

Church Law Society



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Prague – Brno – Olomouc – Stříbro – České Budějovice

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English version



On the public holiday of 28th October 2023 (the anniversary of the declaration of Czechoslovak independence in 1918): the raising of the Czech flag at the estate at Na Skaličkách 24 in the town of Mšeno u Mělníka.

Photo Záboj Horák

Ukrainian flags are flying over all Czech towns

Not only in Prague have Ukrainian flags been flying on dozens, perhaps hundreds of buildings since February 2022. In particular, over universities and cultural institutions. As a display of initiative that has not been ordered by anyone. This spontaneous expression of the love of the Czech people for the invaded country of Ukraine can also be seen in quite small towns and villages. Flags have been hoisted by town halls, private institutions and individuals. In our town of Mšeno, Ukrainian flags also fly permanently. Tibetan flags have been hoisted there recently, too.

If Ukraine fell and waved the white flag, then we would be next, together with Poland and the whole of central Europe. We do have the hope, though, that the civilised world would perhaps stand by us. We are pleased that the Czech Republic has been a member of NATO since 12th March 1999, and this was the wish of the vast majority of the population. That date, 12th March, is a kind of unofficial national holiday for us. Only, sometimes, some people deep in their hearts tremble with anxiety as to whether our allies would fulfil their commitments to us in time. And that is why they watch so closely how individual states behave with regard to the defence of Ukraine.

Ukraine is close to us linguistically as the Ukrainian language stands between Russian and Czech. And also emotionally. During the First Republic (1918–1938), many Ukrainians came here from central and eastern Ukraine, which was occupied by Soviet Russia. They were refugees (émigrés) from the Bolshevik terror. In our country their lives were saved and many of them studied here. I myself still remember a Ukrainian doctor from the time of the country's First Republic.

The western part of Ukraine, Halych, was then part of Poland and the most western part, Subcarpathian Ruthenia, was part of Czechoslovakia in 1918–1945. Throughout the time of the First Republic, our Ukrainians had a largely good and loyal relationship with the common government in Prague. A relatively large number of the Ukrainians who have come here from Ukraine in the last 25 years are originally from Subcarpathian Rus. We, too, have one family from there in our Catholic parish in Mšeno.

In relation to the size of the total population, the Czech Republic ranks first in terms of the number of Ukrainians who have been given a home. But even in absolute numbers – more than 300,000 people – we are one of the leaders. Everyone soon learned Czech and they all have good jobs here.

And now our president and prime minister have procured such a large number of artillery ammunition for Ukraine that it is attracting attention worldwide. As a general and former commander of a major NATO force, President Petr Pavel knows very well Ukraine's military needs. Cannons will not suffice when there is no ammunition to go with them. So, for now, we are sort of filling in for the United States, which has been hesitant on this issue. Ideologically, they are on the right side, but in reality they are not as quick as they need to be.

And not only us, but also the United States is on Russia's border. Just a few dozen kilometres in the Bering Strait separate the USA from Russia. Russia has never forgotten that Alaska used to be theirs, as our communist teachers drilled into our heads in school. We have previously recalled President Havel's words that the problem with Russia is that it doesn't know where it

begins and where it ends. Or translated into current language: among its demands is control over the whole of central and eastern Europe, from Ukraine to Austria, and over the whole of the Balkans, which the tsars had once sought, and also the return of Alaska.

We dread the idea of a white flag over Ukraine. Perhaps the Holy Father was really just a little bit wrong. As even the authorities of the Holy See have commented: perhaps he meant a temporary truce, not surrendering and accepting the Russian occupation. We Czechs and Slovaks have our own experience with appeasement: remember Mr. Chamberlain and M. Daladier in Munich in September 1938. If they had not raised the white flag, it might not have cost the whole of Europe and the world the terrible Second World War. Czechoslovakia was ready to fight. It stood alone. Our allies, the people of France and Britain, abandoned us and urged us to surrender. What else could we do, for there was no hope of defending ourselves. But that shame that we did not fight back we have carried at the bottom of our souls for generations to this day. How our parents sang the Polish national anthem with enthusiasm that the Poles had fought back after they were invaded by Germany and Soviet Russia in September 1939. On that occasion, the western allies were not asleep, but the support they gave to Poland was weak. We had to mourn for Poland's defeat.

