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Report on the International Scientific
Conference “Religious symbols in public sphere
in the legal orders of Central and Eastern
European countries”, 28 May 2021

*Sprawozdanie z Międzynarodowej Konferencji Naukowej
„Religious symbols in public sphere in the legal orders of
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1. Background of the conference

On 28 May 2021, the International Scientific Conference “Religious symbols in public sphere in the legal orders of Central and Eastern European countries” took place in Warsaw. The conference was the inaugural event of the Polish part of the research team on Freedom of Conscience and Religion in Europe of the Central European Professors Network 2021. The main organizers of the project were the Ferenc Mádl Institute of Comparative Law and the European Association for Comparative Law. On the Polish side, the event was coordinated by the Institute of Justice in Warsaw.

The Central European Professors’ Network started its international comparative law research activity on 1 January 2021, under the coordination of the Ferenc Mádl Institute of Comparative Law.

The Professors’ Network, with the active participation of seven countries (Czech Republic, Croatia, Poland, Hungary, Serbia, Slovakia, Slovenia) and 34 main

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researchers, runs comprehensive international scientific activities in four research groups. The main frame issues are: "Interpretation of fundamental rights in Europe", "Family protection in law", "Freedom of conscience and religion in Europe" and "The impact of digital platforms and social media on freedom of expression and pluralism". The primary aim of the initiative is to create and organise a Central European professional network through close partnership. The partial and final results of the cooperation, which will run until 31 December 2021, will be made available by each research team on various professional platforms, including conferences, and in the form of publications (scientific articles and books summarizing research results).

One of the groups operating within the European Professors' Network is a working group on the impact of digital platforms and social media on Freedom of Conscience and Religion in Europe. Poland is represented in this group by the following researchers: prof. Paweł Sobczyk and Michał Poniąkowski, PhD.

This was the first event piloted by Polish academics within the Central European Professors' Network 2021. It is worth pointing out that the Central European Professors' Network includes academics from countries such as the Czech Republic, Croatia, Poland, Hungary, Serbia, Slovakia, and Slovenia. The aim of this project is to draw the attention of European citizens to topics that are important and relevant to the future of Europe, in particular Central Europe.

The main theme of the "Religious symbols in public sphere in the legal orders of Central and Eastern European countries" conference were two issues:

- 1) freedom of conscience and religion relating to the possibility of manifesting one's beliefs through religious symbols.
- 2) case law on the issue.

2. Conference Proceedings

Due to the state of the pandemic, the conference was organized online on the zoom platform, as part of the tasks of the research group by Prof. Paweł Sobczyk and Dr Michał Poniąkowski. The technical side of the organization of the conference was provided by cooperation with Institute of Justice in Warsaw.

The concept of this conference was the discussion on the presence of religious symbols which has been going on in European realities for several decades. It is often marked by enormous emotional intensity, reflecting the attitude of society to the basic values on which European culture and civilization are based, and it also testifies to the Christian identity of nations.

The main assumption of the analysis is to show the normative aspect in selected European countries relating to the possibility of manifesting one's beliefs through religious symbols. The position of the judiciary, expressed both by international bodies and by the national judicial system, plays a fundamental role in shaping the contemporary model. It should also be emphasized that historical conditions also have an impact on the presence of religious symbols in public space. The conducted research will show the right of believers to manifest their religious

feelings in public space, while respecting the separateness and tolerance of people with different views.

The conference was started by Prof. Marcin Wielec – Director of Institute of Justice, who thanked the Director the Ferenc Mádl Institute of Comparative Law Prof. János Ede Szilágyi for the initiative of the appointment of the Central European Professor's Network and the very good cooperation between the Polish and Hungarian Institutes so far.

Then Prof. UO dr hab. Paweł Sobczyk thanked Director of MFI Prof. János Ede Szilágyi for the initiative of such interesting research. He said it was an honor to participate in such an important and interesting project and thanked for acceptance invitation to participate in the conference of two special guests Prof. Balázs Schanda, the Judge of the Constitutional Court in Hungary and Prof. Marek Bielecki, the president of Polish Association of Law on Religion. Thanks were also expressed to Prof. Piotr Stanisław for him agreeing to act as the chairman of the session. Prof. Paweł Sobczyk also cordially thanked the professors from the research team for a very good cooperation.

