

# PHILOSOPHY & CANON LAW

Vol. 4

Contemporary Challenges of Education  
Values—Norms—Legislation



WYDAWNICTWO  
UNIWERSYTETU ŚLĄSKIEGO

# Philosophy and Canon Law

Vol. 4

Contemporary Challenges of Education:  
Values—Norms—Legislation

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# Contents

## Part One Philosophy

<b>John P. Hittinger</b> An Education to Counter the Culture of Death . . . . .	7
<b>Krzysztof T. Wieczorek</b> The Need of Upbringing with Values in Mind in the Post-Normative Epoch . . . . .	43
<b>Pavol Dancák</b> <i>De Rerum Humanarum Emendatione Consultatio Catholica</i> —Education for Co- existence . . . . .	55
<b>Grażyna Osika</b> John Amos Comenius’s Postulate of Shaping of Wise Beings within the Context of Developing Media Competence . . . . .	67
<b>Mariusz Wojewoda</b> The Concept of Image According to John Amos Comenius and New Media . . . . .	85
<b>Zdzisław Kieliszek</b> Relevance of Kant’s Concept of Education for Civil Society . . . . .	101

## Part Two Canon Law

<b>Stanislav Příbyl</b> Biblical Inspirations and Canonical Foundations of Education . . . . .	119
<b>Tomasz Galkowski</b> Church and the Bologna Process. Motives, Prospects, Difficulties . . . . .	135

<b>Andrzej Pastwa</b>	
Transsexualism, Homosexuality, and Priesthood. Canonical Remarks Concerning the Relevant <i>Ratio Fundamentalis Institutionis Sacerdotalis</i> Standards . . . . .	151
<b>Malgorzata Tomkiewicz</b>	
<i>Ratio Fundamentalis</i> : The Role of Specialists in Formation for Priesthood. Reflection on Legal Issues . . . . .	177
<b>Damián Němec</b>	
Church Schools and Religious Instruction in the Czech and Slovak Republics . . . . .	191
<b>Piotr Kroczek</b>	
Catholic Schools in Poland . . . . .	217

### Part Three Reviews

Daniel J. Mahoney, <i>The Idol of Our Age: How the Religion of Humanity Subverts Christianity</i> — <b>John P. Hittinger</b> . . . . .	229
David C. Schindler, <i>Freedom from Reality. The Diabolical Character of Modern Liberty</i> — <b>Brian Jones</b> . . . . .	235
<i>Po co etyka pedagogom?</i> , ed. Wiktor Sawczuk — <b>Alojzy Drożdż</b> . . . . .	241
<i>Sprawności moralne a przestrzenie pedagogiczne</i> , eds. Iwona Jazukiewicz, Ewa Rojewska — <b>Alojzy Drożdż</b> . . . . .	245
<i>Familiogia XXI wieku. Wyzwania i oczekiwania</i> , ed. Urszula Gruca-Miąsik — <b>Michał Drożdż</b> . . . . .	249
<i>Wychowanie w szkole: od bezradności ku możliwościom</i> , eds. Radosław Chałupniak, Tomasz Michalewski, Ewa Smak — <b>Michał Drożdż</b> . . . . .	253
Konferencja Episkopatu Polski, <i>Podstawa programowa katechezy Kościoła katolickiego w Polsce</i> — <b>Michał Borda</b> . . . . .	255
Notes on Contributors . . . . .	259

Part One

# Philosophy





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## An Education to Counter the Culture of Death<sup>1</sup>

**Abstract:** The author discusses the task of education for the lay faithful in their efforts to promote a new culture of life and to challenge the culture of death. Following the lines of argument put forward by Pope John Paul II in the encyclical *Evangelium Vitae*, the author analyzes the ideological devices used by politicians and professors to make attacks upon life, such as relativism, realism, an appeal to the majority, and an individualist notion of liberty and rights; these ideologies are criticized for their failure to properly understand human nature and the principles of political society. After clearing away the distortions of the truth about human freedom and life, the author briefly discusses some points put forward in the encyclical to appreciate the positive task of education to build a new culture of life and to mobilize the consciences of fellow citizens to defend life. These tasks include rediscovering a contemplative attitude, appreciating the meaning and value of human sexuality and love, and developing a personalist philosophy for education as a whole.

**Keywords:** Gospel of Life, education, John Paul II, Church and State, relativism, human dignity, sacredness of life, Catholic universities, culture of life, culture of death

All human beings ought to value every person for his or her uniqueness as a creature of God, called to be a brother or sister of Christ by reason of the Incarnation and the universal Redemption. For us, the sacredness of human life is based on these premises. And it is on these same premises that there is based our celebration of life—all human life. This explains our efforts to defend human life against every influence

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<sup>1</sup> This paper derives from unpublished lectures given for the Cardinal Stafford Lecture Series, at St. John Vianney Seminary, Denver, Colorado, USA, on March 2, 2009.

or action that threatens or weakens it, as well as our endeavors to make every life more human in all its aspects. And so, we will stand up every time that human life is threatened.<sup>2</sup>

Pope John Paul II, Washington, D.C. 1979

## The Task of Education for the Lay Faithful for the “Areopagus” of Political Life

Political life poses a special challenge to the Catholic Church in the post-Vatican II era due to a deep tension between the recognition of the rightful autonomy of the political sphere, the “separation” of Church and state on the one hand, and yet there is the bold call for the laity as participants in the kingly office of Christ to “inscribe the divine law in the earthly city.”<sup>3</sup> Political participation, particularly the strong encouragement for the Catholic laity to participate in political affairs, is emphasized in *Gaudium et Spes*, part II chapter IV.<sup>4</sup> Cardinal Ratzinger wrote in “Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life” that “the rightful autonomy of the political or civil sphere” is a value attained and recognized by the Catholic Church. Prior to Vatican II it had not been decisively attained nor fully recognized.<sup>5</sup> And yet this understanding should not discourage Catholics from seeking to participate in political life in the full measure of their call to “inscribe” the divine law in the temporal city. It is a call to achieve a deeper understanding of the dignity of the person and the principles of moral and social life so that these great

<sup>2</sup> Homily of Pope John Paul II on the Capitol Mall in Washington, D.C., October 7, 1979. John Paul II, “Let Us Celebrate Life!”—as found in John Paul II, *U.S.A.: The Message of Justice, Peace and Love* (Boston: Daughters of St. Paul, 1979), 277–286.

<sup>3</sup> Paul VI, Pastoral Constitution on the Church in the Modern world *Gaudium et Spes*, December 7, 1965, n. 43, [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19651207\\_gaudium-et-spes\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19651207_gaudium-et-spes_en.html). Hereafter as GS.

<sup>4</sup> See my articles: “On Citizen and Conscience: Political Participation in *Gaudium et Spes*,” in *Nationale und Kulturelle Identität Im Zeitalter Der Globalisierung*, edited by Anton Rauscher (Munich: Soziale Orientierung, 2006); “Three Dimensions of Catholic Political Participation: Dignity, Secularity and Witness,” *Philosophy and Canon Law* 2 (2016): 113–128; “*Gaudium et Spes* and the Importance of Political Philosophy,” *Pontifical College Josephinum Journal of Theology* 20 (2) (Aquinas and the Philosophical Training of Theologians), 2015 (2013): 279–306.

<sup>5</sup> Joseph Ratzinger, *Congregation for the Doctrine of the Faith. Doctrinal Note on Some Questions Regarding the Participation of Catholics in Political Life*, November 24, 2002, Feast Day of Christ the King, n. 6, [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_20021124\\_politica\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_20021124_politica_en.html).

truths can be brought to bear on contemporary issues: “The presentation of the fruits of the spiritual, intellectual and moral heritage of Catholicism in terms understandable to modern culture is a task of great urgency today, in order to avoid also a kind of Catholic cultural diaspora” (Doctrinal Note, n. 7). Cardinal Ratzinger confronted both the widespread error of a liberal denial of a role for morality in the political realm, as well as a conservative cultural diaspora that would retreat from political life. The mission of the Church demands precisely an engagement with various sectors of the modern world so that a coherent witness to faith is held forth. Saint John Paul II referred to these new sectors as the modern areopagi: in 2001, for example, he said: “At the beginning of the third millennium, the Areopagus of Athens has become in a certain way the ‘*areopagus of the world*’ [...]. Paul’s discourse at the Areopagus remains a model for inculturation and as such retains its relevance for our task today.”<sup>6</sup> Ten years earlier, in *Redemptoris Missio*, John Paul II most famously said that “here are many other forms of the ‘Areopagus’ in the modern world toward which the Church’s missionary activity ought to be directed; for example, commitment to peace, development and the liberation of peoples; the rights of individuals and peoples, especially those of minorities; the advancement of women and children; safeguarding the created world. These too are areas which need to be illuminated with the light of the Gospel.”<sup>7</sup> A recent publication, *Kazanie na Areopagu: 13 katechez*, shows that John Paul II/Karol Wojtyła has meditated on this theme from the time of his work at Vatican II.<sup>8</sup>

To prepare the clergy and laity to be such a witness, to enable the Church to be “the sign and safeguard of the transcendence of the human person” in the temporal order (GS, n. 76), a suitable and appropriate education must be developed, especially for the laity. For it is the laity who are pressured to split their faith from their everyday life as it pertains to their duties in the temporal order. As the Council itself warned, “this split between the faith which many profess and their daily lives deserves to be counted among the more serious errors of our age” (GS, n. 43).<sup>9</sup> We must learn to integrate our faith and our life

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<sup>6</sup> John Paul II, General Audience, April 4, 2001, [http://w2.vatican.va/content/john-paul-ii/en/audiences/2001/documents/hf\\_jp-ii\\_aud\\_20010404.html](http://w2.vatican.va/content/john-paul-ii/en/audiences/2001/documents/hf_jp-ii_aud_20010404.html).

<sup>7</sup> John Paul II, Encyclical Letter *Redemptoris Missio*. On the Permanent Validity of the Church’s Missionary Mandate December 7, 1990 (issued January 22, 1991), n. 37, [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_07121990\\_redemptoris-missio.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_07121990_redemptoris-missio.html). Hereafter as RM.

<sup>8</sup> Karol Wojtyła, *Kazanie na Areopagu: 13 katechez* (Kraków: Wydawnictwo Literackie, 2018).

<sup>9</sup> “This council exhorts Christians, as citizens of two cities, to strive to discharge their earthly duties conscientiously and in response to the Gospel spirit. They are mistaken who, knowing that we have here no abiding city but seek one which is to come, think that they may therefore shirk their earthly responsibilities. For they are forgetting that by the faith itself they are more obliged than ever to measure up to these duties, each according to his proper vocation. Nor, on the contrary, are they any less wide of the mark who think that religion consists in acts

in the public sphere. It is a task assigned to the laity to engage directly political life, and not the clergy. “The laity, however, are given this special vocation: to make the Church present and fruitful in those places and circumstances where it is only through them that she can become the salt of the earth. Thus, every lay person, through those gifts given to him, is at once the witness and the living instrument of the mission of the Church itself according to the measure of Christ’s bestowal.”<sup>10</sup> The laity are a witness and instrument primarily in the world, in secular activities, structures, and communities: “Even by their secular activity they must aid one another to greater holiness of life, so that the world may be filled with the spirit of Christ and may the more effectively attain its destiny in justice, in love and in peace. The laity enjoy a principle role in the universal fulfillment of this task. Therefore, by their competence in secular disciplines and by their activity, interiorly raised up by grace, let them work earnestly in order that created goods through human labor, technical skill and civil culture may serve the utility of all men according to the plan of the creator and the light of his word” (LG, n. 36). A sound education is vital because the lay apostolate requires both faith and reason—one must know the matters of faith so that by a “well-formed Christian conscience” one may “see that the divine law is inscribed in the life of the earthly city” (GS, n. 43). But also the laity must develop their own competence and training, and make a unique contribution to the problems at hand—“Let the layman not imagine that his pastors are always such experts, that to every problem which arises, however complicated, they can readily give him a concrete solution, or even that such is their mission. Rather, enlightened by Christian wisdom and giving close attention to the teaching authority of the Church, let the layman take on his own distinctive role” (GS, n. 43). What is demanded of the lay person is a “vital synthesis” of “humane, domestic, professional, social and technical enterprises” with religious values, under whose “supreme direction all things are harmonized unto God’s glory” (GS, n. 43). Therefore, the training of lay people requires “an integral human education.”<sup>11</sup> “The basis and condition for every successful apostolate,” according to *Apostolicam Actuositatem*, is “a living faith in the divine mystery of creation and redemption,” and a love of God and neighbor inspired by the Holy Spirit (AA, n. 29). The knowledge of revelation through scripture and tradition

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of worship alone and in the discharge of certain moral obligations, and who imagine they can plunge themselves into earthly affairs in such a way as to imply that these are altogether divorced from the religious life,” n. 43.

<sup>10</sup> Paul VI, Dogmatic Constitution on the Church *Lumen Gentium*, November 21, 1964, n. 33. [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_const\\_19641121\\_lumen-gentium\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_const_19641121_lumen-gentium_en.html). Hereafter as LG.

<sup>11</sup> Paul VI, Decree on the Apostolate of the Laity *Apostolicam Actuositatem*, November 18, 1965, n. 29, [http://www.vatican.va/archive/hist\\_councils/ii\\_vatican\\_council/documents/vat-ii\\_decree\\_19651118\\_apostolicam-actuositatem\\_en.html](http://www.vatican.va/archive/hist_councils/ii_vatican_council/documents/vat-ii_decree_19651118_apostolicam-actuositatem_en.html). Hereafter as AA.

(see *Dei Verbum*) must come first in the education for lay apostolate, and the training must include participation in the liturgy (see *Sacrosanctum Concilium*). In addition to this spiritual formation, the lay people need to be educated in theology, ethics, and philosophy (AA, n. 29). The notion of the lay apostolate is developed and amplified by John Paul II in *Christifideles Laici* and other documents such as *Ecclesia in America*. He concludes *Christifideles Laici* with an articulation of “a total integrated formation for living an integrated life.” Most of all, the lay people need “an exact knowledge of the Church’s social teaching.”<sup>12</sup> It is part of the great creative challenge Pope John Paul II has presented to the Catholic lay faithful. Recalling that “the unity of life of the lay faithful is of the greatest importance” (CL, n. 17), he also acknowledges that the unity of life is not easy and requires a “great creative effort.” As he said in the *Church in the Americas*,

Secularity is the true and distinctive mark of the lay person and of lay spirituality, which means that the laity strive to evangelize the various sectors of family, social, professional, cultural and political life. On a continent marked by competition and aggressiveness, unbridled consumerism and corruption, lay people are called to embody deeply evangelical values such as mercy, forgiveness, honesty, transparency of heart and patience in difficult situations. What is expected from the laity is a great creative effort in activities and works demonstrating a life in harmony with the Gospel. [...] A deeper knowledge of Christian ethical principles and moral values will enable them to be exponents of these in their own particular setting, proclaiming them even where appeals are made to the so-called neutrality of the State.<sup>13</sup>

Future priests will need to form and educate the laity for unity of life so that they can meet the demands of this mission. Politics is crucial to most secular activities. Yet it is fraught with sophistry and ideology. It is the aim of this paper to show that the core of authentic witness to faith is the coherence of life. For this reason John Paul II named St. Thomas More the patron saint of politicians and this endeavor for all of us to witness faithfully in the political sphere. John Paul II gave the following reason for designating Thomas More such a patron:

Among these is the need felt by the world of politics and public administration for credible role models able to indicate the path of truth at a time in history

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<sup>12</sup> John Paul II, Post-synodal Apostolic Exhortation *Christifideles Laici* on the Vocation and the Mission of the Lay Faithful in the Church and in the World, n. 61, [http://w2.vatican.va/content/john-paul-ii/en/apost\\_exhortations/documents/hf\\_jp-ii\\_exh\\_30121988\\_christifideles-laici.html](http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_30121988_christifideles-laici.html). Hereafter as CL.

<sup>13</sup> John Paul II, Apostolic Exhortation *Ecclesia in America* (The Church in America), January 22, 1999, n. 44. John Paul II, Apostolic Constitution *Ex Corde Ecclesiae*. [http://w2.vatican.va/content/john-paul-ii/en/apost\\_constitutions/documents/hf\\_jp-ii\\_apc\\_15081990\\_ex-corde-ecclesiae.html](http://w2.vatican.va/content/john-paul-ii/en/apost_constitutions/documents/hf_jp-ii_apc_15081990_ex-corde-ecclesiae.html).

when difficult challenges and crucial responsibilities are increasing. Today in fact strongly innovative economic forces are reshaping social structures; on the other hand, scientific achievements in the area of biotechnology underline the need to defend human life at all its different stages, while the promises of a new society—successfully presented to a bewildered public opinion—urgently demand clear political decisions in favor of the family, young people, the elderly and the marginalized.<sup>14</sup>

But he achieved such a position to engage politics because of his deep formation by which he achieved coherence of faith and life. As a martyr, his life reflected the splendor of truth, and the coherence of his life in faith. What did More's life and death teach? Cardinal Ratzinger said that "he taught by his life and his death that 'man cannot be separated from God, nor politics from morality'" ("Participation of Catholics in Political life," n. 1).

Cardinal Ratzinger insisted that political action must have a "unity and interior coherence" ("Participation of Catholics in Political life," n. 3). St. Thomas More achieved the unity of faith and life. He is a model for the renewal of Vatican II: "The principles contained in the present *Note* are intended to shed light on one of the most important aspects of the unity of Christian life: coherence between faith and life, Gospel and culture, as recalled by the Second Vatican Council" ("Participation of Catholics in Political life," n. 9). It is the intention of this paper to find the principle of coherence of faith and life by peeling away the distortions of political ideology which inundate our political life and discourse. I hope that it may serve as an *elenchus* set against the culture of death, in order to open the way to an integral education of the Catholic laity and a rediscovery of the principles of a culture of life.

## Peeling Away the Layers of Sophistry and Ideology: A Conspiracy Against Life

The culture of death was clearly manifested in the totalitarian movements and regimes of the 20th century, Nazism and Communism. The Nazi plan for genocide and the use of death camps, their corruption of the medical and military professions, and the ideology of racism and hatred are well documented, and the historical and legal condemnations are many and strong. The case of the communist horror took longer to manifest and was resisted and denied by many

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<sup>14</sup> Pope John Paul II, *Motu Proprio* proclaiming Saint Thomas More Patron of Statesmen and Politicians, October 31, 2000. 1: AAS 93 (2001), n. 4.

intellectuals and fellow travelers; but the work of Solzhenitsyn did much to document it and condemn it. In *Centesimus Annus*, Pope John Paul II traces the eventual fall of the Soviet Union to multiple factors: the denial of fundamental rights, a realism which would subordinate morality and truth to expediency, control of economic markets, all had their role in the eventual demise of the evil system. But many of these same principles of a culture of death are at work in western liberal democracy. However, their appearance is less harsh and less easy to notice. For as Tocqueville warned, the despotism to be feared in America is a “soft despotism.”<sup>15</sup> It is harder to bring to light and explain how these principles work because they are parasitical upon the noble and good aspirations of democracy. The politicians appeal to their benevolence and love for humanity, and they solicit the interest of the many. I want to peel away the distortion from the authentic principle. I want to dig down to the deepest root of the crisis by following Pope John Paul II’s careful analysis in *Evangelium Vitae* and *Centesimus Annus* and tracing it out to *Redemptor Hominis*.