In principle, as Christians, we prefer to turn the other cheek, but we must not turn the other cheek of our wives, our children and our whole nation. We have to stand up to the aggressor at all times and under all circumstances.

Jiří Rajmund Tretera

Prof. Michal Tomášek from Prague has organised a translation of the European Union regulations into Ukrainian



A commentary on EU documents published in Prague in Ukrainian

The Treaty on the Functioning of the European Union, the Treaty on European Union and the Charter of Fundamental Rights of the European Union. A commentary on these fundamental documents that govern the EU has now also been published in Ukrainian.

They regulate the functioning of the European Union and are the cornerstone of the European Community, which Ukraine also hopes to join. There are even some Member States that don't yet have a commentary on the Treaty on the Functioning of the EU, the Treaty on European Union and the EU Charter of Fundamental Rights in their own language. On the occasion of the Czech presidency of the EU, a team of lawyers from the law faculties of Charles University in Prague, Masaryk University in Brno, Palacký University in Olomouc and the University of West Bohemia in Pilsen made sure that a commentary was published in Czech. At that time, the team also came up with the idea of approaching experienced translators and publishing it in Ukrainian. The Prime Minister of the Czech Republic, Petr Fiala, then took on the patronage of this project.

This scholarly and comprehensive work has been published by Wolters Kluwer publishers to mark the two-year anniversary of the Russian aggression in Ukraine. Moreover, it is also available online in Ukraine to anyone who is interested, as was pointed out by the expert guarantor of the project, Professor **Michal Tomášek**, the vice-dean of the Faculty of Law at Charles University and head of its European Law Department, who noted during the official presentation of the commentary on Monday, 26th February 2024, in Prague's Karolinum that the commentary had already been enthusiastically received by Ukraine's Constitutional Court.

"It is very important that, as it travels on its route towards the EU, Ukraine receives a commentary drawn up by Czech authors, because our legal mindset is very similar to theirs. The more similar the legal mindset is, the more digestible it is for the reader rather than if Ukraine had received, for example, a British or German commentary. Our historical experience and approach to a number of concepts and institutes is very similar," noted Professor Tomášek, who also highlighted the work done by his departmental colleague, Associate Professor Václav Šmejkal, because he too had participated in the project intensively.

In addition to Professor Tomášek, the commentary published in Ukrainian was also presented by the Rector of Charles University, Professor Milena Králíčková, and the Czech Government Minister for European Affairs, Martin Dvořák, who stressed how important the idea of a free Europe living in peace is.

An excerpt from the speech given by Martin Dvořák, the Minister for European Affairs: "We have lived in peace for eighty years, an unprecedented length of time. And therefore it is our duty to help Ukraine be able to defend itself against its aggressor. It's our duty to take in war refugees who have lost their loved ones and their homes in this devastating war. It is also our duty to take decisions that enable Ukraine to develop and live freely in the years ahead. And I believe that Ukraine's membership of the European Union is a step in the right direction. I don't have any naïve notion that the aggressor will end its brutal war from one day to the next. It is always worth remembering the words of President Václav Havel that 'the problem with Russia is that it doesn't know where it begins and where it ends'. It is all the more necessary to make

it clear where free and democratic Europe begins, where there is no room for evil empires, where nobody has to be afraid of expressing their opinion and where basic human rights are respected. Ukraine belongs in the free world. It is our duty to do everything we can and that is in our power for it to join this community.”



From the left: Minister Martin Dvořák, Milena Králíčková, the Rector of Charles University, and Professor Michal Tomášek present the Ukrainian translation of the commentary.

Her Magnificence the Rector, Professor Milena Králíčková noted that she was very pleased that Charles University is involved in such important activities. “I place this venture within the frame of everything that Charles University has been trying to do to support Ukraine since February 2022. The frame to this beautiful ornament and jewel that we will present today consists of support for Ukrainian students. Charles University has offered places to study to hundreds of Ukrainian students. I am delighted that many of them are successful in our study programmes and some have already graduated. In addition to helping Ukrainian students, we have also been able to support dozens of Ukrainian academics,” the rector said and she pointed out that on Monday morning in Carolinum dozens of scholars originally from Ukraine had discussed how they can apply for European research grants or how they can participate in university alliances or the Eastern Partnership University Cluster project.

