



# NEWSLETTER

## CHURCH LAW SOCIETY

### PRAGUE – BRNO – OLOMOUC

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### Upcoming Law and Religion Conferences

#### **23<sup>rd</sup> International Congress of the Society for the Law of the Eastern Churches**

The next conference of the Society for the Law of Eastern Churches will take place from Sunday 3<sup>rd</sup> September 2017 until Friday 8<sup>th</sup> September 2017 in Debrecen, Hungary. The topic of the conference will be *Primacy and Synodality*. For more information, go to the [websites of the conference](#).

#### **All-Poland Scientific Conference of the Canon Law Society of Poland**

The Canon Law Society of Poland invites to the All-Poland Scientific Conference which will take place from Sunday 3<sup>rd</sup> September 2017 until Tuesday 5<sup>th</sup> September 2017 at the Archbishop's Seminary in Poznań under the title *Church – Nation – State in the Perspective of the 1050<sup>th</sup> Anniversary of the Baptism of Poland: History and Present* (Kościół – Naród – Państwo w perspektywie 1050-rocznicy chrztu Polski: Historia i terażniejszość). For more information, go to the [websites of the conference](#).

### From New Publications

SOSNOWSKA, Małgorzata, SZYMANIEC, Piotr, TUORA-SCHWIERSKOTT, Ewa, *Religionsfreiheitsraum in Polen, Tschechien und in Deutschland*, Rechtliche Analyse, Hochschulverlag der Staatsberufshochschule Namens Angelus Silesius, Wałbrzych, 2017, 286 pp., ISBN 978-83-63839-53-6.

STANISZ, Piotr, *Religion and Law in Poland*, International Encyclopaedia of Laws, Wolters Kluwer, Alphen aan den Rijn, 2017, 184 pp., ISBN 978-90-411-8914-1.

UNITED STATES CONFERENCE OF CATHOLIC BISHOPS, *Zpívejte Pánu: hudba v bohoslužbě* [Sing to the Lord: Music in Divine Worship], translation in Czech, Česká biskupská konference, Krystal OP, Praha, 2017, 101 pp., ISBN 978-80-7575-012-9.

## Journals

**Baurechtliche Blätter**, Verlag Österreich, Wien, ISSN 1434-1832,  
Heft 6, Dezember 2007,

including:

WIESHAIDER, Wolfgang, *Das harmonische Minarett*, Zur Vereinbarkeit von Minaretten mit dem Orts-, Straßen- und Landschaftsbild, pp. 209–213.

**Law Briefs**, Office of the General Counsel of the US Conference of Catholic Bishops,  
Washington DC,

July 2017,

including:

Supreme Court Roundup: *Denying Government Grant for Playground Resurfacing Because of School's Religious Affiliation Violates Free Exercise Clause*, p. 2–4:

Missouri provides grants to qualifying public and private schools, nonprofit daycare centers, and other nonprofit entities for the purchase of rubber playground surfaces. Such surfaces are safer for children than gravel or asphalt surfaces.

Trinity Lutheran Church operates a preschool and daycare center. It applied for a grant so that it could resurface its playground with state funding. Missouri ranked Trinity Lutheran fifth among 44 applicants, but denied it a grant because of its religious affiliation. State officials relied on a provision of the Missouri Constitution which states that “no money shall ever be taken from the public treasury, directly or indirectly, in aid of any church, sect or denomination of religion...”

Trinity Lutheran sued, alleging a violation of the Free Exercise Clause. The district court, finding no free exercise violation, dismissed the case and a divided 3-judge panel of the Eighth Circuit affirmed. Rehearing en banc was denied by an equally divided court.

By a 7-2 vote, the Supreme Court reversed, holding that, under the Free Exercise Clause, Missouri may not exclude Trinity Lutheran from grant eligibility because of its religious affiliation. The Chief Justice wrote the principal opinion. Justices Kennedy, Alito, and Kagan joined the Chief Justice's opinion in full. Justices Thomas and Gorsuch filed separate concurrences joining all but footnote 3 of the Chief Justice's opinion. Justice Breyer filed a separate opinion concurring in the judgment. Justice Sotomayor filed a dissenting opinion in which Justice Ginsburg joined.

See: *Trinity Lutheran Church v. Comer*, No. 15-577, 2017 WL 2722410 (U. S. June 26, 2017).

**Oxford Journal of Law and Religion**, Oxford University Press, Oxford, ISSN 2047-0770,  
Volume 6, Number 2, June 2017,

including:

ADENITIRE, John Olusegun, *Conscientious Exemptions: From Toleration to Neutrality; From Neutrality to Respect*, pp. 268–292,

VANCE, Kevin, *The Golden Thread of Religious Liberty: Comparing the Thought of John Locke and James Madison*, pp. 227–252.

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