At the request of Prof. Sobczyk the meeting was further conducted by Prof. Piotr Stanisław Head of Department of Law on Religion in Faculty of Law, Canon Law and Administration in The John Paul II Catholic University of Lublin, co-editor "Presence of the Cross in Public Spaces: Experiences of Selected European Countries", ed. P. Stanisław, M. Zawisław, M. Ordon, Cambridge Scholars Publishing 2016, p. 267.

The scientific part of the conference began with a lecture by a special guest Prof. Balázs Schanda. Prof. Schanda was elected as the Judge of the Constitutional Court the 22 November 2016. He has been member of the Constitutional Court since 1 December 2016. He graduated from the Faculty of Law of Eötvös Loránd University in 1993. From 1993 to 1999 he worked as an advisor at the Constitutional Court. Between 1999–2002 he was a head of the Department of Church Information and Coordination at the Ministry of National Cultural Heritage. Between 2003 and 2007 he worked again at the Constitutional Court. In 1996 he took the bar exam, in 1999 he was awarded the license in canon law, in 2003 he gained the PhD title and he habilitated in 2010. He was granted full professorship in 2012. His main field of interest is the constitutional law and the state regulation of churches. He was teaching at the Faculty of Law of Eötvös Loránd University and at the Pázmány Péter Catholic University, where he became a head of the Department of Constitutional Law in 2006 and where he was a dean between 2007–2013. In 2016 he was a chairman of the European Consortium for Church and State Research. Prof. Schanda delivered a lecture entitled "Religion or culture? The protection of the Christian cultural identity vs. state neutrality and the lack of faith".

After the introductory lecture, the first conference session entitled "Religious symbols in public sphere in the legal orders of chosen Central and Eastern European countries", in which the lectures were delivered by: Prof. Dalibor Đukić – "Religious symbols in the public sphere in the legal order in Serbia", Prof. Damián Némec – "Religious symbols in the public sphere in the legal order in Czech Republic",

Prof. Vanja-Ivan Savić – "Religious symbols in the public sphere in the legal order in Croatia", Prof. Frane Staničić – "Religious symbols in the public sphere in the legal order in Slovenia" and Prof. Vojtech Vladár – "Religious symbols in the public sphere in the legal order in Slovakia". After Prof. Vladár's lecture there was a coffee break.

The second session entitled "Religious symbols in public sphere in the legal orders of Hungary and Poland. Specific issues and jurisprudence of ECHR" began with a speech of Prof. Marek Bielecki entitled "The presence of religious symbols in the Polish educational law". Prof. Bielecki was the second special guest of the international conference. He is a President of the Polish Ecclesiastical Law Society, a lecturer at War Studies Academy and an expert of the Institute of Justice in Warsaw.

The following papers in this session were delivered by: Prof. Lóránt Csink – "Religious symbols in the public sphere in the legal order in Hungary", Prof. Paweł Sobczyk – "Religious symbols in the public sphere in the legal order in Poland" and Dr Michał Poniatowski – "Religious symbols in the public sphere in jurisprudence of ECHR".

3. Summary

Once all the speeches were delivered, a brief discussion began on the religious symbols in the logos of international organizations such as the Red Cross and the Red Crescent. The conference was summed up and ended by Prof. János Ede Szilágyi the Director of The Ferenc Mádl Institute of Comparative Law. He drew attention to the importance of the issues raised the international significance of the presence of religious symbols in public space and the common values that sometimes underlie various contemporary legal solutions. He sent special thanks to the Speakers, Prof. Balázs Schanda and Prof. Piotr Stanisław.

On this occasion, it is worth pointing out the important role of international research in the development of science. Thanks to this, scientists from different countries can compare the results of their research in comparative terms. Therefore, institutions such as the Ferenc Mádl Institute of Comparative Law, the Institute of Justice (Warsaw) and the Central European Association for Comparative Law also undertake international cooperation in other projects, such as Polish-Hungarian Research Platform.