The article and images are taken from the Charles University Forum editorial office, editorially condensed

Masaryk's anniversary

On 7th March 2024, on the earlier commemoration of Saint Thomas Aquinas' death, our country celebrated the birth of our President the Liberator, Tomáš Garrigue Masaryk (1850–1937), as it has done since 1919. Without this great man and his colleague, the sociologist Edvard Beneš, we would not have our freedom and independence. After all, it was only by a thread that we gained independence after the First World War. It was a great moral task to lead the Czech nation to what it had lost a long time ago, i.e. the sovereignty of its own state. And to also include the Slovak nation in this.

We cannot agree with everything that T. G. Masaryk, a professor of philosophy, said or advocated over the course of his long life. As Catholics, it will always pain us that he lacked a proper sense of the Catholic Church. His Christian faith, based on an individualistic approach, albeit influenced by the deep thinking of the American puritans, was and still is admired today. But the churches, including his own, the Evangelical Church of Czech Brethren, were somehow written out of this.

His radical rejection of the considerations by a section of the Romantic Czech intelligentsia to put themselves at the service of Russia was very prescient. In several of his writings he talks about his experiences during his visits to Russia. He discovered a complete difference between the Russian and Czech national characters. And the absolute and traditional unreliability of Russian diplomacy throughout history. He believed that the only correct orientation was towards western Europe and North America. I would also add that although the Czech lands lie geographically to the east of Germany, spiritually they are to the west of Germany.

His actions, from his preparations for going into exile immediately after the outbreak of the First World War in 1914, his departure for the west at the end of that year and his leadership of the foreign resistance, primarily from France and the United States, were heroic. Despite the sacrifices made by his family in Prague. Only through the daily meticulous work “such work like an ant” that he espoused could he prevail. His organisation of Czechoslovak legions in Russia, Italy and France from among foreign Czechs and Slovaks and later from those who had defected from the Austro-Hungarian army contributed to his success. The legions in Russia grew to more than 40,000 men and they proved themselves at the front, particularly during the Provisional Government. The Bolsheviks wanted to disarm them. The democratically minded Czechs, after an agreement with their supreme commander T. G. Masaryk, rejected this and took control of the entire Trans-Siberian Railway, as far as Vladivostok. Western diplomacy saw them as a great allied force.

To begin with, Masaryk financed the resistance from his and Beneš's money and over time he received a lot of financial help from one million Czechs and Slovaks in the USA, whom, by some miracle, he convinced that the resistance he led had meaning. These American compatriots were also co-creators of Czechoslovakia. And there was also support from many advocates of the Czech nation in Britain and France. Educated circles in Italy were taken charge of by Masaryk's Slovak colleague, Milan Rastislav Štefánik, an astronomer and meteorologist from Prague University, who as a French citizen eventually joined the French army there and made a rapid career from lieutenant to general. As a meteorologist, he predicted wind movements many times, which protected the French from German poison gas.

Masaryk was elected president of the Czechoslovak Republic four times. He was never persuaded to rule authoritatively even though the occasional confusion of the democratic regime may have called for it. He was a principled and sworn democrat. However, he wished not for a mechanical democracy, but a “*humane democracy*”, based not on the momentary mood of the people, but on wise ideas on which the majority of an educated and cultivated nation could agree.



Pastoral Care of Lawyers in Prague

The March meeting of the spiritual care of lawyers in Prague and a foray into canon law in church practice

On Thursday, 7th March 2024, in the week after the Third Sunday of Lent, our meeting in the Church of St. Francis of Assisi in Prague’s Old Town, at the foot of Charles Bridge, was imbued with the spirit of Lent. We were all reminded of our need for repentance and preparation for a fresh start on the Easter victory of Jesus. We went quietly within ourselves during Mass and at our subsequent meeting.

This powerful wafting of the Spirit is always supported by the playing of one of the oldest organs in Prague, which happens to be in this church. We are so pleased every time Mr. Adam Němec, an organ virtuoso from the Church of the Assumption of the Virgin Mary in Karlov, comes to play the organ for us. Only someone who lives a spiritual and truly Christian life is able to convey the message of our faith through music. The accompanying singing in the church is more than just a concert. And we are fortunate that we can experience this with our organist.

It is also worth noting that he comes with his young wife Anežka, our dear colleague who is a graduate of our law faculty who studied all five church subjects that are taught there as well as attending several seminars in that field. She is also a member of the Church Law Society and helps our leadership to organise evenings on the subject of “The Function of Law in Society and the Churches” for the general public several times a year.

