

NEWSLETTER

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For the English speaking members and friends of the Church Law Society
Prague – Brno – Olomouc

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Biography of Prof Tretera in English Online

Prof Jiří Rajmund Tretera, founder and chairman of the Church Law Society, celebrates a significant anniversary this year. On this occasion, a detailed biography in English was published on the website of the Church Law Society. It is [available here](#).

Záboj Horák

Tomáš Halík Receives 2020 John Amos Comenius Award

Mons. Tomáš Halík, a well-known Czech philosopher and theologian, professor of sociology at the Charles University in Prague, laureate of the Templeton Prize and honorary member of the Church Law Society, receives the J. A. Comenius Award on Saturday, 28th March 2020. He will collect the award at the Grote Kerk in Naarden (the Netherlands). The jury selected 71-year-old Halík as one of the most influential spiritual thinkers of the time.



Newly restored Benedictine Abbey Church of the Blessed Virgin Mary, St. Jerome and Slavic Saints in Prague – Emauzy. Mons. Tomáš Halík celebrates the Holy Mass at the opening of the General Meeting of the Czech Christian Academy on 18th January 2020.

Photo Czech Christian Academy

Jury President Prof D. Douwe D. Breimer writes: *‘This year we commemorate that John Amos Comenius died 350 years ago. He was of Czech origin and therefore we are very pleased that another Czech, Professor Tomáš Halík from Prague, will receive this year’s J. A. Comenius Award. He is an outstanding scientist and clergyman who has earned world recognition for his exceptional life in various political regimes, and especially for his books that have been published in many languages. To date, he has stood out in a completely independent and critical manner against injustice and restriction of liberty and is a staunch supporter of solidarity between the peoples of the world.’*

The J. A. Comenius Award (Comeniusprijs), which consists of a Czech crystal cup and a diploma, is awarded this year for the ninth time. The previous laureates were Robert Dijkgraaf (2012), Paul Schnabel (2013), Louise Fresco (2014), Geert Mak (2015), Herman Van Rompuy (2016), Jonathan Israel (2017), Herman Tjeenk Willink (2018) and Mardjan Seighali (2019). It is a Dutch award, which is awarded annually during the Comeniusdag in Naarden. The prize aims to honour a person who, in the spirit of Comenius’ thought and activity, is strongly committed to education, science, and culture in the development of the international community.

Excerpts from Journals

Law Briefs, published by the Office of the General Counsel of the US Conference of Catholic Bishops, Washington, D. C.,

October 2019,

including:

Two Significant Wins for Business with Owners with Religious Objections to Providing Services for Same-Sex Weddings, pp. 2–3

Wedding vendors with religious objections to providing services related to same-sex marriage have usually fared poorly in the US courts. There are two recent exceptions. The Eighth Circuit and Supreme Court of Arizona have ruled in favor of vendors who, because of religious objections, decline to provide services for same-sex weddings. See: *Telescope Media Group v. Lucero*, No. 17-3352, 2019 WL 3979621 (8th Cir. Aug. 23, 2019); *Brush & Nib Studio v. City of Phoenix*, No. CV-18-0176-PR, 2019 WL 4400328 (Ariz. Sept. 16, 2019).

November 2019,

including:

Church Autonomy Doctrine Bars Teacher’s Title IX and Breach of Contract Claims Against Religious College, pp. 2–3

Moody Bible Institute, a religious educational institution in Chicago that offers undergraduate and graduate courses, terminated Janay Garrick as Instructor of Communications. Garrick filed a pro se complaint in district court, claiming breach of contract, retaliation in violation of Title IX for her complaint of sex discrimination, and sex and religious discrimination and retaliation in violation of Title VII.

The district court granted the college's motion to dismiss the breach of contract, Title IX, and Title VII religious discrimination claims with prejudice, and dismissed the other claims without prejudice to give Garrick an opportunity to replead them. [*Commentary of Law Briefs*: The ministerial exception generally applies to employees with ministerial job duties, not all employees. It therefore has its limits. The virtue of the church autonomy doctrine, which prevents civil courts from deciding what are essentially religious disputes, is that when applicable, it forecloses suit by *any* employee—whether serving in a ministerial capacity or not—and even non-employees (e.g., parishioners). See: *Garrick v. Moody Bible Institute*, No. 18 C 0573, 2019 WL 4674570 (N.D. Ill. Sept. 25, 2019)].

From New Publications

Die Familie und ihre finanzielle und moralische Unterstützung, Sammlung der Beiträge des Seminars zum 130. Jubiläum der Unterzeichnung der Haider Thesen, *Haider Thesen 2013*, Karmelitánské nakladatelství, Kostelní Vydří, 2014, 167 p., ISBN 978-80-7195-796-6.

SANDBERG, Russell, DOE, Norman, KANE, Bronach, ROBERTS, Caroline (eds.), *Research Handbook on Interdisciplinary Approaches to Law and Religion*, Cardiff University, Cardiff, 2019, 464 p., ISBN 978-1-78471-484-0.

SCHLAGHECK, Michael, UHLE, Arnd (eds.), *Individualität und Institutionalität. 100 Jahre staatskirchenrechtliche Regelungen der Weimarer Reichsverfassung*, Essener Gespräche zum Thema Staat und Kirche, Band 54, Aschendorff Verlag, Münster, 2019, 271 p., ISBN 978-3-402-10577-1.

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Photo on the front page: From international conference Fourth season of Prague Dialogues on Church and State Relations: Spiritual Care in Public Institutions, Faculty of Law, Charles University, Prague, 14th June 2019. Lectures Prof. Piotr Stanisz, Lublin, Poland. Photo Antonín Krč.

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