In *The Gospel of Life*, Pope John Paul II uses the memorable phrase, the “culture of life” against “the culture of death.” He says, “we are facing an enormous and dramatic clash between good and evil, death and life, the ‘culture of death’ and the ‘culture of life’. We find ourselves not only ‘faced with’ but necessarily ‘in the midst of’ this conflict: we are all involved and we all share in it, with the inescapable responsibility of choosing to be unconditionally pro-life.”<sup>16</sup> The clash is obvious to us now, even though many wish to ignore it or to push it aside. A philosopher must be very blinded by ideology or very detached in an ivory tower not to see it and puzzle over it. For the culture of death creeps further along its way, making inroads at every turn—the signs of its progress leer at us daily: pornography and the degradation of sexuality spread throughout the media and the internet, substance abuse snares so many and generates violence here and in our neighboring country, broken families leave individuals stranded and vulnerable, children are abducted and abused, the anger of revenge lashes out in murder, and most of all the abortion industry gobbles up lives, money, and our very future. With the case of abortion a wrong is called a right and a killing is called a procedure. Various euphemisms cover the horror of the relentless and systematic burning and poisoning, the cutting and dismembering of the beautiful but vulnerable little ones in the womb. I am deeply indebted to a book by John Noonan in which he shows that as soon as five years after *Roe vs. Wade* a so-called private right turned out to be the most expansive right ever claimed

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<sup>15</sup> Alexis de Tocqueville, *Democracy in America*, edited by J. P. Mayer, translated by George Lawrence (New York: Anchor Doubleday, 1969), vol. II, part IV, chapter 6, “What Sort of Despotism Democratic Nations Have to Fear,” 690–695.

<sup>16</sup> John Paul II, Encyclical *Evangelium Vitae*, n. 28, [http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_25031995\\_evangelium-vitae.html](http://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_25031995_evangelium-vitae.html). Hereafter as EV.

before the courts.<sup>17</sup> The judicial juggernaut of “private choice” knocked aside fathers, grandparents, physicians, and tax-payers. Thirty years after the Noonan book, the wake of abortion is much further expanded and shall only continue to expand; for it is an expansive right with a retinue of sophisms, ideologies, and special pleading. In *The Gospel of Life*, Pope John Paul II speaks of structures of sin that perpetuate these systematic degradations of life. Our economic system profits on the degradation of human beings, and consumerism lulls us into an indifference to others; our judicial system extends the reach of degradation through the rhetoric of individual rights; our political system celebrates its utilitarian value; our educational system falls under the dictatorship of relativism so that no word can be uttered in protest; and the system of mass media rationalizes the activities which crush and mar the dignity of life. It is nothing less than a “conspiracy against life” (EV, n. 12). Our silence signifies consent; our adulation of the “elegant politicians” borders close to endorsement of their policies; and our cooperation with its convoluted logic may soon cease to be merely material cooperation. We cannot be silent or idle; but we must challenge head on the euphemisms and structures of the culture of death. But more, we must offer an alternative; we must build a new culture of life. Pope John Paul says, “what is urgently called for is a general mobilization of consciences and a united ethical effort to activate a great campaign in support of life. All together, we must build a new culture of life” (EV, n. 96). I wish to focus on the political structures and euphemisms that support the culture of death. I draw these from the writing of Pope John Paul II and will use political philosophy to elaborate or explicate them.

We will proceed through the following layers of distortion and negative signs of the times: (i) Relativism as a defense of democracy, (ii) Realism and the bracketing of conscience, (iii) Appeal to majority rule as an ultimate authority, (iv) Contradictory use of rights discourse.

## Relativism as a defense of liberal democracy

Having lived through and witnessed totalitarian oppression and the fall of the Soviet Union, Pope John Paul II strongly affirms the value of political democracy. Democracy “ensures the participation of citizens,” holds the governed accountable, and formalizes peaceful means of transition (CA, n. 46). He is following the account of political life provided by *Gaudium et Spes*, and argued by various Catholic political philosophers like Jacques Maritain and Yves R.

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<sup>17</sup> John T. Noonan, Jr., *A Private Choice: Abortion in America in the Seventies* (New York: The Free Press, 1979).

Simon.<sup>18</sup> Precisely because human freedom and dignity are protected in the democratic form of government, he points out the fatal mistake that is being made to defend democracy on spurious grounds—“Nowadays there is a tendency to claim that agnosticism and skeptical relativism are the philosophy and basic attitude which correspond to democratic forms of political life” (CA, n. 46). People convinced of the truth are deemed unreliable, or worse, fanatical. But John Paul II cautions that without a true standard, ideas can be easily manipulated and yield back to totalitarian rule. He agrees that fanaticism is unbecoming for a democratic citizen, but this danger stems from an ideological cast of mind, in fact an unwillingness to face the truth, not from a conviction concerning the truth of human dignity.

In writing *The Gospel of Life*, John Paul calls this attempt to use relativism a “sinister” approach that opens up justification for the killing of the weak. Behind the attacks on life and the changing of a crime to a right lies a cultural crisis “which generates skepticism in relation to the very foundation of knowledge and ethics, and which makes it increasingly difficult to grasp clearly the meaning of what man is, and the meaning of his rights and duties” (EV, n. 11). And indeed we often hear as a justification of liberal abortion law the notion that no one can know when life begins, or that there are so many different opinions about it, none can be correct, or some more correct than others. All opinion is private opinion and cannot stand forth as true. Such was the feeble attempt made by Senator Biden on Meet the Press that he accepts the faith—as true? It is fideism if it has no energizing impact on his mind and heart. Indeed, the solemn pronouncement of *Roe v. Wade* turned upon the skepticism and relativism concerning the “meaningfulness of life.” We have despaired of reason itself. The inner coherence of Catholic witness will match the “parrhesia of faith” [candid or forthright speech] with the boldness of reason.<sup>19</sup>

Relativism is seen to be a way to bolster tolerance, peace, and civility. Readily admitting that crimes are committed in the name of truth, John Paul says that “equally grave crimes and radical denials of freedom have also been committed and are still being committed in the name of ‘ethical relativism’” (EV, n. 70). Hence relativism is no guarantee of tolerance.<sup>20</sup> The true basis for tolerance is precisely the dignity of the person, a truth that we must embrace.

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<sup>18</sup> I have learned much from my brother, Russell Hittinger, “The Problem of the State in *Centesimus Annus*,” *Fordham International Law Review* 15, no. 4 (1991): 952–996; “Making Sense of the Civilization of Love: John Paul II’s Contribution to Catholic Social Thought,” in *The Legacy of Pope John Paul II*, edited by Geoffrey Gneuchs (New York: Herder and Herder, 2000), 29–42.

<sup>19</sup> John Paul II, Encyclical Letter *Fides et Ratio*, n. 48, [https://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_14091998\\_fides-et-ratio.html](https://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_14091998_fides-et-ratio.html). Hereafter as FR.

<sup>20</sup> See Jacques Maritain, “Truth and Human Fellowship,” in *On the Use of Philosophy: Three Essays* (New York: Atheneum, 1965), 16–43.

Jacques Maritain points out that the mistaken appeal to relativism as a defense of toleration fails to distinguish the subject or person who deserves our respect and the opinion they hold, which may be in error. Democracy “stands or falls with the values which it embodies and promotes” (EV, n. 70). It is a true crisis of democracy if it cannot give an account of or defend the values we seek to live by and promote. Relativism would subvert the very basis for human dignity and the rationale for democracy.

Relativism often derives from a prior choice for self against others. The agent will shut out “the most obvious evidence for objective and universal truth” so that subjective and changeable opinion, or “selfish interest and whim” are the only point of reference for the concrete decision (EV, n. 19). There is a suspicious, or indeed, a sinister motive for this appeal to relativism. John Paul makes such a claim not to impugn the motives of personal interlocutors, but to make sober judgment about the historical record.

The appeal to relativism ultimately neglects the very sign of human dignity, the presence of moral conscience. St. Thomas More is a witness to the “inalienable dignity of conscience.” Pope John Paul II points to the great passage of *Gaudium et Spes* on conscience: “the intimate center and sanctuary of a person, in which he or she is alone with God” (GS, n. 16). But conscience thrives on truth, only makes sense on the basis of the power to seek and to live by truth. In fact, we say of Thomas More that he bore witness to the “primacy of truth over power.”

## Realism and the bracketing of conscience

Pope John Paul II discerned another political sign of the times in the fall of the Soviet Union. The events of 1989, he said, are “a warning to those who, in the name of political realism, wish to banish law and morality from the political arena.” And we see the success of those who followed the Gospel and renounced violence. The influence of Machiavelli is widespread. Machiavelli is considered to be the founder of modern political philosophy.<sup>21</sup> In *The Prince* Machiavelli seeks to overturn the principles of ancient and medieval political philosophy by an accusation of foolish idealism. He says that they studied man as he ought to be, imagined republics, and failed to see what man “really is,” a passionate and selfish creature. The behaviors of actual men and regimes do not permit a reasonable man to act morally. He also says that the man who is not willing to practice evil will be ruined by those who are willing to practice evil.

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<sup>21</sup> See Leo Strauss, *What Is Political Philosophy* (New York: Free Press, 1959) and “The Three Waves of Modernity,” in *Political Philosophy: Six Essays by Leo Strauss*, edited by Hilda Gilden (Indianapolis: Bobbs-Merrill, 1975), 81–98.

Thus, the prince must know how to do evil and also the prince must practice hypocrisy, appearing to be a man of honor, justice, and faith, but knowing how to be the opposite as the situation and necessity demand. Maritain charges that the Machiavellian lies are two-fold: first, that the just man must be weak and second, that the successful man must practice evil and deceit. Maritain's critique is based on an empirical or historical claim.<sup>22</sup> First, history shows us that the just man can be strong; Gandhi and King refute Machiavellian lies. In the Soviet Bloc, the emergence of Solidarity and Lech Wałęsa provide yet another witness to the strength of love and justice. Second, the doers of evil prosper for the span of life of a man, but not for the extent of a regime. Both Hitler and Stalin claimed to learn from Machiavelli and be practitioners of his art. Maritain refers to this as the "artistic" or "technical" view of politics. Politics is simply an art of manipulating men and materials to achieve one's goals. Rationality is nothing but technical rationality. To such a view he contrasts the moral or internal view of politics—in this view, politics is a matter of virtue or character. It requires prudence defined in the ancient sense—a thoughtful regard for what is possible in the light of principle and as conditioned by the good character of the statesman. The artistic view leads to immediate success or the success of life span, but it is dubious if the doers of evil can actually sustain a regime over many generations. In 1950 Maritain predicted that great totalitarian power in the Soviet Union would collapse of its own internal rot. He referred to the Soviet bloc as "a huge Machiavellian robot" which possessed vast external power but lacked the internal power of truth and virtue.<sup>23</sup>

The appeal of political realism emerges whenever there is a sense of emergency or necessity we often encounter in times of war or peril. The same Machiavellian lies are put forward. It is argued that virtue and character will be too

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<sup>22</sup> Jacques Maritain, "The End of Machiavellianism," in *The Range of Reason* (New York: Charles Scribner's Press, 1968); see also Fr. James V. Schall, *Jacques Maritain: The Philosopher in Society* (Lanham, MD: Rowman & Littlefield, 1998), chapter 1.

<sup>23</sup> "Let us not be deceived, moreover, by the Machiavellian Sophistry: they say that justice and respect for moral values spell weakness and doom, and that strength is strong only if raised to the supreme standard of political existence. That is a lie. Not only, as we have seen, is evil incapable of succeeding in the long run, and not only does strength without justice weaken in the long run; but here and now strength can exist together with justice, and the power of nations struggling for freedom can be even greater than that of nations struggling for enslavement. The Second World War was a proof of that. Yet the strength itself of a democratic body politic supposes justice, because it uses human energies as energies of free men, not of slaves. Nay more: a supreme effort of all the energies of freedom, in their own spiritual realm, is needed to compensate for the momentary increase in physical strength that is given Machiavellian powers by their determination to use any means whatsoever. As such a supreme effort cannot arise if the body politic ignores moral values and standards. In reality strength is supremely strong only if not strength, but justice, is the supreme standard." Maritain, *Man and the State* (Chicago: University of Chicago Press, 1951), 60–61.

weak and that a great social benefit or utility requires the violation of a moral norm. The problem of teen pregnancy is considered a technical issue requiring nothing more than the right medical advice and birth control methods. Termination of pregnancy through abortion is a necessary policy for achieving great social benefits. We have created our own brand of a “totalitarian robot,” whose reach is not through tyrannical oppression but through a system of educational brainwashing and social control. The culture of death practices the technical approach to moral and personal problems. The connection between abortion and contraception is a clear example (EV, n. 13). The challenge to live chastely is dismissed out of hand. The response of conscience to the lack of love and use of another human being is stifled. Pope John Paul II asks whether modern man is “threatened by an eclipse of conscience? A deformation of conscience? By a numbing or deadening of conscience?”<sup>24</sup> The brutalizing effect of political realism contributes to such an eclipse of deadening of conscience and must be seen as a principle of the culture of death.

John Paul II draws a deeper hopeful lesson from the recognition of realism in the political order—“the events of 1989 are an example of the success of the Gospel spirit in the face of an adversary determined not to be bound by moral principles” (CA, n. 25). The people learned to draw strength from suffering and sacrifice. Rocco Buttiglione explains that John Paul’s Polish heritage and history simply highlight the limit of power and force, and the superior strength, in the long run, of a spiritual culture and a dedication to the whole man. The very existence of Poland, through its spiritual culture, is a sign of contradiction to the surrounding states which have dominated it through force for a span of centuries.<sup>25</sup> In an address to UNESCO he said “I am the son of a Nation which has lived the greatest experiences of history, which its neighbors have condemned to death several times, but which has survived and remained itself. It has kept its identity [...] not by relying on the resources of physical power, but solely by relying on its culture.”<sup>26</sup> Poland as a nation is a sign of contradiction in the midst of the Machiavellian lies of the modern state. Culture is the key to human flourishing, and the well being of any nation. The Church’s contribution is education and formation of conscience—it must preach the truth about creation and redemption (CA, n. 51). Politics is not separated from politics, because citizens are concrete subjects of action. Their unity of faith and life brings into the public sphere the testimony of conscience and a generous spirit of service.

<sup>24</sup> John Paul II, Angelus Message of March 14, 1982, *Insegnamenti* V, 1 (1982), 861; quoted in Post-synodal Apostolic Exhortation *Reconciliation and Penance*, n. 18.

<sup>25</sup> Rocco Buttiglione, *Karol Wojtyła: The Thought of the Man Who Became Pope John Paul II* (Grand Rapids, MI: Eerdmans, 1997), chapter 1.

<sup>26</sup> Pope John Paul II, “Address to UNESCO: Man’s Entire Humanity Is Expressed in Culture.” June 2, 1980. *L’Osservatore Romano*, English Weekly Edition, June 23 (1980): 9–12.

## Appeal to majority rule

Maritain draws a lesson from the refutation of Machiavelli and the victory of democratic peoples over the totalitarian regime. The strength of the free democratic regime will be the very free initiatives and open government that provide a ceaseless flow of energy throughout the social body and political regime. It depends upon the people's means of control over the power of the state. Aristotle and St. Thomas make a qualified endorsement of democracy, understood as a mixed regime or a popular regime; such a regime combines the positive sides of monarchy, aristocracy, and democracy, namely, unity and strength, virtue and achievement, and numbers for stability support.<sup>27</sup> There is a legitimate claim made by the people, "the many"—it is the stability of numbers and the support of the majority. Aristotle endorsed this argument for democracy. There is a good bias towards democracy in all regimes because of the principle of participation. All should have a voice; all free men should have a standing in the community. But there is also a danger in absolutizing the claim of the many against the few (virtue) or the one (unity). The many can become tyrannical when they seek to displace any other claim, especially in despoiling the wealthy. Aristotle seems most bothered when the many claim "By Zeus the majority has willed it" (*Politics*, Bk. IV), as if the force of numbers alone makes a law right, for that is no better than the claim of force made by the tyrant. John Paul II develops just such a warning against democracy. There is a danger when a society seeks to impose the will of the majority without reference to truth or objective moral order:

"Right" ceases to be such, because it is no longer firmly founded on the inviolable dignity of the person, but is made subject to the will of the stronger part. In this way democracy, contradicting its own principles, effectively moves towards a form of totalitarianism. The State is no longer the "common home" where all can live together on the basis of principles of fundamental equality, but is transformed into a tyrant State, which arrogates to itself the right to dispose of the life of the weakest and most defenseless members, from the unborn child to the elderly, in the name of a public interest which is really nothing but the interest of one part. The appearance of the strictest respect for legality is maintained, at least when the laws permitting abortion and euthanasia are the result of a ballot in accordance with what are generally seen as the rules of democracy. Really, what we have here is only the tragic caricature of legality; the democratic ideal, which is only truly such when it acknowledges and safeguards the dignity of every human person, is betrayed in its very foundations... (EV, n. 20)

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<sup>27</sup> See John Hittinger, "Jacques Maritain and Yves R. Simon's Use of Thomas Aquinas in Their Defense of Liberal Democracy," in *Thomas Aquinas and His Legacy*, edited by David M. Gallagher (Washington, D.C.: The Catholic University of America Press, 1994), 149–172.

The alliance between an ideology of relativism and democracy will spell the end of true democracy, which must stand upon the truth of human dignity. The civil law in its turn is decided by a “parliamentary or social majority” (EV, n. 69). If such a majority “decrees that it is legal, at least under certain conditions, to kill unborn human life,” this shows a tyrannical character because weak are subject to the stronger. Thus, the pope warns that “democracy cannot be idolized to the point of making it a substitute for morality or a panacea for immorality.”

A corrective to idolizing democracy is to better understand how it is simply a “system” and come to see it as “a means and not an end.” For example, Yves R. Simon explains how democratic regimes secure conditions for freedom and dignity through representatives such that governing personnel are subjected to the control of the people through the procedures of periodic elections.<sup>28</sup> It would be a mistake to develop a “romantic” notion of the people possessed of its own virtue and wisdom, particularly since there are many “weighty objections” to democratic government. Simon makes a defense of democratic procedures such as universal suffrage as a basis for freedom and subsidiarity against encroachment of elites and centralized power. To conceive of majority rule as a “general will” like Rousseau, or a spirit of the age of class, is a recipe for totalitarianism. The expression “government by consent of the governed” has a variety of meanings, all pointing to the various devices in a democratic system.<sup>29</sup> But it does not mean that it is by consent that a law becomes just or that truth is determined. Perhaps the idea that the consent of a majority actually determines the truth or the justice of a proposal is the most dangerous distortion protecting the culture of death.

The sinister connection of relativism with the tyranny of the majority spills over from legislation to the very education and formation of the soul. The opinion of the majority intimidates independence of thought and the openness of conscience needed for personal growth. Alexis de Tocqueville worried about the influence of majority opinion on the individual. He said:

It is safe to foresee that trust in common opinion will become a sort of religion, with the majority as its prophet [...] and democracy might extinguish that freedom of the mind which a democratic social condition favors. Thus it might happen that, having broken down all of the bonds which classes or men formerly imposed on it, the human spirit might bind itself in tight fetters to the general will of the greatest number. [...] For myself, if I feel the hand of power heavy on my brow, I am little concerned to know who it is that oppresses me; I am no better inclined to pass my head under the yoke because a million men hold it for me.<sup>30</sup>

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<sup>28</sup> Yves R. Simon, *Philosophy of Democratic Government* (Chicago: University of Chicago Press, 1951), 72–77.