The sober spirit of Lent was also reflected in the representation of the People of God at the most holy eucharistic sacrifice: this time there was only one priest, P. Prof. Jiří Rajmund Tretera OP, at the altar and only one acolyte, Assoc. Prof. Zábaj Horák, assisting him.

Each of our subsequent sessions in the refectory of the Monastery of the Knights of the Cross brings something new. We postponed our planned stroll through the rules on celebrating Mass until our next meeting and instead immersed ourselves in the stories of those present about their

work in legal practice. Sylvie Grulichová and Jakub Nagy, who are graduates of our faculty, and Eva Vybíralová, a doctor from the Catholic Theological Faculty of Charles University, talked about their work in the institutions where they are employed. And we all asked them lots of questions. We were all so interested in what they had to say.

We are grateful to P. David Kučerka OCr for again providing the refreshments. With the words that this time they would truly be in the spirit of Lent. Even so, they were very good.

Finally, our evening concluded with an informative foray into places where canon law is put into practice: in the pastoral work of Father Rajmund around four parishes and eight churches in the Diocese of Litoměřice, as well as in Central Bohemia, in the vicariate of Mladá Boleslav, which he cares for together with the local parish priest by agreement with him and at his invitation. For better pastoral care, we have decided to publish the *Mšeno Parish News*, a monthly magazine for the parishes in Mšeno, Skalsko, Kadlín and Bukovno. As a counterpart to *Mšensko*, news for Mšeno and the surrounding area, which is published by the Municipal Authority in Mšeno and to which we also contributed two short articles last month.

Our session in the monastery turned into a kind of headquarters for the upcoming magazine. We agreed that, like *Mšensko*, our magazine would be published monthly and would have 12 pages containing a number of small articles and lots of photographs. In black and white (we do not have enough money for colour). The recipients will be the faithful in all the parish and branch churches and the general public in the towns and villages that the Mšeno pastoral care reaches. The magazine will be distributed free of charge. A few copies will be given to the town library and all the shops that carry *Mšensko*. And also municipal and local authorities and all social, cultural and educational institutions.

The secretary of the Church Law Society, Tomáš Grundza, gave us a report on his successful meeting with the printer and the price quotation. Printing will be done for us promptly, by the second day after we have sent the magazine to the typesetters. We brought the preparatory phase of our discussion on the preliminary issue of *Mšeno Parish News* to a close and will ask our colleague and graduate of our faculty, Marek Novák, for the layout and typeset of this issue to help us prepare for Easter.

The sponsor of *Mšeno Parish News* will be Záboj Horák, the publisher will be the Church Law Society. We will ask the Litoměřice Bishopric for church approval and the ISSN will be obtained by Tomáš Grundza.



We were at the Lenten spiritual renewal in Bělá pod Bezdězem



We have been to the parish in Bělá several times before. After all, it is the seat of the district vicar of the vicariate of Mladá Boleslav, to which our Mšeno parishes belong. R. D. Kamil Škoda, the young parish priest and vicar, diocese chaplain for young people and well-known organ virtuoso, has always given us a warm welcome, since our visit to him last Christmas. We also congratulated him on his 40th birthday.

This time, he invited us to a spiritual renewal on **Saturday, 9th March 2024**. It began with Mass in the parish church of the Exaltation of the Holy Cross at 9 a.m., concelebrated by R. D. Kamil Škoda and P. Jiří Rajmund Tretera OP. Coffee in the vicarage, planned for 10 o'clock, was most welcome as on that day we had been surprised by the cold and strong wind.

From 10.30 we continued with the spiritual programme in the large parish hall. First, Záboj Horák and Jiří Rajmund Tretera presented themselves by talking about the divine interventions in their lives. Then, each of the fourteen participants said something about themselves.

This was followed by a *spiritual lecture* by Father Rajmund. First, he followed up on his sermon at Mass and continued to interpret the pericope from the Gospel according to Luke, which fell on that Saturday, L 18, 9–14, which tells the parable of the Pharisee and the Tax Collector. We reflected together on what this means for our lives and how we should continue our Lenten renewal. At the stroke of 12 o'clock, everyone stood up and prayed the customary noon prayer, the Angel of the Lord. After that, everyone returned to the church again and spent half an hour in adoration before the Blessed Sacrament displayed in the monstrance.

