, Band 71, Duncker & Humblot, Berlin, 2020, 1310 p., ISBN 978-3-428-55711-0,

including:

PREE, Helmuth, *Das Ordinariat für die Gläubigen der katholischen Ostkirchen in Österreich*,

SCHWARZ, Karl W., *Über die Selbstverpflichtung „Vorurteile abzubauen“ und den Dialog mit den „Freikirchen“*,

HAMMER, Felix, *Kirchensteuer und Konkordate*,

KÄMPER, Burkhard, *Das christliche Menschenbild in der Pflege*,

KOWATSCH, Andreas, *Wenn Unionsrecht, nationales Recht und kirchliches Recht kollidieren – eine Relecture des sogenannten „Chefarztfalles“*,

MANTEN, Georg, *Konfessioneller Religionsunterricht in öffentlichen Schulen unter den Bedingungen des 21. Jahrhunderts*,

NĚMEC, Damián, *Eigentumsvergleich mit Kirchen und Religionsgemeinschaften in der Tschechischen Republik im Lichte der Beziehungen zwischen Staat und Kirche*,

ROCA, María J., *Propuesta de modificación de la Ley Orgánica de Educación en España: consecuencias sobre el derecho de los padres a elegir la formación religiosa y moral de sus hijos*,

SCHANDA, Balázs, *Staatskirchenrechtliche Kontexte des Religionsunterrichts in Ungarn*.

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Photo on the front page: Brno, Faculty of Law, Masaryk University, Thursday, 17<sup>th</sup> September 2020: Major Jiří Ignác Laňka, Police Chaplain, presents his paper at the 26<sup>th</sup> Church and State Conference. Photo by Monika Menke

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