<sup>29</sup> Simon, *Philosophy of Democratic Government*, 190–194.

<sup>30</sup> de Tocqueville, *Democracy in America*, 436.

The deeper skepticism or nihilism about the very possibility of moral truth or a moral standard finds shelter in the majority opinion. It is a doctrine cleverly used by those who would regularize the irregular and normalize the aberrant. It is a manifestation of the “mighty pressure” of public opinion which comes to “penetrate men’s very souls.”<sup>31</sup> Tocqueville said that there is “less independence of mind and true freedom of discussion” than in America,<sup>32</sup> and we fear more the tyranny of majority in its opinions than from its laws. Tocqueville reasons that public opinion will become “more and more [the] mistress of the world” as follows. It is part of the human condition to take one’s bearings from opinion—one cannot think through every issue and problem due to time, effort, and ability, for “life is too short and human faculties are too limited.”<sup>33</sup> And correspondingly, a society requires common opinion for common action. In non-democratic societies there may be outstanding men who set the standard of opinion or transcendent authority of a religious or traditional body of opinion. Not so in a democracy; no authority is unquestioned. Men are less inclined to believe blindly in any man or any class. In fact, the “traditions of class, profession, and family” are often repudiated, leaving a vacuum and emptiness.<sup>34</sup> There is a tendency to look within and make private judgment. But by the same dialectic which Tocqueville finds in other aspects of social life in a democracy, what begins as a sense of individual assertion, empowerment, and liberation may turn to fatigue, a sense of impotence, and surrender to a greater power. Freedom of thought (i.e., confident assertion of a judgment in the face of majority disapproval) becomes hateful because of the sheer numbers of claims, assertions, and opinions. They become readier to “trust the mass.” Tocqueville says that the majority do not need a law for such an effect, “its disapproval will be enough.” Thus men will lose self-confidence. The individual will “even come to doubt his own judgment, and he is brought near to recognizing that he must wrong when the majority hold the opposite view.”

It is well known how much Tocqueville celebrates the influence of intermediate groups in democratic societies, by which associations “feelings and ideas are renewed, the heart enlarged, and the understanding developed.”<sup>35</sup> He feared government usurpation of such institutions and, as we note above, even more the juggernaut of mass opinion over the minds of men. We must hope that individuals will stand firm in their particular judgments about moral standards and decency and not back down in the face of the onslaught of the partisan and media defenders of abortion. We need public leaders who will not conspire with the zeitgeist of moral relativism. We need public leaders who act as if they have

<sup>31</sup> de Tocqueville, *Democracy in America*, 435.

<sup>32</sup> de Tocqueville, *Democracy in America*, 254–255.

<sup>33</sup> de Tocqueville, *Democracy in America*, 434.

<sup>34</sup> de Tocqueville, *Democracy in America*, 439.

<sup>35</sup> de Tocqueville, *Democracy in America*, 515.

convictions. We need leaders who consider themselves bound by and challenged by a moral purpose. Our hope for the future lies in the integrity and activity of those essential intermediate groups—family, school, and church.

## Contradictory notion of rights

The role of a philosophy of human rights is central to Pope John Paul II's account of political life and the crisis of our time. Rights are simultaneously a positive and negative sign of the times.<sup>36</sup> The Church's commitment to defend and promote human rights was a "decisive contribution" to the downfall of oppressive regimes (CA, nn. 22, 24). The fall of the communist bloc was due in great measure, according to John Paul II, to the systematic violation of the rights of workers (CA, n. 23). The democratic ideal embodies the fundamental modern aspirations of modern man for greater freedom and discovery of human dignity (GS, n. 73). The doctrine of human rights is a standard for political regimes, and the right to life is the fundamental right and the foundation of human community (CA, n. 47). Thus, "when the Church declares that unconditional respect for the right to life of every innocent person—from conception to natural death—is one of the pillars on which every civil society stands, she 'wants simply to promote a human State. A State which recognizes the defense of the fundamental rights of the human person, especially of the weakest, as its primary duty'" (EV, n. 101). Further he says that failure to defend this right is a fundamental failure to defend the common good. It subverts the very values of dignity, justice, and peace. John Paul says that there can be no true democracy without a respect for life—"without the recognition of everybody's dignity and without respect for their fundamental rights." There is a contradiction in the concept of human rights. The respect for human freedom is an authentic movement in the world today: "Legitimate expressions of individual freedom to be acknowledged and protected as actual rights" (EV, n. 18). And yet this authentic movement for freedom is abused as a right to kill others. Is it inevitable that the use of rights discourse must entrap the Church in such a distortion and self-contradiction? There are some who think so.<sup>37</sup>

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<sup>36</sup> I borrow freely from a previously published article, "Three Philosophies of Human Rights," in *In Search of a National Morality*, edited by William Bentley Ball (Grand Rapids, MI: Baker Book House, 1992), 246–258. This essay is gathered with others on Locke, Maritain, and Pope John Paul II in *Liberty, Wisdom and Grace: Thomism and Modern Democratic Theory* (Lanham, MD: Lexington Press, 2002).

<sup>37</sup> Tracey Rowland, *Culture and the Thomist Tradition After Vatican II* (New York: Routledge, Radical Orthodoxy Series, 2003); Robert P. Kraynak, *Christian Faith and Modern Democracy: God and Politics in the Fallen World* (Notre Dame, IN: University of Notre Dame Press, 2001).

There are those like David A. J. Richards, a Professor of Law at New York University, whose book *Sex, Drugs, Death and the Law* follows the logic of the right to privacy to the point of the decriminalization of all consensual sex acts including prostitution, as well as drug use, and euthanasia.<sup>38</sup> The government must be properly “neutral among diverse ways people may interpretively weight the pursuit of those goods in their vision of a good and decent life.” Autonomy is precisely the ability to form a plan of life; for the government to act on behalf of a distinctive conception of the good life would be to violate the equal respect for persons, many of whom choose diverse ways of life: “the most fundamental right of persons is their right to equal concern and respect, compatible with a like respect for all, in defining their own visions of the good life.” Richards construes the first amendment as an attempt to “guarantee and secure to a person the greatest equal respect for the rational and reasonable capacities of the persons themselves to originate, exercise and express and change theories of life and how to live it well.” The deepest value protection, therefore, is not religion per se, but the higher powers of the person, the capacity for critical reflection as a rational and reasonable person and creative expression of oneself. The right of conscience is the primary right and the paradigm for all others; expanded to include any conscientious belief or actions derived therefrom, so too other rights are similarly expanded and developed in light of the principle of autonomy and respect for persons. As a good liberal he wishes to demonstrate the constitutional legitimacy of the right to privacy, its rightful application in such cases, involving contraceptive use in marriage, non-marital contraceptive use, pornography in the home, and abortion services; in addition, he criticizes the court for its failure to apply privacy rights to consensual homosexual acts. Homosexuals ought to be afforded the same rights to privacy, family, adoption and so on as heterosexuals. Such would forward the “great work of collective democratic decency that is the Constitution of the United States.”<sup>39</sup>

We must provide an alternative. We must take up the discourse on rights. As Francis Cardinal George says, we must affirm the good points of culture such as the principle of equality, freedom, participation, and communication—in short, we must embrace the democratic culture that is our heritage. We must be friendly critics, much like that great Frenchman Alexis de Tocqueville. We must orient that discourse, invest that discourse with an authentic and moral meaning. We can connect an authentic meaning to our founding and some of the better philosophers of the American tradition, as well as thinkers like de Tocqueville; we can provide a deeper anthropological and theological account as done by Pope John Paul II. Maritain, for example, derives human rights from a definite

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<sup>38</sup> See: John Hittinger, “David A. J. Richards and the Liberalism of the Autonomous Person,” in *Liberty, Wisdom, and Grace* (New York: Routledge, Radical Orthodoxy Series, 2003), 129–142.

<sup>39</sup> Hittinger, “David A. J. Richards and the Liberalism of the Autonomous Person,” 129–142.

conception of the good life. He defines the key modern notion of freedom in terms of virtue, which he calls liberty of expansion: it is “the flowering of moral and rational life, and of those interior activities which are the intellectual and moral virtues.” But the modern philosophy of human rights “believes in liberty without mastery of self or moral responsibility.” For Maritain, therefore, the essential political task is “a task of civilization and culture.” The rights of man follow from this goal—they represent the conditions necessary for the full flowering of human perfection in the multitude. Maritain expounds upon personal, civic, and economic rights in light of this particular human good. They protect and provide the material and legal conditions for human perfection. Maritain and Pope John Paul II use rights discourse to work for the steady emancipation of man from the conditions that thwart his or her aspirations to truth and virtue. Liberation is for the sake of human perfection, not an end in itself, nor a freedom without terminus or measure. This account of freedom would appear to preserve what is best in a theory of rights by joining it to a notion of virtue. Rights are not a claim of subjectivity or a liberty free of obligation, but conditions for human excellence challenging political prudence in its task to achieve a common good and a decent human life for all.

An ardent champion of rights, Pope John Paul II, says:

The rights of the person are the key element of the entire social order. They reflect the objective and inviolable requirements of a universal moral law which is based on God, the first Truth and highest Good. They are the foundation and benchmark of every human organization and only on them is it possible to build a society worthy of man.<sup>40</sup>

He does say that human law is derived from natural law and must be measured by it.<sup>41</sup> Nevertheless, I believe my brother is correct to say that Pope John Paul II refers more often to a “personalistic norm” rather than natural law as such to put forward his teaching on rights (see note 18). The personalistic norm derives more readily from a theological position about the dignity of man as God’s creature. He directly confronts the distorted notion of rights. He effectively uses the biblical teaching to unmask the justification of killing through abortion.

The culture of death relies on a more selfish and realistic notion of human rights, derived from the philosophy of Hobbes, who puts self-preservation at the center of political life and obligation. Hobbes places man in a state of nature in which men are at war with each other because of competition, fear, and glory. Hobbes, in *Leviathan*, posits human nature as impelled by desire or appetite to

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<sup>40</sup> Address of the Holy Father Pope John Paul II to an international group of university students attending the “UNIV 98” Congress, April 7, 1998.

<sup>41</sup> Cf. EV, n. 72 and Thomas Aquinas, *Summa Theologiae*, translated by Fathers of the English Dominican Province (New York: Benziger, 1947), I–II 95, a. 2 and 93 a. 3 ad 2.

seek satisfaction; there is no highest good and no common good. Power is the key to human life, for power guarantees or controls future access to satisfaction. Hobbes says that men are fundamentally at odds with each other. In fact, by nature we are in a state of war. The causes of quarrel are competition, fear, and desire for glory. But the effects of war are that life is solitary, poor, nasty, brutish, and short. The fundamental right of nature is self-preservation; it is a right because no one can be blamed for self-defense. In the state of war anything is permitted in pursuit of self-defense. The right is inalienable because it is the strongest passion and cannot be subverted. Thus, human community is built on fear and presupposes no natural bond or solidarity. Contractual relationships define the extent of our duties. If a person is weak and cannot push back, and if the community decides to ignore that person's claim—he or she is virtually without a voice and without a right. Not then does Hobbes put forward an individualistic notion of rights, he attributes the state with a power frightening in its scope, appropriately called “leviathan.”

Hobbes also gives the state power an absolute notion of sovereignty. The state is a separate transcendent power, unlimited in extension and duration. It is quite literally absolute—absolute or free from any conditions. Purview the list of the so-called rights of sovereignty in Hobbes in chapter 18; and it must be indivisible, brooking no opposition. The Church itself must be absorbed or neutralized for this reason. For too long had the Bishops and Holy Men challenged the power of the King—Thomas Beckett and Sir Thomas More. In the pre-modern age, that is, prior to Henry VIII, the view of royal power “was qualified by the belief that a king was not above natural or divine law, nor could he break his coronation oath by ignoring the common and customary law of the land. The Tudors enjoyed a wide prerogative, but they were expected to seek the consent of the people in Parliament when fresh taxes or new laws were contemplated. There was another limitation to absolutism. The doctrine of two swords was universally accepted; in purely spiritual matters, the Church was supreme.”<sup>42</sup> But it was Henry VIII's agent Thomas Cromwell who first fashioned the hideous notion of absolute sovereignty: “Cromwell's intention was to create a self-contained and self-sufficient realm: a sovereign national state which, using the civilian concept of *imperium* existing in any polity whose ruler did not recognize a superior on earth, he called the empire of England. [...] Freeing statute of the older limitation which wished to test it by reference to some external law—the law of nature, the law of Christendom (Thomas More's test)—he held that it was omniscient and must be obeyed.”<sup>43</sup> Sovereignty prior to Hobbes and the modern notion of the state was not sheer will or fiat, unaccountable to

<sup>42</sup> E. E. Reynolds, *The Trial of Thomas More* (New York: Palm Publishers/A.C. Books, 1964).

<sup>43</sup> *The New Cambridge Modern History*, vol. II (1958), 233–234; quoted in Reynolds, *The Trial of Thomas More*, 53.

God or man, but a supreme authority bounded by: legal forms (checks and balances, process); personnel (character, integrity); and political purpose and principle (justice). John Locke and our Founding Fathers attempted to restore this balanced view. But the notion of the absolute sovereignty of the state continues into the new millenium, despite the disasters of the 20th century, and it is supported by the various ideological devices we have reviewed. The modern state has no limitations from above (divine or moral order) or below (custom, local practice, etc).<sup>44</sup> For this reason, the pope is very wary of the modern liberal state; he does not hesitate to refer to liberal state as a “tyrant state” when it usurps the power over the lives of others.<sup>45</sup>

This view comes to rest upon a fundamental denial of solidarity, openness to others and service. Pope John Paul II argues eloquently for the divine ground for human dignity (see: EV, nn. 34–36/37–38):

Life is always a good. This is an instinctive perception and a fact of experience, and man is called to grasp the profound reason why this is so. Why is life a good? This question is found everywhere in the Bible, and from the very first pages it receives a powerful and amazing answer. The life which God gives man is quite different from the life of all other living creatures, inasmuch as man, although formed from the dust of the earth (cf. Gen 2:7, 3:19; Job 34:15; Ps 103:14; 104:29), is a manifestation of God in the world, a sign of his presence, a trace of his glory (cf. Gen 1:26–27; Ps 8:6). This is what Saint Irenaeus of Lyons wanted to emphasize in his celebrated definition: “Man, living man, is the glory of God.” Man has been given a sublime dignity, based on the intimate bond which unites him to his Creator: in man there shines forth a reflection of God himself. (EV, n. 34)

Pope John Paul II uses the Biblical teaching on Cain and Abel to account for the attitude of fear, competition, and glory as the origin of war (EV, nn. 53–54; n. 8; n. 57). According to the Biblical account, men share an original unity or solidarity which is broken by the murderous intent of Cain. Cain is under the influence of the father of lies and death, Satan. Because each human being has a relationship with God, each human being possesses special dignity. “Human life is given a sacred and inviolable character which reflects the inviolability of God himself” (EV, n. 53). God is the author of life. “You shalt not kill” is therefore the commandment which is the “basis for all life together” (EV, n. 53).

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<sup>44</sup> See Russell Hittinger, “The Pope and the Liberal State,” *First Things* (December 1992): 33–41.

<sup>45</sup> “The State is no longer the ‘common home’ where all can live together on the basis of principles of fundamental equality, but is transformed into a tyrant State, which arrogates to itself the right to dispose of the life of the weakest and most defenseless members, from the unborn child to the elderly, in the name of a public interest which is really nothing but the interest of one part” (EV, n. 20).

It is the “extreme limit”—a negative prohibition, a universally binding command, whose positive counterpart is “love your neighbor as yourself.” The positive attitude is an absolute respect for life (EV, n. 54).

The taking of human life is a sin against justice and charity. It is always a moral evil, an offense against the moral law and God himself. Every murder is “a violation of the ‘spiritual kinship’ uniting mankind in one great family” (EV, n. 8). The fundamental equality of all human beings allows no exceptions. Thus, the foundation of human community is divine creation and equal human nature. The anger and envy tempting one to kill can be mastered—one is free, contrary to Hobbes’s notion of a right which cannot be blamed because impelled by necessity:

Even in the midst of difficulties and uncertainties, every person sincerely open to truth and goodness can, by the light of reason and the hidden action of grace, come to recognize in the natural law written in the heart (cf. Rom 2:14–15) the sacred value of human life from its very beginning until its end, and can affirm the right of every human being to have this primary good respected to the highest degree. *Upon the recognition of this right, every human community and the political community itself are founded.* (EV, n. 70, emphasis mine)

Pope John Paul II returns us to the deeper question of human conscience. The right of conscience is the fundamental right, not self-preservation. St. Thomas More is a witness to the priority of conscience, the importance of integrity and coherence, over self-preservation. But this right of conscience is now under assault by the conspiracy against life, the structures of the culture of death.

Modern democracy particularly emphasizes human freedom. This leads to two diametrically opposed tendencies in our democratic culture, John Paul II says:

As a result we have what appear to be two diametrically opposed tendencies. On the one hand, individuals claim for themselves in the moral sphere the most complete freedom of choice and demand that the State should not adopt or impose any ethical position but limit itself to guaranteeing maximum space for the freedom of each individual, with the sole limitation of not infringing on the freedom and rights of any other citizen. On the other hand, it is held that, in the exercise of public and professional duties, respect for other people’s freedom of choice requires that each one should set aside his or her own convictions in order to satisfy every demand of the citizens which is recognized and guaranteed by law; in carrying out one’s duties the only moral criterion should be what is laid down by the law itself. Individual responsibility is thus turned over to the civil law, with a renouncing of personal conscience, at least in the public sphere. (EV, n. 69)

Here we find a fatal flaw; freedom of conscience is the core of personal integrity. A culture which suppresses conscience has become totalitarian; a second

reason the liberal state could become a tyrant state. At the heart of every culture is the question about man's relation to God (EV, n. 24). Some try to eliminate the very question. This degrades the transcendent character of the person. The fundamental right is the right of conscience, or religious liberty (EV, n. 29). The recognition of this right is said to be "the primary foundation of every authentically free political order." This foundation must not be forgotten because totalitarianism continues to threaten us, we are subject to utilitarian values which tend to forget it as they promote gratification and non-ordered systems of good, and many fundamentalist want to deny these rights to others. Thus we are led back to the need for objective truth and an objective criterion of good and evil beyond the will of those in power. Man is above all "a being who seeks for truth and to live in that truth" (EV, n. 50). The open search for truth is precisely what defines a culture. The Church will serve as the sign and safeguard of the transcendence of the human person through her commitment to truth. The foundation of the rights is the transcendent dignity of the person. But the "source and synthesis" of all rights is the right to religious freedom, the "right to live in the truth of one's faith and in conformity with the transcendent dignity of the human person" (EV, n. 47). By the suppression of conscience and by the approval of the killing of the innocent, the liberal state shows that it is not a neutral body, but a secularist state. Not only is politics separated from morality, but man is separated from God.