Text and photo Záboj Horák

A little about the renovation of the Na Skaličkách estate and its spiritual use

Since September 2023, Zábój Horák has been organising the renovation of his family seat at Na Skaličkách 24 in Mšeno near Mělník, where he lived with his parents from his birth in 1975. He has a lot of experience of working in its gardens, which he was involved with during his studies at the law faculty and later. However, he and his brother received their First Holy Communion together at St. Martin's Church in Mšeno and he received Holy Confirmation from Bishop Koukl of Litoměřice.

Together with him, P. Jiří Rajmund Tretera OP is also devoting himself to this work. Both of them help out in the parish church, which is not far away. Just a few steps past the Sokol (Falcon) Sport Club near the estate, across Peace Square with the town hall and the statue of the Virgin Mary, St. Sebastian and St. Roch, and they are at the massive neo-Romanesque Church of St. Martin at the top of Masaryk Avenue. In all, it's only about 100 metres.

Recently the roof **on the main building** was renovated and a new gate was bought. The chimneys were re-lined before Christmas 2023 and several new wood-burning stoves and electric storage heaters were purchased. Now, in March 2024, two rooms on the first floor have just been combined and a large room is being built for the library, computer room, *reading room* and *picture gallery*. *Three guest rooms*, a bathroom, toilet and laundry room are now being furnished.

On the ground floor, *we already meet with parishioners and visitors in the chapel and the dining room for conversation, preparation for baptism and basic religious education*. Then we don't yet have to put the heating on in any other room in the vicarage. The heating is on here anyway. Along the corridor between the kitchen and the music room the old bathroom is being demolished and a new one is being built, including a toilet. The old toilet on the mezzanine will be more of a museum piece. The second part of the gallery has been set up in the bedroom.

Behind the front garden, on the side of which stand two bungalows with four rooms, is a substantial **barn with a high roof**. God willing, this will be rebuilt by autumn 2024 so that in its largest space with its own door there will be a lecture theatre with a fireplace, film screening facilities and a piano wing. The garage in the middle of the barn will also be restored. The space at the far end, where the workshops and the passage to the larger rear garden are, will also be improved.

Parishioners and neighbours who live in the town and surrounding area will be invited to *lectures, concerts and the cinema*. And for rest and meditation in both gardens, which expert gardeners will transform into an *arboretum*. Each tree (57) will have an inscription with its Czech and Latin name.

We will invite homeowners from Prague and large towns in the northern half of Bohemia, who come here to their summer homes, too. And last but not least, also tourists and pilgrims who pass through Mšeno in crowds and multitudes as a gateway to the nature reserve around the romantic Kokořín valley and to the castles of Kokořín, Houska, Lobeč and Bezděz or climb up to the lookout tower on Vrátnská hora (Mountain of Vrátno) above Mšeno. And they pass right through Na Skaličkách Street, past the windows of the estate.

You may be wondering sceptically how often this invasion of privacy will be tolerated. The answer is simple: to begin with, maybe every Saturday. With a break during the coldest months, from December to February. In autumn and spring, on that day heating will be provided by the planned large fireplace, which our master craftsman and owner of a chimney and stove company has designed and promised to build. He also continues to organise most of the renovation work. In the summer holidays, there may also be performances on other days of the week. Here it is the other way round compared to our towns. It is in the summer that there is the greatest interest in public events and social life. And a greater number of inhabitants.

First, the incomplete repair of the barn roof will be fixed. The whole roof should be finished and in order by summer. In cooperation with a gardening company, which has pruned the trees and is now preparing the ground, the stone-paved access path from the main gate to the garage and the lecture hall will be cleared. Except the front part, i.e. the courtyard between the gate and the front garden, where flagstone paving will be constructed.

Hopefully the whole of the main building (see the photo on the front page of this issue of the Church Reporter) will be replastered in the summer so that it will shine out into the world with its newness and elegance, and serve as a worthy advertisement. Also, all the windows will be filled with flowers. At the front and back. Flowers thrive here, as do the birds.

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Photo on the front page: On the public holiday of 28th October 2023 (the anniversary of the declaration of Czechoslovak independence in 1918): the raising of the Czech flag at the estate at Na Skaličkách 24 in the town of Mšeno u Mělníka.

Photo Zábój Horák

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