## The Heart of the Matter: Secularism and the Separation of Man from God

"Homo a Deo seiungi non potest nec res politica a re morali,"<sup>46</sup> that is, "Man cannot be separated from God; nor should politics be separated from morality." We have examined the attempts to separate political life from morality; let us now examine the movement to separate man from God. The abuses of sound democratic principles put forward to justify abortion spring forth from a deeper philosophical and cultural current. Pope John Paul II refers to the "Promethean attitude" that emerges in such arguments, an attitude which leads people "to think that they can control life and death by taking the decisions about them into their own hands" (EV, n. 15). The quest for mastery of nature and autonomy of life are baffled by the presence of suffering. The mystery of suffering defies a ra-

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<sup>46</sup> John Paul II, Apostolic Letter *Motu Proprio Proclaiming Saint Thomas More Patron of Statesmen and Politicians*, n. 4 and cited by Ratzinger in "Doctrinal Notes."

tionalistic understanding, and there is an attempt to “resolve it” by eliminating at the root. To resolve it at the root is not only the practice of “mercy killing,” euthanasia, but also the justification of man’s ultimate authority and control of the mystery of life and death. Religion is a rival to the humanistic ideology which justifies these acts of killing. Thus, hostility towards religion, secularism, is the deepest source for the culture of death:

In seeking the deepest roots of the struggle between the “culture of life” and the “culture of death,” we cannot restrict ourselves to the perverse idea of freedom mentioned above. We have to go to the heart of the tragedy being experienced by modern man: *the eclipse of the sense of God and of man, typical of a social and cultural climate dominated by secularism*, which, with its ubiquitous tentacles, succeeds at times in putting Christian communities themselves to the test. Those who allow themselves to be influenced by this climate easily fall into a sad vicious circle: when the sense of God is lost, there is also a tendency to lose the sense of man, of his dignity and his life; in turn, the systematic violation of the moral law, especially in the serious matter of respect for human life and its dignity, produces a kind of progressive darkening of the capacity to discern God’s living and saving presence. (EV, n. 22, emphasis mine)

In another document Pope John Paul II defines secularism as follows: “a movement of ideas and behavior which advocates a humanism totally without God, completely centered upon the cult of action and production and caught up in the heady enthusiasm of consumerism and pleasure seeking, unconcerned with the danger of ‘losing one’s soul.’”<sup>47</sup> The development of a Christian humanism for the modern world, as an alternative to the secular humanism of the intellectuals and the totalitarian movements characterized the work of many great Catholic thinkers such as Jacques Maritain, Henri de Lubac, Christopher Dawson, Aurel Kolnai, Romano Guardini, and others prior to Second Vatican Council. Maritain’s work has influenced the writings of both Pope Paul VI and John Paul II. *Gaudium et Spes* shows their mark. Pope Paul VI cites both Maritain and de Lubac in *Populorum Progressio*. Maritain insisted that we must face the difference between two philosophies of rights which must be traced back to fundamental differences in philosophy of God. He distinguishes the underlying philosophies as theocentric humanism and anthropocentric humanism: “The first kind of humanism recognizes that God is the center of man; it implies the Christian conception of man, sinner and redeemed, and the Christian conception of grace and freedom. The second kind of humanism believes that man

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<sup>47</sup> John Paul II, Post-synodal Apostolic Exhortation *Reconciliation and Penance*, n. 18, [http://w2.vatican.va/content/john-paul-ii/en/apost\\_exhortations/documents/hf\\_jp-ii\\_exh\\_02121984\\_reconciliatio-et-paenitentia.html](http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_02121984_reconciliatio-et-paenitentia.html). Hereafter as RP.

himself is the center of man and implies a naturalistic conception of man and of freedom.”<sup>48</sup> According to the philosophy of theocentric humanism, human rights rest upon a natural and divine order, according to which human beings possess a dignity in virtue of their nature and destiny as creatures before God. The rights are limited in scope and are designed to assist the person in attaining their full stature as human beings. According to anthropocentric humanism, rights are based upon “the claim that man is subject to no law other than that of his will and freedom” and, as a result, have become “infinite, escaping every objective measure, denying every limitation imposed upon the claims of the ego.”<sup>49</sup> The one notion of rights derives more from Hobbes, the other—from Thomas Aquinas. Anthropocentric humanism, or what we now call secular humanism, is a humanism which defines man by excluding all reference to the transcendent and divine. Human happiness is to be found in this world alone. Anthropocentric humanism grounds the modern project to master nature; its aim is “to be lord of exterior nature and to reign over it by means of technological procedures [and] [...] to create [...] a material world where man will find, following Descartes’ promises, a perfect felicity.”<sup>50</sup> Bourgeois life is a “cult of earthly enrichment”<sup>51</sup>; economic life absorbs every other field of activity. Thus it debases human nature. Maritain often cited Werner Sombart, who said that a Western man is neither ontological nor erotic because he lives by external signs such as money and honor, and he loves things more than persons. False humanism is the source of the other characteristics of Western liberalism. By excluding the eternal and spiritual values, the citizens have only material goods for private consumption and no basis for a common good. By excluding a transcendent measure for human action, libertarianism and mere mutually-agreed-to restrictions on liberty obtain. And the cult of earthly enrichment, the lust for profit, leads to exploitation of the worker.

The challenge of secularism is central to the understanding of the Church in the modern world. The Catholic today must understand the benefits of modern society, the dignity and “autonomy” of various fields of action and production. Our critique must be properly placed, against secularism, not secularity, against the closure to transcendence and not the affirmation of the value of temporal affairs. Alberto Ferre explained the challenge very well. He said that the attitude of Vatican II means that the Church “fully accepts the rightful demands of the

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<sup>48</sup> Jacques Maritain and Otto A. Bird, *Integral Humanism, Freedom in the Modern World, and a Letter on Independence* (Notre Dame, IN: University of Notre Dame Press, 1996), 27–30; Jacques Maritain, *The Range of Reason* (New York: Charles Scribner’s Press, 1952), chapters 7, 8, 14.

<sup>49</sup> Maritain, *Man and the State*, 83–84.

<sup>50</sup> Maritain, *The Range of Reason*, chapter 14, 186–187.

<sup>51</sup> Jacques Maritain, *Scholasticism and Politics* (New York: Doubleday Image, 1960), chapter 1, 13.

Enlightenment.”<sup>52</sup> The two positive values of the Enlightenment are based upon two protests: “the secular, lay protest at being absorbed into the religious sphere [...] since religion denied the secular sphere its own independence and logic.”<sup>53</sup> Secondly, it was “a protest against an ‘other-worldly’ type of spirituality” which would undervalue the things of the earth. The form of the protest led to secularism, “the removal of everything religious from earthly life.” It was a separation of heaven from earth, of man from God, in the name of man and the earth. But Ferre explains that the council put forward a theological basis for human development which does not deny the autonomy of the secular sphere. The very passage cited by John Paul II concerning the loss of the creature distinguishes a proper and improper meaning of autonomy:

If by the autonomy of earthly affairs we mean that created things and societies themselves enjoy their own laws and values which must be gradually deciphered, put to use, and regulated by men, then it is entirely right to demand that autonomy. Such is not merely required by modern man, but harmonizes also with the will of the Creator. For by the very circumstance of their having been created, all things are endowed with their own stability, truth, goodness, proper laws and order. Man must respect these as he isolates them by the appropriate methods of the individual sciences or arts. [...] we cannot but deplore certain habits of mind, which are sometimes found too among Christians, and which do not sufficiently attend to the rightful independence of science and which, from the arguments and controversies they spark, lead many minds to conclude that faith and science are mutually opposed. But if the expression, the independence of temporal affairs, is taken to mean that created things do not depend on God, and that man can use them without any reference to their Creator, anyone who acknowledges God will see how false such a meaning is. For without the Creator the creature would disappear. For their part, however, all believers of whatever religion always hear His revealing voice in the discourse of creatures. When God is forgotten, however, the creature itself grows unintelligible. (GS, n. 36; cf. n. 43; and LG, n. 33)

It is a false autonomy which seeks to cut off the intrinsic reference to God as the very origin of life and being as well as obscuring or denying the intrinsic orientation of creation to the Creator. As Thomas Aquinas reminds us in his *Summa*—the *exitus* and *reditus* of creation—all things come forth from God and all things return to him, especially the rational creature who bears the very image and likeness of the creator. Without the creator, the sense of creature will disappear.

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<sup>52</sup> Alberto Methol Ferre, “Puebla: The Evangelization of Culture,” *Laity Today: Review of the Pontifical Council for the Laity* 28 (1982): 60–77.

<sup>53</sup> Ferre, “Puebla: The Evangelization of Culture,” 60–77.

By becoming the guardian and protector of human dignity and transcendence, the Church will find the basis for evangelization. We find that the best orientation to the thought of Pope John Paul II is his first encyclical *Redeemer of Man* and a turn to the question of man and God. In that first encyclical the pope outlined a project of his pontificate. The way of the Church is the way of man. It was based upon his active participation in Vatican II and especially the writing of the document *Gaudium et Spes*. In this work, John Paul also attempts to read the signs of the times. He mentions the following as important negative signs to study: environmental threats, war, abortion, oppression. It is interesting that abortion is on this original list, written in late 1970s. He returns to it with *The Gospel of Life*. They are all manifestations of the biblical notion of the futility of creation, and a loss of meaning for human striving and suffering. And the crisis is sharpened precisely because of the great strides and progress of the modern world. John Paul II points out that each human person must make a discovery of love and thereby of transcendence. For this Christ reveals man to himself and the Church becomes the defender of person; the Church is a sign and safeguard of transcendence of the human person. The core or fundamental sign of the times is the rebound of the power and creativity of man upon himself:

The man of today seems ever to be under threat from what he produces, that is to say from the result of the work of his intellect and the tendencies of his will. All too soon, and often in an unforeseeable way, what this manifold activity of man yields is not subjected to “alienation,” in the sense that it is simply taken away from the person who produces it, but rather it turns against man himself, at least in part, through the indirect consequences of its effects returning on himself. It is or can be directed against him. This seems to make up the main chapter of the drama of present-day human existence in its broadest and universal dimension.<sup>54</sup>

It is interesting that C. S. Lewis made a similar diagnosis in his classic work *The Abolition of Man*. The mastery of nature is really nothing more than the mastery of some men over other men. We have much to be afraid of in this brave new world. The crisis leads to the following question: Are we going to make further progress or regress to destruction and degradation? (RH, nn. 15–16)

The problem is not that Vatican II imported and used the discourse of rights. Nor that the Church has accommodated herself to the Enlightenment and modern ideas. The problem is that we have failed to understand the nature of the lay apostolate and the task of evangelization of culture. Pope John Paul II thinks that the inhabitants of the modern world are ready to hear the good news of

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<sup>54</sup> John Paul II, Encyclical Letter *Redemptor Hominis*, n. 15, [https://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf\\_jp-ii\\_enc\\_04031979\\_redemptor-hominis.html](https://w2.vatican.va/content/john-paul-ii/en/encyclicals/documents/hf_jp-ii_enc_04031979_redemptor-hominis.html). Hereafter as RH.

salvation, the good news of life. The modern project cannot satisfy the thirst for a meaningful life. The threats to human dignity posed by our own creations, technology, and behaviors are becoming more obvious. Francis Cardinal George OMI has studied the characteristics of American culture and he acknowledges the obstacles to our witness, such as a secularist interpretation of the first amendment and the absolutizing of individual rights. But he is hopeful that Catholics can influence the culture through an expanded notion of reason, an emphasis upon non-chosen membership such as family and ethnicity, and providing a fuller notion of justice. He said that we can evangelize American culture like those great 19th-century Catholic converts Orestes Brownson and Isaac Thomas Hecker.<sup>55</sup> Brownson came to the faith from a sense of loss and grief; Hecker came to the faith seeking a deeper fulfillment. I think that rights discourse can lead to the very opportunities for conversion, as mentioned by Francis Cardinal George. It is an opportunity for conversion from “fulfillment” when we see the need for something more, the transcendent—freedom has a purpose, a deeper meaning, which leads us to charity and the city of God (RH, n. 21). From the standpoint of conversion from breakdown, the Brownson way, we can see how the abuse of freedom leads to personal degradation. So many lives are ruined on the rocks of irresponsible freedom. The Church stands ready to minister to the brokenness and alienation of the citizens of a democracy who have failed to develop freedom with virtue.

But for the Church to accomplish the task of evangelization of the political life and its cultural matrix, we must have saints like St. Thomas More. We must have men and women who understand and live by faith, and achieve a unity of faith and life. They must understand their own heritage, and not be rootless.<sup>56</sup> What is demanded of the lay person is a “vital synthesis” of “humane, domestic, professional, social and technical enterprises” with religious values, under whose “supreme direction all things are harmonized unto God’s glory” (GS, n. 43). In *Apostolicum Actuositatem* the training of lay people is said to require “an integral human education” which includes theology, ethics, and philosophy (GS, n. 29). The Church needs nothing less than a renewal of spiritual life and a renewal of Catholic higher education.

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<sup>55</sup> See his contribution to *The New Evangelization: Overcoming the Obstacles*, edited by Steven Boguslawski and Ralph Martin (New York: Paulist Press, 2008); from a conference held at Sacred Heart Major Seminary, Detroit, March, 2006.

<sup>56</sup> See John Paul II, Apostolic Exhortation *Ecclesia in America* (The Church in America), January 22, 1999, n. 21.

## An Education to Counter the Culture of Death

In the concluding sections of *Ex Corde Ecclesiae*, Pope John Paul II states that “the primary mission of the Church is to preach the Gospel in such a way that a relationship between faith and life is established in each individual and in the socio-cultural context in which individuals live and act and communicate with one another.” It may thereby transform humanity from within and make it new.<sup>57</sup> His predecessor Pope Paul VI saw such an outcome from the new evangelization which seeks to “bring the good news into all strata of society” (*Evangelii Nuntiandi*, nn. 18ff). In a world dominated by secularism, the power of the Gospel must affect and upset “humanity’s criteria of judgment, determining values, points of interest, lines of thought, sources of inspiration and models of life, which are in contrast with the Word of God and the plan of salvation” (ECE, n. 40). This is the inspiration for John Paul II’s *The Gospel of Life* and his concern to counter and to overcome the dominant culture of death. The mutual concern to counter the culture of death shared by Popes John Paul II and Paul VI may be seen in the retreat preached by Cardinal Wojtyła to the Papal Household for Lent 1976. The theme or “connecting thread” of the Lenten reflections can be found in the words of Simeon, that Jesus is “a sign of contradiction” destined for the rise and fall of many.<sup>58</sup> Cardinal Wojtyła said that the inheritance of truth that Christ bequeathed to the Church is “demanding and fraught with difficulties.”<sup>59</sup> The attacks upon Pope Paul VI mounted by “the anti-Gospel lobby” and the opposition by “humanistic” circles within the Christian groups, particularly to *Humanae Vitae*, bring “home the fact that we are in the front line in a lively battle for the dignity of man.”<sup>60</sup> We must continue to fight for the true dignity of human life in the heart and conscience of each human being. This educational mission is paramount in our day and the Catholic University makes a critical contribution particularly through an “education offered in a faith-context that forms men and women capable of rational and critical judgment and conscious of the transcendent dignity of the human person” and also through “professional training that incorporates ethical values and a sense of service to individuals and to society” (ECE, n. 49). In the final chapter of *The Gospel of Life* Pope John Paul II provides a program for a “New Culture of

<sup>57</sup> John Paul II, Apostolic Constitution *Ex Corde Ecclesiae*, n. 48, [http://w2.vatican.va/content/john-paul-ii/en/apost\\_constitutions/documents/hf\\_jp-ii\\_apc\\_15081990\\_ex-corde-ecclesiae.html](http://w2.vatican.va/content/john-paul-ii/en/apost_constitutions/documents/hf_jp-ii_apc_15081990_ex-corde-ecclesiae.html). Hereafter as ECE.

<sup>58</sup> Karol Wojtyła, *Sign of Contradiction* (New York: Seabury Press, 1979), 41.

<sup>59</sup> Wojtyła, *Sign of Contradiction*, 124.

<sup>60</sup> Wojtyła, *Sign of Contradiction*, 124.

Life.” From the numerous and various points, the following five points have a direct relevance to university work.

Pope John Paul II says we need first of all to foster, in ourselves and in others, “a contemplative outlook” (EV, n. 83). The ideal of liberal arts education springs from the cultivation of a quest for truth, beauty, and communion. Such an outlook would lead to graduates “who see life in its deeper meaning, who grasp its utter gratuitousness, its beauty and its invitation to freedom and responsibility” (EV, 83). Christian faith contributes to this outlook, for God created each individual as a wonder. It also comes from a philosophy that sees all things as a reflection of the creator. In an early address at the Angelicum Pope John Paul II said that “The philosophy of St. Thomas is a philosophy of being, that is, of the ‘act of existing’ (*actus essendi*) whose transcendental value paves the most direct way to rise to the knowledge of subsisting Being and pure Act, namely to God. On account of this we can even call this philosophy: the philosophy of the proclamation of being, a chant in praise of what exists.”<sup>61</sup> Indeed, in *The Gospel of Life*, John Paul II refers to Pseudo-Dionysius, who wrote that all life proceeds from and participates in the divine life; thus every “living being must contemplate it and give it praise” (EV, n. 84). The contemplative outlook is ultimately pro-life because through such a formation, people do not “give in to discouragement when confronted by those who are sick, suffering, outcast or at death’s door. Instead, in all these situations it feels challenged to find meaning, and precisely in these circumstances it is open to perceiving in the face of every person a call to encounter, dialogue and solidarity” (EV, n. 83).

A second point concerns the need for an education about the value of life from conception to natural death (EV, n. 97), and, most of all, an integral education about human sexuality and love so that the young may “accept and experience sexuality and love and the whole of life according to their true meaning,” and live chastely, respecting the spousal meaning of the body. An education in the theology of the body is crucial (EV, n. 97). So too, “the work of education cannot avoid a consideration of suffering and death.” Suffering has meaning and value in love, and death is an event of hope when seen as a participation in the mystery of the death and resurrection of Christ (EV, n. 97).

A third point concerns the educational task to develop and to teach the philosophy of the person and to embrace a new life-style involving the person, the family, and international relations on the “basis of a true scale of values” (EV, n. 98). The true scale of values must recognize the primacy of being over having and the primacy of the person over things. This scale of values fits in to

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<sup>61</sup> John Paul II, “Perennial Philosophy of St. Thomas for the Youth of Our Times,” *Angelicum* 57 (1980): para. 6, 139–140. I wish to thank my colleague John Knasas for recently bringing this passage to my attention.

a larger account of the principles needed for a renewal of culture.<sup>62</sup> In *Redeemer of Man*, Pope John Paul II proposes that we must establish in our own life, in society, and in the world the priority of ethics over technology, the respect for persons more than things, and a recognition of the superiority of spirit over matter (RM, n. 16). These principles should form all Catholic intellectuals in their task to build a new culture of life (EV, n. 98).

Fourth, a special solicitude must be shown for the education of health-care personnel, for to them belongs a unique responsibility: “their profession calls for them to be guardians and servants of human life” (EV, n. 89). But they can be strongly tempted to become manipulators of life or agents of death. The ethical dimension of this work must be traced back to the fundamental principle of “absolute respect for human life and its sacredness” as acknowledged from ancient times in the Hippocratic oath. Institutional support for Centers of Bio-medical ethics and for the education of health care professionals must be found in every Catholic institution of higher learning. The pro-life message today is not a popular one. There are countless professors, politicians, and professionals advocating for the culture of death. So Pope John Paul II advises in *Ex Corde Ecclesiae*—“If need be, a Catholic university must have the courage to speak uncomfortable truths which do not please public opinion, but which are necessary to safeguard the authentic good of society” (ECE, n. 32). This requires a new effort for the new historical situation. Pope John Paul II says: “[...] new, because it will be able to confront and solve today’s unprecedented problems affecting human life; new, because it will be adopted with deeper and more dynamic conviction by all Christians; new, because it will be capable of bringing about a serious and courageous cultural dialogue among all parties” (EV, n. 95).

The conflict between the Word and the anti-Word spoken of in Sign of Contradiction is now manifest as “a dramatic struggle between the culture of life and the culture of death” (EV, n. 95). Education must cultivate among faculty and students “a deep critical sense capable of discerning truth about sin and authentic needs.” So finally, as a concluding point, we must understand that the urgent need of our day is to form conscience and to foster a “general mobilization of conscience” and efforts to activate a campaign in support of life (EV, n. 95). This is how the Christian witness today can transform culture and humanity. The first principle for conscience rest upon a recognition of “the incomparable and inviolable worth of every human life” (EV, n. 96). In our culture today, there is a darkening of conscience and people find many ways to evade its demands especially in the special regard we give to individual freedom. John Paul II puts forward two principles to challenge a lopsided account of

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<sup>62</sup> See my articles on this topic: “Ethos, Person and Spirit—Principles of Social and Cultural Renewal,” *Człowiek w Kulturze: Pismo Poświęcone Filozofii i Kulturze* 26 (2016): 161–172; “The Springs of Religious Freedom: Conscience and the Search for Truth,” *Journal of Interdisciplinary Studies* 29, no. 1/2 (2017): 4–24.

human freedom. He argues for an essential connection between life and freedom: “these are inseparable goods: where one is violated, the other also ends up being violated. There is no true freedom where life is not welcomed and loved; and there is no fullness of life except in freedom” (EV, n. 96). The two realities are linked by the vocation to love. The second calls for “the recovery of the necessary link between freedom and truth.” He frequently made this argument as in *Redemptor Hominis*, *Centesimus Annus*, and *Veritatis Splendor*. In this encyclical he states that when “freedom is detached from objective truth it becomes impossible to establish personal rights on a firm rational basis; and the ground is laid for society to be at the mercy of the unrestrained will of individuals or the oppressive totalitarianism of public authority” (EV, n. 66).

The respect for the sacredness of life, and the understanding of the connections between freedom and life and freedom and truth, are achievements of reason as well as faith. For this reason, John Paul II concludes the encyclical with the following statement:

The Gospel of life is not for believers alone: it is for everyone. The issue of life and its defense and promotion is not a concern of Christians alone. Although faith provides special light and strength, this question arises in every human conscience which seeks the truth and which cares about the future of humanity. Life certainly has a sacred and religious value, but in no way is that value a concern only of believers. The value at stake is one which every human being can grasp by the light of reason; thus it necessarily concerns everyone. (EV, n. 101)

Respect for life is a pillar of human society and integrally connected to any coherent and comprehensive account of human rights. It is for this reason that we must return to our opening argument that we must often begin the defense of life and the formation of conscience by refuting the many masks for the culture of death so often used by the leaders of the cultural and political systems today. Relativism, realism, an appeal to the majority, and promoting an individualist notion of liberty and rights all form a part in ideological distortion promoting the attacks upon life. Through education and courageous witness we can open the imagination along new lines and set the context for a new culture of life.

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## L'éducation luttant contre la culture de la mort

### Résumé

L'auteur traite la tâche de l'éducation adressée aux croyants laïques sous l'angle de la propagation de la nouvelle culture de la vie et la lutte contre la culture de la mort. En suivant la manière argumentative présentée par Jean-Paul II dans l'encyclique *Evangelium Vitae*, l'auteur analyse les mécanismes idéologiques – tels que le relativisme, le réalisme, le recours à la majorité, la compréhension individualiste de la liberté et des droits – qui sont utilisés par les politiciens et les professeurs justifiant leurs opinions. Ces idéologies sont critiquées pour l'erreur consistant dans la compréhension impropre de la nature humaine et des principes gouvernant la communauté politique. Après avoir expliqué les déformations concernant les vérités sur la liberté humaine et la vie, l'auteur décrit brièvement certaines questions présentes dans l'encyclique pour souligner les tâches positives de l'éducation dans la construction de la nouvelle culture de la vie et la formation de la conscience des concitoyens quant à la protection de la vie. À ces tâches appartient : la redécouverte de l'attitude contemplative, l'appréciation de l'importance de la valeur de la sexualité humaine et de l'amour, ainsi que le développement de la philosophie personnaliste pour les besoins généraux de l'éducation.

Mots-clés: Évangile de la vie, éducation, Jean-Paul II, Église et État, relativisme, dignité humaine, sainteté de la vie, universités catholiques, culture de la vie, culture de la mort

John P. Hittinger

## L'istruzione per contrastare la cultura della morte

### Sommario

L'autore tratta il compito dell'istruzione per quanto concerne i fedeli laici ai fini della promozione della nuova cultura della vita e dell'opposizione alla cultura della morte. Seguendo le argomentazioni presentate da Giovanni Paolo II nell'enciclica *Evangelium Vitae*, l'autore analizza i meccanismi ideologici quali il relativismo, il realismo, il richiamo alla maggioranza, la conce-

zione individualistica della libertà e dei diritti, usati dai politici e dai professori che giustificano le proprie opinioni. Tali ideologie sono criticate per l'errore che consiste nella comprensione inappropriata della natura umana e dei principi che governano la società politica. Dopo aver chiarito i travisamenti che riguardano le verità riguardanti la libertà e la vita umane, l'autore tratta brevemente alcuni punti presentati nell'enciclica per evidenziare i compiti positivi dell'istruzione nell'edificazione della nuova cultura della vita e nella formazione della coscienza dei concittadini circa la difesa della vita. Tra questi compiti rientrano: la riscoperta dello sguardo contemplativo, l'apprezzamento dell'importanza del valore della sessualità e dell'amore umani come pure lo sviluppo della filosofia personalista per le esigenze globali dell'istruzione.

Parole chiave: Vangelo della vita, istruzione, Giovanni Paolo II, Chiesa e stato, relativismo, dignità umana, santità della vita, università cattoliche, cultura della vita, cultura della morte



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## The Need of Upbringing with Values in Mind in the Post-Normative Epoch

**Abstract:** The contemporary times are characterized by a radical withdrawal from the traditional principles of normative ethics. The commonly encountered attitudes are axiological pluralism, permissivism, and moral relativism. The results of research on attitudes and preferences of young Poles indicate towards a clear advantage of interest in hedonistic and utilitarian values, as well as a disrespectful approach to the examples of order and harmony. What is instead valued are such moral values as honesty, honor, and helpfulness. However, we need to ask whether the research method adequately reflects the real preferences. It is possible that the axiological disorientation among youth has its roots in the lack of skills of a proper understanding and expression of own intuition in the area of values. The author suggests that we should contemplate an alternative methodology, modeled and based on the Ph. Johnson-Laird's situation analysis.

**Keywords:** post-normativeness, youth, preferences, value structure, axiological education

### Twilight of Normativeness, Tyranny of the Cultural Idiom

Steve Wilcox writes that we all live in a permissive epoch, referred to as the “ludic century.” In sociological and philosophical culture and literature we can also find different names used to define this socio-civilizational structure, for instance, “entertainment society” or “Erlebnisgesellschaft.”<sup>1</sup> What is happening

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<sup>1</sup> See Gerhard Schulze, *Erlebnisgesellschaft. Kultursoziologie der Gegenwart* (Frankfurt a. M.: Campus Bibliothek, 1992).

in a cultural framework defined in such a way—and partially what has already happened—is a radical rebuilding of the way the social model functions: a post-normative society, in which cultural and social norms to a bigger and bigger extent cease to fulfill the regulatory functions, is born and is developing. The place of the regulatory functions is occupied by components of the mass culture; among them a prominent place is taken by the omnipresent computer games. The world of games, together with its entire encasement of virtual reality, captured, with a mighty force, the entire human imagination, first of all, of the young ones. That is from this source that more and more often the young (however not only them) draw examples of attitudes and behavior, which gradually take root and then serve people in their adult life.<sup>2</sup>

One of the prominent features of the contemporary times is the change of attitude to the phenomenon of normativeness. According to Ryszard Moń, “since the 1960s we have been witnessing an incessant attempt to call into question the normative order in all areas of social and moral life [...] performance understood in the widest possible way [...] owing to mass media contributes in a significant way to transforming the current reality and constitutes an attempt to create new norms of conduct.”<sup>3</sup>

Simultaneously, we are witnessing a serious crisis of ethics and axiology. The current beliefs about sources of norms and obligations are being challenged.<sup>4</sup> The classical ethics (not only Christian, but also, among others,

<sup>2</sup> “All of this converges in a potentially promising century, one in which an art form that is ideally suited to fostering understanding rises to cultural prominence at the same time that it begins to more accurately reflect the various communities that make up our culture. This suggests to me that the ludic century has the potential to realize a post-normative state, one in which cultural and social norms no longer serve their regulatory function, as the ever-expanding library of games that produce new contexts, and afford the discovery of new knowledge, begin to obsolesce the very idea of a norm. Such a state arises out of a gaming culture that increasingly relies on active collaboration and community engagement, rather than outdated norms and tropes, as its members continue to understand how systems—be them social, political, cultural, or ludic—impact all persons.” Steve Wilcox, *Videogames and Empathy. Towards a Post-Normative Ludic Century*, 2015, <http://www.firstpersonscholar.com/videogames-and-empathy/>, accessed October 26, 2017; cf. Eric Zimmerman, *Manifesto for the Ludic Century*, 2013, <https://ericzimmerman.wordpress.com/2013/09/09/manifesto-for-a-ludic-century/>, accessed August 31, 2018.

<sup>3</sup> Ryszard Moń, *Wpływ performatyki na nowe rozumienie normatywności*, in *O normatywności w etyce*, edited by P. Duchliński, A. Kobyliński, R. Moń, and E. Podrez (Kraków: WAM, 2015), 193–208.

<sup>4</sup> “In the situation of a frequent discrediting or even negating the point of referring to superior values, the meaning of the presence of standpoints [...] underlining the role of values and referring to their phenomenological depictions [...] in our culture is difficult to overestimate.” Katarzyna Olbrycht, *Prawda, dobro i piękno w wychowaniu człowieka jako osoby* (Katowice: Wydawnictwo Uniwersytetu Śląskiego, 2000), 124. Also, Janusz Nagórny warns us against such a threat for axiological objectivism: “If a man loses the perspective of the aim and point of life then, at the same time, he is incapable of a full reading of the objective hierarchy of value.

personalistic and phenomenological) was looking for these sources in the objective world order,<sup>5</sup> the integral component of which was to be the hierarchy of value—invariable, not relativized historically and not reducible to subjective evaluation.<sup>6</sup> However, currently, as Moń notices, “all possible normativeness is a derivative of a vision of a happy life which a subject has, and some idiom of conduct; moral, cultural, organizational, technical” and as such “is characterized by a large arbitrariness, since every human being has his or her own vision of what is beneficial for him or her or can bring him or her happiness.”<sup>7</sup> Inclining towards such a vision, we forget that “the elementary theorem of personalistic pedagogy suggests that man can develop to the full only when he or she has a personal example apart from him or her that is transcendent in relation to him/herself. A culture, the final reality and measure of which is the very man, becomes a threat to him or her.”<sup>8</sup>

The permissivism, which Wilcox addressed as a determinant attitude in the contemporary culture, makes us accept the relativization and subjectivization of norms<sup>9</sup>—not only the moral ones, but also esthetical and other. The illustrative example confirming the accuracy of these diagnoses are results of a great many empirical studies, showing attitudes of the contemporary man in the face of values. Not long ago one of such studies was conducted on a representative group of one thousand secondary school students from the Kujawy-Pomerania

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That is when he forgets about the fundamental principles of this set of values. Lower values constitute the basis of human existence and are necessary as a means: since they constitute a condition to achieve other values, higher values. That is why lower values cannot constitute a real aim of life, they are merely a means to an end.” Janusz Nagórny, “Świat przełomu tysiącleci – wyzwania wychowawcze,” in *Dzieła wybrane. Wychowanie do wartości*, edited by Krzysztof Jeżyna (Lublin: RW KUL, 2012), 39–40.

<sup>5</sup> “The basis for morality is the ontic foundation, which explains the fact of morality, which is one of the most personal phenomena in a man’s life.” Krzysztof Stachewicz, *W poszukiwaniu podstaw moralności* (Kraków: Universitas, 2001), 7.

<sup>6</sup> “The value of an object exists, or at least can exist ‘objectively’ (‘really’) does not at all depend on our cognition or one or another way of behaving.” Roman Ingarden, “Uwagi o względności wartości,” in *Przeżycie – dzieło – wartość* (Kraków: Wydawnictwo Literackie, 1966), 209.

<sup>7</sup> Moń, *Wpływ performatyki*, 194.

<sup>8</sup> Franciszek Adamski, “Personalistyczna wizja kultury,” in *Pedagogika kultury – wychowanie do wartości*, edited by Bogusław Żurkowski (Kraków: Impuls, 2003), 33.

<sup>9</sup> “Permissivism consists in a belief that, in fact, it does not matter who, what and how. However, it never works like that. Permissivism does not mean that I ‘allow myself,’ but it means that the ‘society allows,’ ‘democracy allows.’ It is the liberal society that is permissive, since it does not create obligations, resigns from condemning adulterers, as if it were no difference, rejects the permanence of matrimony, allows abortion [...]. Permissivism is an accusation against the society, not against an individual, who is capable of handling his or her conscience on his or her own.” Józef Tischner, Adam Michnik, and Jacek Żakowski, *Między Panem a Plebanem* (Kraków: Znak, 1995), 97.

Province.<sup>10</sup> The subject of research were the beliefs about the preference of values, and the research methodology was based on the so called Scheler Values Scale (SVS), adopted and prepared by Piotr Brzozowski.<sup>11</sup>

## Question about the Importance of the Contemporary Axiological Breakthrough

Before I move on to present the analysis and a comment to the research, it is worth, on the margin, highlighting the fact that the research of attitudes in the face of norms and values is nothing new. Also Jesus was subjected to such research—by the then experts in ethics and axiology, so law and religion scholars: Pharisees and Sadducees. It was not, obviously, scientific research aiming at establishing an objective state of affairs, but instead it was a repeated attempt to “test him” [Mat 22, 35] and “try to trap him” [Mat 22, 15]. Since when it came to some issues there was a mutual agreement between them and the Teacher (Pharisees and Sadducees accepted Jesus’s answer to the question: “Which is the greatest commandment in the law?” [Mat 22, 35]); however, the more Jesus was preaching Gospel, the more discrepancies appear in the comprehension of the structure of norms and obligations between the followers of the Old and New Covenant.

In the history of peoples, cultures, and civilizations there are breakthrough moments, which radically change stances and beliefs about what is good and what is bad, and what should be done and what avoided. Obviously, not all of them are equal to the Incarnation of the Son of God, which brought the greatest turning point in the outlook in history. However, the smaller ones should not be ignored as well.

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<sup>10</sup> See Magdalena Wędzińska, “Preferencje wartości uczniów szkół ponadgimnazjalnych – próba charakterystyki,” *Przegląd Pedagogiczny* 2 (2017): 102–124.

<sup>11</sup> Cf. Piotr Brzozowski, *Skala wartości Schelerowskich – SVS* (Warszawa: Pracownia Testów Psychologicznych Polskiego Towarzystwa Psychologicznego, 1995).

## Polish Youth and Their World of Values

With full awareness that the chances to obtain a trustworthy diagnosis of the contemporary outlook situation within the area of norms, obligations, and values are slim and the generations that will come after us will know how deep the axiological stances were transformed at the beginning of the third millennium, we will, nevertheless, try to have a closer look at what results from the conducted investigations and analyses—at least from the aforementioned survey research. Their author, a Doctor of Philosophy in Pedagogy Magdalena Wędzińska, presents and comments the obtained results in the following way:

1. “Analyzing the issue of values preferred by the youth studying in secondary schools, Max Scheler’s value ethics was used as a theoretical background. It has a deeply humanistic dimension—it defines the direction of man’s transgression. What is more, Scheler’s contemplation of the place of man in the Worlds, his role and conditions which make him a man became unusually inspiring for the anthropological pedagogy (Ablewicz, 2003; Ostrowska, 2006). Values as understood by Scheler are of an objective character (they exist as the Worlds characteristics).”<sup>12</sup>
2. “According to Scheler there are four groups of informal values: hedonistic, vital, spiritual and religious values. The hierarchy of values tells us to take into consideration the dependencies between values. Transfer from a lower value to a greater one, according to Scheler, signifies a moral choice. [...] There are three types of spiritual values. The first one are the values of what is beautiful and what is ugly, so esthetic values. The second type of spiritual values are values of what is just and what is unjust, which are the basis of an objective legal order, which does not depend on political systems. The third one are values of learning the truth. [...] The religious values correspond with states of happiness and despair connected with proximity or remoteness of what is saintly. Religious values are the greatest values.”<sup>13</sup>
3. Value evaluation method: “Scheler Values Scale was created by Piotr Brzozowski on the basis of the values classification prepared by Max Scheler. The scale makes it possible to construct a hierarchy of values, understood as some groups of values, not as isolated values. The scale is used to evaluate the elementary values: hedonistic (H), vital (V), esthetic (E), truth (T), moral (M) and religious (R). The vital values scale includes two factors: fitness and physical condition (FPC), and resistance to tiredness (RT). The religious values scale includes the following factors: secular sanctities (SS) and religious sanctities (RS). The scale presents values from 0 to 100, depending on

<sup>12</sup> Wędzińska, “Preferencje wartości uczniów,” 103.

<sup>13</sup> Wędzińska, “Preferencje wartości uczniów,” 103–104.

the grade of preferences (the value of 100 is assigned to the values that are most preferred, whereas value 0 to the least preferred). The values are in an alphabetical order.”<sup>14</sup>

4. “The research I conducted involved secondary school students from the province of Kujawsko-Pomorskie. The research was conducted in Bydgoszcz, Toruń and Włocławek, from January 2016 until June 2016. Among the participants were 372 students from comprehensive schools, 381 from technical schools and 327 from vocational schools. The sample was representative.”<sup>15</sup>

5. Summary of the results.

a) “The surveyed youth held the lowest esteem for esthetical values connected with looking for harmony, order, regularity or arrangement. These values not only are connected with reception of works of art, but also refer to the way of functioning of a human being in the world (arranging the space of own life both in the physical as well as mental way). Do the examined youth not aim at arrangement in their life? Have they got settled in the world, in which the only thing that is certain is a change? On the opposite pole the interviewees located moral values connected with acting to the benefit of other people, fairness, life based on honor and honesty. Similarly important are for the interviewees values connected with personal development, especially cognitive development, widening one’s intellectual horizons. The surveyed people have nothing against an easy and pleasurable life, which is proved by a high position of hedonistic values in the values hierarchy of the examined people. Life has to be prosperous, comfortable, full of happiness, and abundant in various and rich experiences. Holy values are also important for the examined youth. Young people, however, have higher esteem for secular sanctity connected with fatherland, national identity and patriotism. Values of a religious sanctity character (God, faith, redemption, eternal life) are of a lower importance for the surveyed people.”<sup>16</sup>

b) “Comparing the results of own research with the exemplary Max Scheler’s value hierarchy, we can establish that the surveyed youth choose a path of life which is, as a matter of fact, a shortcut. Scheler postulates that all types of values have to be recognized and explored through the prism of own life experiences. The hierarchical value structure that he introduced was at the same time a peculiar ‘ladder,’ climbing which man was supposed to experience his own being, walk toward transgression. The surveyed youth in their preferences reverse the order of values. In their

<sup>14</sup> Wędzińska, “Preferencje wartości uczniów,” 105. See Piotr Brzozowski, *Skala Wartości Schelerowskich – kwestionariusz*, <http://sirius.cs.put.poznan.pl/~inf74839/a.../Skala%20Wartosci%20Schelerowskich-SWS.doc>.

<sup>15</sup> Wędzińska, “Preferencje wartości uczniów,” 105.

<sup>16</sup> Wędzińska, “Preferencje wartości uczniów,” 122.

choices of what is important and valuable, they want to combine an easy, pleasurable life, based on, first and foremost, taking care of oneself, with a life which can be characterized by placing the other human's good above own, with sacrifices, and sometimes offerings. That is where a question appears, is it even possible? The surveyed young people wander in an axiological chaos—on the one hand, they long for order, high ideals, human solidarity and moral principles, which would define their way of life, and on the other, they cannot escape a loud offer of the contemporary life: all has to be effortless, without merits, fast, easy and pleasurable, without consequences.

Such an arrangement of values by the young people might be an attempt to show that

I am looking for a teacher and master  
make him restore my sight and speech  
make him once again call things and concepts  
make him separate light from darkness

like the title *Survivor* from Tadeusz Różewicz's poem.<sup>17</sup>

## What Does the Scheler's Value Scale Tell Us?

The presented results of research on axiological attitudes of youth point towards a significant change of preferences in comparison with the previous generations. The order of values presented by Scheler, and commonly accepted as a basis for methodological socio-psychological contemplation, was, in practice, negated, and in its place a new, more random and wobbly, but definitely different scale begins to appear. It is worth to ask what it proves. I would like to present the following variant of possible answers:

1. Max Scheler and other philosophers as well as scholars are wrong when they suggest that the values are objective. The following argument of Friedrich Nietzsche and supporters of axiological relativism, inspired by his works, should be accepted:
  - a) man is a creator of values and not their discoverer;
  - b) the subject creating new values is autonomous and sovereign in his decisions, is not subject to pre-established systems of external norms and obligations;

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<sup>17</sup> Wędzińska, "Preferencje wartości uczniów," 122–123.

- c) values are identical with acts or content of appraising judgments, these instead have the status of subjective psychological acts.<sup>18</sup>
2. There is an objective order of values; however, the subject of morals activity has—also objectively—difficulties with its accurate recognition. Values as integral elements of objective structure of reality are something different from subjective preferences and evaluations; however, in a common awareness this difference is wiped out. Since the contemporary civilization is characterized by a strong naturalistic and reductionalistic orientation, then what becomes almost a “cultural norm” is the attitude based on the so called naturalistic error. This attitude suggests (in short): “what is natural is good.”<sup>19</sup> The forms of preferential thinking that refer to it accept that a spontaneous aiming of a subject at obtaining some good—or the desire of this good alone—is a measure of the value of the subject of intention: the more I want something, the bigger its value is.
  3. Values exist objectively and a human being has the ability to recognize them, as Scheler taught, yet with this difference that this ability is not of an innate character, but of an acquired one. It is potentially present in the form of a seed in the human soul; however, it requires updating in the way of teaching and practicing, similarly as the Aristotle’s virtues.

## The Need for New Axiological Education Models

I believe it is the most accurate to opt for the third of the above-presented answers. However, it causes a necessity to trigger a serious discussion on optimization and contemporization of the existing axiological education models. In particular, it is important to have a closer look at the concept of language competence within this area, so the skills of calling and communicating values and expressing in a clear and articulate way the value judgment.

The research of linguists on the ways of communication among the young in the contemporary times shows that the level of language competence within

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<sup>18</sup> See Franz Brentano, *O źródle poznania moralnego* (Warszawa: PWN, 1989), Uzupełnienie IX: *Miłowanie i nienawidzenie*, 98–126.

<sup>19</sup> “What is justified is to call a naturalistic error confusing the quality of ‘good,’ which is not a natural subject, with any subject of nature [...] even if the quality of ‘good’ were a subject of nature, it would not change the essence of error, nor would it lessen its importance.” George Edward Moore, *Zasady etyki*, translated by Czesław Znamierowski (Warszawa: M. Arct, 1919), 13.

the area of axiology is very low. The authors refer to this phenomenon as “functional illiteracy.”<sup>20</sup> It consists in the fact that the participants to a language communication, even if they use terms expressing and calling values, do not understand the meanings of these terms correctly. They repeat them automatically and thoughtlessly put them in random contexts or give them their own meanings, also very random and separated from reality.

It might turn out that the survey research, similar to the ones presented above, does not achieve the assumed cognitive results—since they do not reflect the real beliefs of respondents concerning values and their preference, but merely unveil the low level of communication competence. Therefore, what seems essential in this type of research is an additional evaluation, verifying whether and to what extent the surveyed people understand the content of the instructions and meaning of terms which, as assumed, they should use. Since in reality it often happens that the concepts derived from the abstract language of philosophy, referring to the area of values and valuing, do not belong to the lexical stock of the respondents and do not create any associations in their minds, or even mislead them, it is worth considering the introduction of an alternative research technique, not based on more and more unreliable scale of values inscribed in the outdated models of language communication. The source of inspiration for the alternative methodology could be the situation analysis method, similar to the one suggested by Philip Johnson-Laird<sup>21</sup> with reference to solving the logical tasks. He believes that when people reason, then they do not use abstract schemes, but, instead, they make use of picture models of situations described by factors and conclusions. Johnson-Laird thinks that people are rational in their nature, and often the cause of errors in reasoning is not the lack of knowledge of rule of logic, but restriction of operation memory responsible for a correct construction of mental models. If so, then what is key for conducting correct analyses is the ability to construct situation models in imagination, models that would reflect the problem structure of a task.<sup>22</sup>

What emerges from the discussion on the credibility of theoretical assumptions of empirical research on the stance of contemporary man in the face of values is a hypothesis which suggests that possibly these attitudes do not differ so much from conclusions of Scheler’s philosophical value theory and other theories based on it having more contemporary scientific discourse. The reasons

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<sup>20</sup> Aldona Skudrzyk and Jacek Warchala, *Literacy of the Young Generation in a Diglossic Environment*, translated by Anna Dylík, Aleksandra Lisoń, and Małgorzata Udalska (Katowice: Oficyna Wydawnicza Waław Walasek, 2012), 7.

<sup>21</sup> See Philip Johnson-Laird, *Mental Models and Human Reasoning*, Proceedings of the National Academy of Sciences of the USA, October 26, 2010, <http://www.pnas.org/content/107/43/18243>, accessed August 31, 2018.

<sup>22</sup> Cf. Krzysztof A. Wieczorek, “Dlaczego wnioskujemy niepoprawnie? Teoria modeli mentalnych P. N. Johnsona-Lairda,” *Filozofia Nauki* 70 (2007): 111–134.

for the discrepancy discovered in the research might be the reason of the chosen methodology. However—even if it is so—we should not disregard the destructive role of incorrect cultural, customary, and moral examples. A real chance to remedy these pathologies within this area would be to introduce a coherent, well-thought-out program of axiological education.<sup>23</sup> One of the options is to base such a program on the concept of mental models, adapted to the conditions of preferential thinking.<sup>24</sup> In this case the objective would be to exercise the ability to decide axiological dilemmas—instead of basing them on abstract concepts and reasoning schemes—by means of perfecting the ability of constructing specific situational models, unveiling both the real and the desired preferences of a subject.

Every organ that is not used deteriorates. If this is conscience—the elementary moral sense of man—then the consequence of its deterioration is a pathetic helplessness towards the everyday tasks consisting in deciding objectively on difficult choices between values. Lack of good axiological education still deepens this difficulty of the contemporary man. If we want the next generations to live in an orderly world, in terms of values and normalized by means of the commonly understood examples of preferences, we must not neglect the duty of giving a credible testimony of life and thinking according to values which we ourselves perceive to be worth implementing in this and the next world.

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<sup>23</sup> A similar question—whether the currently realized educational examples are still timely, or already outdated—is put forward by, among others, Beata Bilicka, when she says: “The phenomenon of advancing globalization of the world in which we live, questioning the ultimate significance of moral norms and hierarchy of values [...], individualization of stances and moral behaviors of the contemporary man—these are only some of the features of the epoch referred to as postmodernism. It leads—especially in education—to questioning the current vision of education. Thus important questions concerning the timeliness of pedagogy [...] and tradition of the Christian educational system appear. [...] Therefore, a particularly important issue currently is [...] question: how to educate to value in the world of cyberculture? Such a question should be asked by every educator, counselor, every teacher.” Beata Bilicka, ed. “Słowo wstępne,” in *Wychowanie do wartości w świecie cyberkultury* (Toruń: UMK, 2012), 10–12.

<sup>24</sup> Within this context Józef Tischner’s words are outstanding: “When we say that our world is a world of values, we see specific issues and things next to us. Maybe even more ‘issues’ than ‘things.’ Someone was waiting for us a second ago since he had an issue he wanted to discuss, we were waiting to tell him something important, someone came down with an illness and a medication had to be bought, someone passed away and we had to participate in a funeral, someone was happy because he had a wedding, [...] That is how we are put in the necessity of an incessant placing something above something else, the necessity to prefer. [...] We do not know how to precisely define the rule, according to which we make our decisions, and still we live since we know how to place some things above others.” Józef Tischner, *Myślenie według wartości* (Kraków: Znak, 1982), 483–484.

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Krzysztof T. Wiczonek

## Le besoin d'éduquer aux valeurs à l'époque postnormative

### Résumé

Les temps contemporains se caractérisent par le retour radical des principes traditionnels de l'éthique normative. Le pluralisme axiologique, le permissivisme et le relativisme moral sont les attitudes universellement rencontrées. Les résultats des recherches sur les attitudes et les préférences des jeunes Polonais dénotent le net avantage de l'intérêt pour les valeurs hédonistes et utilitaires ainsi que l'attitude irrespectueuse à l'égard des modèles de l'ordre et de l'harmonie. En revanche, on estime les valeurs morales telles que l'honnêteté, l'honneur et la serviabilité. Il faut pourtant s'interroger si les méthodes analytiques reflètent adéquatement les préférences réelles. Il se peut que la désorientation axiologique résulte de ce que les jeunes manquent d'une capacité de discerner correctement leurs propres intuitions dans le domaine des valeurs et de les exprimer. L'auteur propose de réfléchir sur une méthodologie alternative, inspirée de l'analyse situationnelle de Philip Johnson-Laird.

Mots-clés: postnormativité, jeunes, préférences, échelle de valeurs, éducation axiologique

Krzysztof T. Wiczonek

## La necessità dell'educazione ai valori nell'epoca post-normativa

### Sommario

I tempi attuali si distinguono per l'allontanamento radicale dai principi tradizionali dell'etica normativa. Le condotte comunemente riscontrate sono il pluralismo assiologico, il permissivismo e il relativismo morale. I risultati degli studi sulle condotte e sulle preferenze dei giovani Polacchi indicano una netta prevalenza dell'interesse per i valori edonistici ed utilitaristici nonché un atteggiamento noncurante nei confronti dei modelli di ordine e armonia. Sono però apprezzati valori morali come l'onestà, l'onore e la compiacenza. Occorre tuttavia domandare se i metodi di ricerca rispecchino adeguatamente le preferenze reali. È possibile che il disorientamento assiologico tra i giovani abbia origine dall'incapacità di identificare correttamente e di esprimere le proprie intuizioni nella sfera dei valori. L'autore suggerisce di riflettere su una metodologia alternativa, ispirata all'analisi situazionale di Philip Johnson-Laird.

Parole chiave: post-normatività, giovani, preferenze, scala dei valori, educazione assiologica



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## *De Rerum Humanarum Emendatione Consultatio Catholica – Education for Co-existence*

**Abstract:** John Amos Comenius created a universal education system aiming for *emendatio rerum humanarum*, that is, improvement of all things human as he claimed that people live as prisoners in Plato's cave, immersed in confusion and chaos. For Comenius, the boundless act of will is slavery. The true free will is prudent, that is, in line with God's will. It must be in relation to what is universal and true. The true free will gives people a chance to assume their own place in the world as human beings that co-exist with others.

**Keywords:** human being, education, free will, responsibility, co-existence

### Introduction

John Amos Comenius became known in Europe for his innovations in education, one of which was, for example, the language of textbooks, which started to be native instead of Latin. Later, Comenius created a universal education system aiming for *emendatio rerum humanarum*, that is, improvement of all things human. Comenius claimed that people live as prisoners in Plato's cave, all of them immersed in confusion and chaos. In line with chiliastic expectation, he was convinced that everything needs to be prepared for the last judgment, and the young, adult or elderly need to be offered help so that they can improve their lives. To do so, all appropriate means need to be utilized.<sup>1</sup> At the time of

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<sup>1</sup> Cf. Jan Amos Komenský, *Obecné porady o nápravě věci lidských* (Praha: Svoboda, 1992), 115.

the Thirty Years' War and religious riots, Comenius set out to save humankind through schooling.<sup>2</sup>

The term *chaos* implies that people do not focus on important and essential matters but, instead, they prefer momentary enjoyment. Human beings, as if thrown in a given place within this world, dwell in a specific timeframe. They encounter only such phenomena that pertain to their own world, and thus they know the truth only partially. But when they finally become aware of what is essential, then the order is restored to the world anew. In order to do so, it is necessary to understand human life as a whole and to understand the importance of education, which in a way is a preparation for permanent acceptance of the wholeness. Comenius accentuates that the didactics he put forth was not that of bakery, painting, rhetoric or other forms of art. It was the didactics of life.<sup>3</sup>

At the time of Comenius, pragmatically-oriented rationalism was becoming more and more important. Humanistic or rather "hoministic" orientation towards the human did not mean to be concerned about the destiny of a human being as a substance called to recognize his or her responsibility. Such orientation became a biologically and materially conditioned struggle to ensure the existence of an individual, family, social group, nation, race, or the whole humanity. The world was reduced to something used merely for our own *shadow* goals. For the same reason, references to Comenius's lifework were also restricted to only those ideas that were close to rationalist pragmatism.<sup>4</sup>

The way Comenius understood didactics did not reveal the fundamental intention of his work. He used educational and scientific principles as something that directs us to a path leading to victory over disharmony that emerged with the advent of modern history. Education could bring humankind to the era of absolute harmony. For Comenius, this was a norm and a goal in the field of education and enlightenment. Comenius was not only an educator, but also a thinker and a creator of the concept of harmonious development of humanity.<sup>5</sup>

## Freedom in Relation to the Whole

The whole in which a person is part of the world and coexists with other beings was rejected since the early modern history. Comenius, however, did not approve

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<sup>2</sup> Cf. Radim Palouš, *Čas výchovy* (Praha: SPN, 1991), 68.

<sup>3</sup> Cf. Zdeněk Kratochvíl, *Výchova, zřejmost, vědomí* (Praha: Herrmann & synové, 1995), 113.

<sup>4</sup> Cf. Palouš, *Čas výchovy*, 70.

<sup>5</sup> Cf. Radim Palouš, *Komenského Boží svět* (Praha: SPN, 1992), 10.

of Galileo-Cartesian thinking. He saw it as a threat to his universalism and optimistic understanding of the purpose of history, as well as to his conviction about objective and understandable purpose of the universe.<sup>6</sup> His concept is in sharp contrast to the Cartesian understanding of the truth, which Comenius describes as false, and from which all our misunderstandings and misfortunes that we encounter when trying to place ourselves in the centre arise.<sup>7</sup> Comenius rejects a division into *res extensa* and *res cogitans*, or—in other words—a division into a subject and object that does not allow us to see education as a treatment of personality and development of abilities residing within us. Education of humankind to responsible exercise of freedom is education to responsibility and voluntary subordination of the human activity to accepted criteria of meaning.<sup>8</sup>

For Comenius, freedom is a sign of God in us. There is no one surpassing God. That is why His will is not dependent on anyone. No one is more powerful than God; God cannot be limited or restricted. God is independent and does whatever He wants. God has endowed people with the same feature. In such a way, we may observe the image of God and take joy from it provided we act in line with God's parable. God has given us freedom to choose to act for our own benefit when we choose to do good. He has also given us freedom to choose to act to our detriment if we decide to do evil. God exhorts and invites humans to think, to desire, and to do good. He does not force us but respects the free will He has endowed us with.<sup>9</sup>

Free will is given to every person so that he or she is free to make decisions that are inherent in their missions. When we use freedom for immoral purposes, we destroy our dignity. Free will can manifest itself only in the realm of morality, in the world of good and evil. Bad will, or willfulness, creates disharmony and confusion. People educated in a pansophic spirit use their freedom properly and do not fall into the bondage of their own willfulness. Their freedom always stands in relation to the whole, to that which is universal. Patočka emphasises this holistic function of education by referring to Comenius for whom it is not any private and particular social function, but a vital relationship with the Absolute and of the Absolute with an individual.<sup>10</sup>

Education is the open soul's participation in the game in which one plays to learn the art of one's own decision-making. It is vital to remain open when accepting the right rules of this game between humans and God. This openness is rooted in Comenius's Christian spirit. For Aristotle, beings have entelechial character. They do not refer to anything beyond them. On the other hand, the

<sup>6</sup> Cf. Palouš, *Čas výchovy*, 71.

<sup>7</sup> Cf. Jan Patočka, *Aristoteles, jeho předchůdci a dědicové* (Praha: Nakladatelství Československé akademie věd, 1964), 345.

<sup>8</sup> Cf. Palouš, *Čas výchovy*, 71.

<sup>9</sup> Cf. Kratochvíl, *Výchova, zřejmost, vědomí*, 113.

<sup>10</sup> Cf. Palouš, *Čas výchovy*, 70–74.

followers of Plato do not see beings as the whole enclosed in self but, rather, as certain openness towards something beyond them. For Comenius, referring to that “beyond” is not just a mere statement about imperfection of the world and the separation of the divine ideal from an earthly existence. Comenius understands the necessity of the improvement of such condition through education. He claims that it can be achieved when humankind follows the path of Jesus Christ just as the New Testament urges us to.<sup>11</sup>

Moreover, Comenius—who advocates transformation of our human lives through effort of our own—can easily be thought of as a follower of modern thinking, because he wants people to have the world in their hands as much as it is possible. But then again, people want to be in control and assume superior position. Comenius wants to protect people from such temptations, thus he emphasizes the subordination of human activity to the only goal, which is giving oneself to God and His world completely.<sup>12</sup>

For Comenius, childhood represents an important stage in life development as well as in improvement of society. What he refuses, though, is strictly external and coercive influence on both children and people in general as, he claims, childhood is a natural life process. Therefore, he refuses to see education as an activity that is automated, mechanical, and artificial. Problems of education stem from the philosophy of human life.<sup>13</sup> Although Comenius gave most attention to education of youth, in *Pampaedia* he turned his attention to human life in its entirety. Every moment of life is associated with some school. Patočka claims that *Pampaedia* is the first real pedagogical system. Comenius’s other work, *Didactica Magna*, is viewed more as a theory of school education.<sup>14</sup>

The prevailing condition cannot be corrected through education as such but through *Pampaedia*, which means all-round education that teaches us responsibility before the meaning of the whole.<sup>15</sup> The whole must be remembered not only in the old age when the call of death urgently reminds us of the dependence of human life on the meaning of the whole. In the old age decent and happy conclusion of one’s life approaches.<sup>16</sup> Comenius reminds us that Plato’s definition of philosophy as thinking about death is indeed true. The most important role of philosophy is to learn how to die well. There is nothing to death itself, but dying well is the greatest art.<sup>17</sup> For Comenius, “the old age is not the beginning of the departure from life, but a decent pinnacle of human life, a prelude

<sup>11</sup> Cf. Palouš, *Komenského Boží svět*, 105.

<sup>12</sup> Cf. Palouš, *Komenského Boží svět*, 103.

<sup>13</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 37.

<sup>14</sup> Palouš, *Čas výchovy*, 70.

<sup>15</sup> Cf. Radim Palouš, *Česká zkušenost* (Praha: Academia, 1994), 70.

<sup>16</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 136.

<sup>17</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 37.

to immortal life, and a blissful entry into that life.”<sup>18</sup> Radim Palouš claims that for Comenius the meaning of life, the importance of the final goal, comes first.<sup>19</sup>

According to Comenius, death is a point which connects us with eternity.<sup>20</sup> Modern humans want to ignore death. Comenius in his “school of old age” puts death at the center of his interests and wishes to fully understand its meaning. Comenius perceives life as school<sup>21</sup> and old age as the end of a human temporary earthly life. The school of old age is seen as a desire to seize the last opportunity to face the universal meaning of life. Palouš follows Comenius’s example when creating his own geragogy. He wants every individual to acknowledge his or her own place in a vortex of today’s materialistic world. He urges us to become aware of our own dignity which does reside in egocentrically-oriented care about ourselves and humankind. Our dignity resides in caring for the good and turning to something that we are predestined to do. Education can be that way out of today’s catastrophic or pre-catastrophic state of human civilization.<sup>22</sup>

Education is not just a preparation for some roles in life. It is a preparation for the whole of life. For Patočka, education is an introduction of a person into the wholeness of the world.<sup>23</sup> Openness to the whole is openness to people and things. This is a place where the egocentric determination of an individual ends. Such an understanding of education allows people and things to take the right place in the whole of being and accept the responsibility<sup>24</sup> to which the human is called.

## Maturity, Responsibility, and Education

Palouš perceives old age as a maturity in being responsible. The Greek word *geraskein* denotes not only an old age but also maturation. Being mature does not mean something finished, but one’s readiness to fulfill certain roles. Hedonism and stoicism draw people’s attention to themselves but overlook the most important thing. It is something that Comenius elaborated in his concept of the school of old age. The one who does not desire infertile, tough, and cold old age fills his chamber with a supply of wisdom, health, strength, and other virtues,

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<sup>18</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 36.

<sup>19</sup> Cf. Palouš, *Česká zkušenost*, 41.

<sup>20</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 37.

<sup>21</sup> Cf. Palouš, *Čas výchovy*, 32.

<sup>22</sup> Cf. Palouš, *Čas výchovy*, 108.

<sup>23</sup> Cf. Palouš, *Aristoteles, jeho předchůdci a dědicové*, 370.

<sup>24</sup> Cf. Palouš, *Česká zkušenost*, 16.

as long as his or her age and strength permit.<sup>25</sup> Palouš emphasizes Comenius's words that it is unwise to surrender to practical life only. It is also wrong to concentrate on particular periods of one's life while ignoring the whole that reminds us of death. Comenius teaches us: "Remember the death from the very beginning,"<sup>26</sup> "Live like you are about to die and die like you are about to keep on living."<sup>27</sup> We must, however, carry out activities that do not lead to eternal life, such as eating, drinking, sleeping, etc., without which we cannot survive. We must act physically so that we can devote ourselves to spiritual life. Let people cultivate fields, gardens, and vineyards. Let them practise craft. And for what purpose? So the people secure their livelihood ("Everyone's toil is for their mouth," cf. Ecclesiastes 6: 7). Life is to be maintained so we can learn to live—beyond our bodies—when the time of departure comes.<sup>28</sup>

Although we are aware of the wholeness of life, we can never comprehend it completely. We are not capable of fully grasping our existence. According to Palouš, to commit oneself to the whole is to commit to faith, hope, and love.<sup>29</sup> Comenius urges us, "Act as God commands, bear the suffering and whatever He brings down on you without complaint."<sup>30</sup> These words refer to authentic education pertaining to the whole human life.

The famous work *De Emendatione Rerum Humanarum Consultatio Catholica*, in which Comenius presented his philosophical views,<sup>31</sup> was written in an epoch affected by the Thirty Years' War and religious riots. In the atmosphere of chaos, Comenius presented the need to organize human affairs in the world. He was convinced that the chaos could be overcome by bringing order that arises from the very nature of the world as God's creation. What world needs is to focus on God's order. "Just look around the God's world [...] there is a fruit tree. It has roots in the ground and the branches that rise up to the sky. It blooms in spring and brings fruit in autumn. [...] Humankind must correspond with the whole in which every person has their own place and does what he or she is obliged to do in order for the whole to flourish and bear fruit."<sup>32</sup>

Comenius recommends general education for all age groups.<sup>33</sup> What he has in mind is an all-round improvement of humankind, which does not depend on any elite. People create communities such as schools, families, and clans. School, just like church and guilds, is a gathering. Which gathering could bring

<sup>25</sup> Cf. Jan Amos Komenský, *Vševýchova* (Praha: Státní nakladatelství, 1948), 221.

<sup>26</sup> Komenský, *Vševýchova*, 232.

<sup>27</sup> Komenský, *Vševýchova*, 237.

<sup>28</sup> Cf. Komenský, *Vševýchova*, 221–222.

<sup>29</sup> Cf. Palouš, *Česká zkušenost*, 39.

<sup>30</sup> Komenský, *Vševýchova*, 232.

<sup>31</sup> Cf. Jarmila Skalková, *Předmluva*, in Komenský, *Obecné porady o nápravě věci lidských*, 17.

<sup>32</sup> Palouš, *Česká zkušenost*, 157. (Trans. P.D.)

<sup>33</sup> Cf. Palouš, *Česká zkušenost*, 157.

all other gatherings together to form one organic unity? State is the one that accepts all groups as its community. Therefore, it is necessary to organize the state in a way so that it does not destroy the healthy coexistence of various social groups. If the state is properly organized, the order is established. There will be no force from outside or from within the state. There will be no wars or oppression and no religious discrimination. Universal justice will prevail.

A properly organized state should act fairly in all possible aspects. State must provide work for everybody. The poor should work physically and the rich should dedicate their time to study. It is impossible to let a healthy person become a slacker or a beggar. Financial and economic speculation must not be tolerated. State must find mean individuals, those who resort to violence and ungodly people, and prevent these citizens from taking over important offices. School is here to help people understand the state's role and engage them in various functions within that state. Comenius divides the history of humankind into three periods: the first period is a period of barbarism in which there is no special learning; the second period is the present time, in which education is only partially present; and the third period is a period of continuous learning in which there is a general school accessible for everybody and throughout their entire lives.<sup>34</sup>

Comenius, preoccupied with creation of a system that would improve the reality he lived in, neglected the danger of etatism. Today we can observe etatist consequences in the state that is in control of the church, determines the content and form of education, segregates the citizens into good and bad ones, and right ones and those who must be isolated from the community or even killed.

In the present time, even more people lose the sense of the holistic approach to reality. It is the time of rejection of everything that human reason did not accept. There has been a tremendous development of human knowledge as a result of that.<sup>35</sup> However, it turned out that Comenius was right in one essential thing. He assumed that the development of all possible human forces (both physical and intellectual) would not create harmony in the world. Placing humans on the very top brings a catastrophe with far-reaching consequences and a threat of global suicide. The world has become a material that can be exploited and manipulated. Gradually, however, people have come to a conclusion that a change of attitude is necessary. The unpleasant experience of the past has become something from which we can learn. We live in times of very difficult education. A human being is humbled. On the threshold of the modern age, Comenius realized that humility was needed in such serious times. He was convinced that conscious humility leads to God, to that higher power in which the goodness

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<sup>34</sup> Cf. Palouš, *Česká zkušenost*, 158.

<sup>35</sup> Cf. Palouš, *Komenského Boží svět*, 110.

and the future of the world dwells. Totalitarianism has taught us how absurd is the effort of a human yearning to break free from his essential destiny.

Nevertheless, this change does not lead to *Agathon*, but to the constant deprivation of decadent moments from the universal pursuit of the essential vocation. Therefore, for Comenius, education is a lifelong affair. Everything is good, says Comenius, when it has a good end. We know that the end of our earthly life means death. After death, there is heaven where only those who firmly remain on a path of doing good deeds may enter. If somebody loses faith and virtue, they remain excluded forever.<sup>36</sup> A human being, as a free being, can decide to answer to the call of that vocation in a better or a worse manner. The wholeness of his or her life draws its meaning from where that person lives *sub specie aeternitatis*, which is his or her last destination.<sup>37</sup> However, chaos in all human affairs can result in diverting us from our final goal. Then a human being, called to life with a certain purpose, becomes far from what a human should be.<sup>38</sup>

Education is not merely a preparation for certain life activities. It is also leading someone out of any limitation into a realm in which the holistic approach to the surrounding world opens up. This openness to the whole is something to which a human being is called.<sup>39</sup> Educated people take on responsibility in relation to the overall meaning.<sup>40</sup>

A free will should serve humans in their life missions. One can use it badly when acting evil from the perspective of morality. A person with pansophistic education, however, does not do that. This person does not perceive his or her free will as willfulness, but as an opportunity to gain access to what obliges him or her.<sup>41</sup> Patočka claims that Comenius puts freedom before reason but in a different way than Descartes did. A place that Comenius assigned to freedom results from his philosophical concept. According to him, the aim of humanity is correction of the evil which was caused by the misuse of free will. The disharmony of the world, caused by willfulness and evil, should be corrected by people giving up their own free will for the sake of restoring harmony into the world. Along with Socrates, Comenius was convinced that people do evil when they are not conscious of it. As soon as they acknowledge it, they become good and advance. Comenius was convinced that knowledge frees people from doing evil deeds. Palouš, in line with the spirit of Christian anthropology, emphasizes that humans can also sin consciously. They can be aware of what is good and what is evil, and still act evil. It is a conscious and free choice of evil.<sup>42</sup>

<sup>36</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 136.

<sup>37</sup> Cf. Palouš, *Čas výchovy*, 160.

<sup>38</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 18.

<sup>39</sup> Cf. Patočka, *Aristoteles, jeho předchůdci a dědicové*, 376.

<sup>40</sup> Cf. Palouš, *Čas výchovy*, 161.

<sup>41</sup> Cf. Patočka, *Aristoteles, jeho předchůdci a dědicové*, 91.

<sup>42</sup> Cf. Palouš, *Česká zkušenost*, 30–36.

People must be released from the bonds of fallen action in order to resist their own degradation. This release does not mean ignoring the bonds. It comes about through recognition of a situation, which has something to do with shadows and a game of shadows. Palouš argues that the prisoner of Plato's cave can be viewed today as someone limited by narrow and short-term interests and who is not aware of this limitation. Such a prisoner sees the shadows as the truth. Only turning away from the shadows brings a chance to acknowledge that this reality was only the world of shadows. The release from the bonds, however unpleasant, displays a new way of seeing. The person recognizes the reality that casts the shadows. The person ceases to be a prisoner because he or she understands the game of shadows and recognizes the "light of Goodness," through which things can cast shadows, and people can learn. This release is also the call for responsibility to one's own subjectivity, but also for the subjectivity of each and every substance and for subjectivity in general.<sup>43</sup> This call to responsibility presupposes freedom.

## Conclusion

Comenius's anthropology places a human being in the world of God. That "being in control of oneself," the entire "reign" of humans over themselves is to serve God's plan.<sup>44</sup> A human is a rational and free being, so his or her fate and history in general are purely a human matter. Palouš emphasizes that even though Comenius's concept counts on turning to God's order, general education is important just as is emancipation of all humankind. Comenius's education is not only for the chosen ones, as it was in Plato's cave with the mysterious force pulling up only a few chosen ones while leaving others chained in the deceptive game of shadows. Comenius's education program is for everyone. He wants to educate each and every person.<sup>45</sup> Only through education one becomes fully responsible. Education is the pursuit of humanity, the birth of substances which previously abandoned their essential destiny. According to Comenius, all people are "chosen" and "called up."<sup>46</sup> Care for the soul is directed to the care of the human souls.

In the nihilistic concepts of the nineteenth and twentieth centuries, an individual, disconnected from God, is confronted with the world deprived of meaning.

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<sup>43</sup> Cf. Radin Palouš, *K filozofii výchovy* (Praha: SPN, 1991), 32–34.

<sup>44</sup> Cf. Palouš, *Komenského Boží svět*, 86.

<sup>45</sup> Cf. Komenský, *Obecné porady o nápravě věci lidských*, 136.

<sup>46</sup> Cf. Palouš, *Komenského Boží svět*, 85.

A human falls into the abyss of freedom and the snares of his or her willful deeds. For Comenius, willful action is not human will. For him human will is unconditionally associated with goodness. The will of a human is directed by God and is realized in accordance with God. When contemporary concepts of freedom emphasize its active aspect, Comenius accentuates passivity of the will. It is God who has bestowed will upon people. They need be looked at as creation that is available to God. Will becomes volition only through acceptance of God's purpose and only through relationship with God. Ignoring dependence on God means losing one's freedom.<sup>47</sup>

For Comenius, the boundless act of will is slavery. The true free will is prudent, it means in accordance with God's will. It must be in relation to what is universal and true. Free will is something analogous to the meaning of the world. For Comenius, autonomy and autarky are chaos. Education leads us from the deception of external self-sufficiency into the world of God. True free will is not "auto(nomus)" in itself, but it provides people with an opportunity to assume their own place in the world as beings that can co-exist in harmony with others.

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<sup>47</sup> Cf. Palouš, *Komenského Boží svět*, 80–81.

Pavol Dancák

*De rerum humanarum emendatione consultatio catholica*  
– éducation à la coexistence

Résumé

Jan Amos Komenski a créé un système universel de l'éducation qui englobait *emendatio rerum humanarum* et la correction des affaires humaines. Selon lui, les gens vivent comme les prisonniers dans la caverne de Platon, trempés dans la confusion et le désordre. Pour Komenski, l'activité humaine illimitée est comme un esclavage. Aussi le vrai libre arbitre est-il judicieux, c'est-à-dire conforme à la volonté de Dieu. Il doit rester en relation avec ce qui est universel et vrai. Le vrai libre arbitre donne à l'homme la chance de prendre sa propre place dans le monde, pareillement à l'être humain coexistant avec les autres.

Mots-clés: Jan Amos Komenski, homme, éducation, libre arbitre, responsabilité, coexistence

Pavol Dancák

*De rerum humanarum emendatione consultatio catholica*  
– educazione alla coesistenza

Sommario

Jan Amos Komenský (Comenio) creò un sistema universale di istruzione che includeva l'*emendatio rerum humanarum* e la correzione delle questioni umane. Le persone, secondo lui, vivono come prigionieri nella caverna di Platone, immersi nella confusione e nel caos. Per Komenský l'azione umana infinita è come la schiavitù. Pertanto il vero libero arbitrio è assennato ossia conforme alla volontà di Dio. Deve rapportarsi a ciò che è universale e autentico. Il vero libero arbitrio dà all'uomo l'opportunità di occupare il proprio posto nel mondo al pari degli altri esseri coesistenti.

Parole chiave: Jan Amos Komenský (Comenio), uomo, istruzione, libero arbitrio, responsabilità, coesistenza





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# John Amos Comenius's Postulate of Shaping of Wise Beings within the Context of Developing Media Competence

**Abstract:** In *The Great Didactic*, John Amos Comenius claims that the purpose of education is an internal and external ordering of everything. We should be aware that this arrangement is also influenced by the conditions related to the times it takes place in that it depends on culture. Nowadays, we realize more and more that it also depends on the means of communication. In this respect, the beginning of the 21st century is unique because the society has technology that has changed the way it functions. The transformation that followed has also influenced education in its form and scope. However, it was assumed that certain things are immutable. This pertains to the requirement pointed out by Comenius: the necessity of shaping rational beings, as this is the only way in which people can realize their humanity, and this requirement is also the beginning of the path to eternity. The conducted analysis was of theoretical nature; it was about comparing the general indications of Comenius's *The Great Didactic* with the determinants of modern life. In the first part, the basic assumptions of Comenius's concept were established and then they were referred to the current situation, recognizing the difficulties in the implementation of these assumptions and determining the scope of competences that should be supplemented. It seems that an observation of Lukaš and Munjiz about the influential power of Comenius may be an accurate summary of these considerations: "Expecting every new period to bring radical changes both in social and pedagogical areas, we still have not moved far from the initial ideas of the founder of school system we still participate in" (Miko Lukaša, Emrika Munjiza, *Education System of John Amos Comenius and Its Implications in the Modern Didactic*, 41).

**Keywords:** John Amos Comenius, *The Great Didactic*, education, media competencies, media literacy, filter bubble

## Introduction

In *Why We Cooperate*, Michael Tomasello points out that learning processes have biological roots: “Individuals of many animal species exploit the experience and hard work of others by learning things from them socially. When individuals socially learn to the degree that different populations of a species develop different ways of doing things, biologists now speak of culture.”<sup>1</sup> From this point of view, culture is a carrier of informational and behavioral patterns that allow for adaptation to the environment and survival, thus it has an existential function and as such must be passed on to future generations. “For humans such artefacts and behavioural practices are not niceties but necessities. Few humans could survive in either the tundra or a tropical rainforest in the absence of a cultural group possessed of relevant, pre-existing artefacts and behavioural practices. In terms of the number of things an individual human must socially learn (including linguistic conventions in order to communicate).”<sup>2</sup> This biologically founded imperative, associated with absorption of knowledge by successive generations, is reflected in historical, cultural messages. We can easily find educational references in the oldest periodicals, not only in the Western culture.<sup>3</sup> Undoubtedly, this indicates the awareness of necessity to control the learning processes, that is, to influence both what and how is transmitted to “young specimens,” if we may use the biological nomenclature.<sup>4</sup> Not without reason, it seems that, along with the increase in the complexity of the human environment and knowledge, these indications demanded some systematization in the course of time. It was necessary to develop canons of knowledge that need to be passed on to future generations. That meant making a choice of what was required to function in the environment, also taking into account the goals whose value increased along with the broadly understood development of culture, determining what was to be achieved. The development of effective didactic methods was equally important. Perhaps, from that perspective, it is worth looking at the works of John Amos Comenius, trying to understand the motives of his undertakings. A possible answer lies in the specificity of the historical moment in which Comenius commenced work on the project referred by

<sup>1</sup> Michael Tomasello, *Why We Cooperate* (Cambridge, MA: The MIT Press, 2009), IX.

<sup>2</sup> Tomasello, *Why We Cooperate*, X.

<sup>3</sup> See: Gabriel Compayré, *The History of Pedagogy* (Boston: D.C. Heath & Company, 1899), 1–82.

<sup>4</sup> Indications for the biological foundations of learning should not be identified with their reduction, but rather with drawing attention to the fact that the processes of acquiring knowledge and shaping behaviors have similar functionality as eating or breathing, as well as helping the species at the simplest existential level. Ultimately, cultural patterns determine what it means to “survive,” also in the context of eternity.

him as “THE GREAT DIDACTIC,<sup>5</sup> that is to say, the whole art of teaching all things to all men, and indeed of teaching them with certainty, so that the result cannot fail to follow.”<sup>6</sup>

In her works on Comenius, Marie Saint Elphege underlines that “the seventeenth century can be described as an age of strife, of development and of rapid progress. No doubt, it was a spirited period in which many reactions took place, not only in the religious and the political, but also in the scientific and the educational world.”<sup>7</sup>

In turn, Martina Belozerskaya describes Europe of Comenius's times as “highly cosmopolitan, its diverse countries and polities linked into larger communities through intricate webs of political, economic, religious, and social ties.”<sup>8</sup> The features of the environment recognized by the researchers indicate the existence of a large social and ideological differentiation, which was seen as necessary help in “moving around” in that complicated world and, in the educational processes, required some systematization. This is how Comenius perceived his task, going in *The Great Didactic* from defining traits as “the highest, the most absolute and the most excellent of things created,”<sup>9</sup> while considering being “a rational creature”<sup>10</sup> the most important of them. With this assumption, he saw a possibility to develop that trait as a condition for survival, also giving hope for eternity.

Today's world seems to be similar with its growing, prominent tendencies in social and cultural diversity.<sup>11</sup> The difference of our reality is embedded in other ways of communication, which, again, require rethinking. In a way, we must readapt Comenius to our actualities.

Initially, it is assumed in these considerations that Comenius's requirements for shaping rational beings in the current situation are connected with the development of media competencies, with particular emphasis on the ability of critical thinking and selection of methods of obtaining information.

The analysis will be of theoretical nature, comparing the general indications of *The Great Didactic* with current possibilities of implementation and assessing what scope of competences must be completed. That task requires a general

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<sup>5</sup> Spelling for John Amos Comenius, *The Great Didactic*, translated by M. W. Keatinge (London: A. C. Black, 1907).

<sup>6</sup> Comenius, *The Great Didactic*, 5.

<sup>7</sup> Frederick Eby and Charles Flinn Arrowwood, *The Development of Modern Education* (New York: Prentice Hall, 1942), 228, quoted in Marie Saint Elphege Benoit, *The Educational Writings of Comenius and Parker: A Comparative Study* (Boston: Boston College University Libraries, 1967), 13–14, <http://hdl.handle.net/2345/608>, accessed May 4, 2018.

<sup>8</sup> Martina Belozerskaya, *Rethinking the Renaissance* (Cambridge: Cambridge University Press, 2002), 1.

<sup>9</sup> Comenius, *The Great Didactic*, 25.

<sup>10</sup> Comenius, *The Great Didactic*, 36.

<sup>11</sup> Belozerskaya, *Rethinking the Renaissance*, 1.

introduction to Comenius's educational assumptions within selected issues, and then a cross-reference of these assumptions to the current situation.

## The Formation of Intelligent Beings According to the Assumptions of *The Great Didactic*

According to Joanna Leek,

John Amos Comenius has become one of the major influences on modern educational thinking, with his personality, philosophical and education writing. The guiding ideas of Comenius system and their true significance are difficult to appreciate fully without some prior knowledge of his life. Comenius's life and work are closely interwoven as his ideas on world brotherhood and his religious precepts are inseparable from his educational reforms.<sup>12</sup>

Undoubtedly, there is a lot of truth in this diagnosis. The didactic system developed by Comenius was a result of his life experience. In that sense, he was very much embedded in educational practice, while his final educational goals had strong philosophical and religious foundations. Therefore, the methods proposed by Comenius can be thought of as a coherent vision of action in response to the needs of the historical moment in which he lived, allowing to equip the skills necessary to realize the meaning of human life, also in aspects that go beyond the categories of worldliness. Of course, the scope of research and indications included in *The Great Didactic* project are universal and timeless. That arises from the role that Comenius attributed to education and his views of the world. However, the reflection in this discussion will be focused only on these 'minimal' aspects that condition our humanity.

These considerations are not a review in their nature; therefore, it does not seem necessary to refer to Comenius's whole body of thought. It is enough to recreate the most important assumptions he formulated, which constitute the foundation of his didactic concepts.

According to Bogdan Suchodolski, this statement reflects the essence of the didactic project: "every man can become a man." That rule was "guiding the

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<sup>12</sup> Joanna Leek, "John Amos Comenius – The Initiator of Modern Language Teaching and World Understanding." *Prace Naukowe Akademii im. Jana Długosza w Częstochowie* (Studia Neofilologiczne) VII (2011): 223.

efforts of Comenius in organising the school system, elaborating curricula and patterns of management structures, formulating teaching methods, and writing the handbooks and textbooks.”<sup>13</sup> The consequence of such an approach was also “a vision of life-long education of all men and women all over the world.”<sup>14</sup> This constitutes a basic assumption that everyone can become a human being and further indications resulting from that meant that Comenius's concept overturned the way education was understood by his contemporaries, putting him ahead of his time, mainly in regard of the awareness of the role that should be fulfilled by schools and the activities used in its teaching methods.<sup>15</sup>

In her works on a synthetic approach to Comenius's achievements, Barbara Sitarska quotes the studies of Robert Alt and Wincenty Okoń, pointing to several crucial assumptions visible in Comenius's thoughts that had an impact on the overall shape of his ideas. First of all, the world is knowable thanks to the interaction of the senses, thinking and physical fitness. This cooperation should be developed from early childhood to late old age. The world is governed by certain regularities and these should be the subject of educational activities, which is why the general idea of Comenius's system is based on the regularities of nature. According to Miko Lukaš and Emrik Munjiz, “Comenius remained permanently recognizable by suggesting a new school system based on four seasons in the nature and four stages humans go through.”<sup>16</sup> Secondly, what has been mentioned before, it is necessary to educate everyone. This is a necessary condition for making reality better and, again, it is possible owing to the use of our cognitive powers, hence the need to constantly work on them. Thirdly, the ultimate goal of education is to prepare for the eternal life, but it necessitates the development of virtues, especially those that relate to wisdom, as it conditions the other virtues to a large extent. Finally, both the didactic process and the persons supervizing it should meet certain conditions. For example, it is important that teaching is conducted in good atmosphere, and Comenius suggested that teachers use specific didactic methods, hence the need to develop a universal teaching system.<sup>17</sup>

The key themes of Comenius's thought chosen by Sitarska make us aware of the coherence of the system that he developed and allow for direct educational

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<sup>13</sup> Bogdan Suchodolski, “Comenius and Teaching Methods,” in *Comenius and Contemporary Education*, edited by C. H. Dobinson (Hamburg: Unesco Institute for Education, 1970), 34–51.

<sup>14</sup> Dagmar Capkova, “The Recommendations of Comenius Regarding the Education of Young People,” in *Comenius and Contemporary Education*, 33.

<sup>15</sup> Barbara Sitarska, “O Janie Amosie Komeńskim i początkach komeniologii,” *Siedleckie Zeszyty Komeniologiczne* (Series: Pedagogika) II, (2015): 29.

<sup>16</sup> Miko Lukaša and Emrika Munjiza, “Education System of John Amos Comenius and Its Implications in the Modern Didactic.” *Život i škola* 31 (1/2014): 36.

<sup>17</sup> Barbara Sitarska, “Idee Jana Amosa Komeńskiego wobec współczesnych wyzwań edukacyjnych,” [http://www.comenius.uph.edu.pl/images/pliki/artykuly/artykul\\_2.pdf](http://www.comenius.uph.edu.pl/images/pliki/artykuly/artykul_2.pdf), accessed May 4, 2018.

activities. In this approach, it is important to derive indications regarding teaching from a specific vision of a person and the purpose of his or her life. In *The Great Didactic*, Comenius defines the basic requirements that a man has to meet in order for his life to make sense, also using the final criteria: “the man’s situated among visible creatures so as to be, a rational creature, the lord of all creature, a creature which is the image and the joy of its Creator. [...] These three aspects are so joined together that they cannot be separated, for them is laid the basis of the future and of the present life.”<sup>18</sup>

Accordingly, the basic goal of man, which conditions all other goals, is to be a rational being. Comenius illustrates well the essence of his approach with a dialogue between the student and the teacher, which begins *The Visible World in Pictures*: “Student: What does it mean to be wise? Teacher: To understand rightly, to do rightly, and to speak out rightly all that are necessary.”<sup>19</sup> In turn, he defines the same problem in *The Great Didactic* as follows:

To be a rational creature is to name all things, and to speculate and reason about everything that the world contains, [...] to know how the world was made and the operation of the elements; the beginning, ending, and midst of the time; the alterations of the turning of sun, and the change of seasons; the circuits of years and the positions of stars; the nature of living things and the furies of wild beasts; the violence of winds and the reasoning of men, the diversities of plants and the virtues of roots; in a world, everything that is secret and that is manifest. To man belong the knowledge of handicrafts and the art of speaking, lest [...] anything should remain knowledge. [...] For thus, if he knows the properties of all things, will he be able to justify his title of “rational being”?<sup>20</sup>

Comenius associates a rational being with erudition/education which he defines as “knowledge of all things, arts, and tongues.”<sup>21</sup> In *The Great Didactic* a chapter entitled “It Is Possible to Reform School,” he gives more details of his vision of shaping a man as a rational being: “that the education given shall be not false but real, not superficial but through, that is to say, that the rational animal, man, shall be guided, not by the intellects of other men, but by his own; shall not merely read the opinion of others and grasp their meaning or commit to root of things and acquire the habit of genuinely understanding and making use what he learns.”<sup>22</sup> A didactic process is, therefore, stimulation of cognitive needs and encouragement of one’s own search, whose aim is to build an understanding attitude towards the world. As previously pointed out in Comenius’s

<sup>18</sup> Comenius, *The Great Didactic*, 36.

<sup>19</sup> Komeński, *Świat w obrazach rzeczy dostępnych zmysłom*, translated by Adam Fijałkowski (Warszawa: WUW, 2015), 58.

<sup>20</sup> Comenius, *The Great Didactic*, 37.

<sup>21</sup> Comenius, *The Great Didactic*, 38.

<sup>22</sup> Comenius, *The Great Didactic*, 82.

approach, “knowledge of things” is a condition for constituting a moral and religious attitude. To become a rational being is the first step towards working on the moral aspects of human life, also the first step on the road to eternity. In this context, it becomes clear that for Comenius being a rational being is the basic condition that a man must fulfill in order to realize his humanity. This assumption of Comenius, regardless of the existing worldview differences, seems unquestionable and, in this sense, one can agree with Jean Auba: “In John Amos Comenius, educational philosopher, we have not only a productive and profound thinker but also an inspired informer: driven by the feeling for synthesis of true planner he was able to devise effective systems which may still be used as model for educational reform today.”<sup>23</sup> Of course, some of the assumptions of Comenius's model have to be modified due to the current state of knowledge, but this does not change the fact that Comenius was the first in Europe, and that the principles on which he was building were revolutionary. Moreover, the initial assumptions that make up the foundation of his works can still successfully define the concept of humanity.

If we would like to follow the trail of Comenius's thought today and analyze only the first, basic requirement of being rational, we have to ponder on a possibility of its implementation under the current conditions. The answer requires establishing variables that have a significant impact on the shape of our reality. The next fragment will be devoted to this problem.

## Digital Media—Didactic Situation

Characteristics of the conditions which define the current educational situation require recognition of the key factor which is the basis, yet also shapes educational practices. One of the possible perspectives that can be adopted in the research is the form of learning and knowledge transfer. It means establishing a communication point of view and asking what communication instruments dominate in didactic activities, that is, how we acquire knowledge about the world, how we register and transmit it and, finally, how it diffuses. David J. Bohm drew attention to the possibility of that kind of approach to the discussed issue in the 1977 article “Science as Perception-Communication” “I want to call attention [...] that science involves *communication* in an equally fundamental way. However, in saying this, I want to emphasize that scientific research does not consist of *first* looking at something and *then* communicating it.

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<sup>23</sup> Jean Auba, “Comenius and the Organization of Education,” in *Comenius and Contemporary Education*, edited by C. H. Dobinson (Hamburg: Unesco Institute for Education, 1977), 52.

Rather, the very act of perception is shaped and formed by the intention to communicate, as well as by a general awareness of what has been communicated in the past, by oneself and by others. [...] Perception and communication are one *whole*, in which analysis into potentially disjointed elements is not relevant.”<sup>24</sup> Obviously, the context in which Bohm develops his observation concerns strictly scientific research. However, its conclusion is also helpful in the scope of problems discussed in this study, as it allows to realize how important communication and tools we use for it can be in educational processes. To accept the existence of this dependence is to ask about the media, since the invention of writing, then printing and all the subsequent media have always been an important addendum to the didactic process in education. In this context, the very fact of introducing all forms of mediating communication to education is significant, because it allows “to free” knowledge from the limitations of situations that are only here and now. It also gives instruments to enable consolidation of knowledge, allowing to overthrow the space and time constraints, and, consequently, also increases its diffusion. Therefore, the emergence of further media in pedagogical environments has always aroused heated discussions about the possible positive or negative effects associated with a specific medium. Apart from the considerations related to the effects of using all forms of mediated communication, there is also a parallel reflection on the proper proportions of direct and indirect contact between the teacher and students and the didactic aids being used.

It is no different in the case of digital communication technologies. The subsequent stages of its development significantly influence the way of communication processes, including the forms of education used. The most important changes include the dominance of mediated forms of acquiring knowledge and of building contact with others. However, digitization brings above all multimedia, transmediality and hypermediality, which allow to introduce education into completely new perceptual and cognitive modes. Multimedia, transmediality, and hypermediality are concepts that perfectly reflect the characteristics of digital media, because they indicate, firstly, the possibility of using diverse means of representation in one message—multimedia. Secondly, while navigating the Internet, you can instantly go to another medium—transmediality. And thirdly, owing to the multiplicity of forms of mediation available within one device and because of the instant ability to exchange them using the interface that the device works on, it is also possible to reproduce the richer sensory apparatus of human experience—hypermediality.<sup>25</sup>

<sup>24</sup> David J. Bohm, “Science as Perception-Communication,” in *The Structure of Scientific Theories*, edited by Frederick Suppe (Illinois: University of Illinois, 1977), 391.

<sup>25</sup> Grażyna Osika, “Hipertekst jako efekt konwergencji mediów,” in *Problemy konwergencji mediów*, edited by Michał Kaczmarczyk and Dariusz Rott (Sosnowiec–Praga: Oficyna Wydawnicza Humanitas Verbum, 2013), 181–184.

In the already classic studies, Sherry Turkle—*Alone Together: Why We Expect More from Technology and Less from Each Other*<sup>26</sup> and Jan van Dijk—*The Network Society. Social Aspects of New Media*<sup>27</sup> show how digital media transform communication in many areas of human activity, including education. According to van Dijk, “new potentialities of learning with the help of new media [...] can make a great contribution to the improvement of education in general and didactics in particular. These opportunities are derived from the two distinguishing characteristics of the new media: interactivity and integration.”<sup>28</sup> Furthermore, he develops the idea that: “The *interactivity* of the new media enables a more active and more independent way of learning than we are used to. Interacting with and through these media, the superior type of enactive learning (see the first section in this chapter) is *simulated*, not equalled. In this way, the three modes of learning—enactive, iconic, and symbolic—can be combined, as all three of them now use media. With these means, students are enabled to study independently and teachers are gaining another role.”<sup>29</sup> Whereas integration mainly affecting perceptual processes and, consequently, cognition results in:

- “The *addition of new data types*, such as images and speech, to the traditional ones of text and numbers increases the chances of more attention being paid to the subject, more intensive processing and better remembering. The same applies to the addition of audiovisual linguistic, iconic, and logico-mathematical modes of communication.
- These chances can be improved even more when the types and modes mentioned are combined in a didactically appropriate way to allow them to be *integrated cognitively* by students.
- This integration enables perhaps the most basic transformation in education. This is the transition from *linear learning to learning by association* [...]. Associative learning is a quite different mental activity. (Inter)actively dealing with parts of the course material, which can be not only chopped into pieces but also recombined, has much more effect.”<sup>30</sup>

According to van Dijk's predictions, more effective learning through associations can develop thanks to the previously mentioned features of new media. This allows individuals to free themselves from the limitations of one medium, such as books, because of reaching a huge number of sources that are helpful in education.

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<sup>26</sup> Sherry Turkle, *Alone Together: Why We Expect More from Technology and Less from Each Other* (New York: Basic Books, 2011).

<sup>27</sup> Jan van Dijk, *The Network Society. Social Aspects of New Media* (London—Thousand Oaks: Sage, 2006).

<sup>28</sup> Van Dijk, *The Network Society. Social Aspects of New Media*, 224.

<sup>29</sup> Van Dijk, *The Network Society. Social Aspects of New Media*, 224–225.

<sup>30</sup> Van Dijk, *The Network Society. Social Aspects of New Media*, 225.

In fact, we really need to be aware of the fact that digital forms of mediated communication have the potential that van Dijk paid attention to. Unfortunately, practical problems and technical solutions arising from them have been problematic in this respect, which may jeopardize the teaching hopes placed in digital instruments.

According to “the logic of the Internet,” we get access to knowledge, as expected. However, we need to know what we are looking for. Unfortunately, this was recognized at the very early stages of the studies on the Web psychology.<sup>31</sup> In environments which burden us with too much diversity, inevitably overloading us with information, we need to use strategies that allow us to function in them, hence the tendency to abuse “shortcuts.” These strategies may concern both the perception of data and the fact of their processing. Those phenomena are well known in psychology, as “they allow to form insights and make the right decisions.”<sup>32</sup> The most effective ones include: the principle of compliance associated with perceptual selection and the attitude mechanism,<sup>33</sup> the essence of which is to pay attention to stimuli consistent with our attitude. Another one is a strategy of confirming expectations, which says that people mainly pay attention to incentives in line with their expectations and have elevated perceptual thresholds. When something is ambiguous, it is interpreted in accordance with their expectations. Those expectations also affect the process of remembering: what can be confirmed is remembered better.<sup>34</sup> The barrier of overconfidence is also often used. It is designed to maintain the sense of accuracy of one’s own judgments allowing to trust the rightness of how we think.<sup>35</sup> The confirmation error complements these cognitive strategies. It is based on “searching and processing only the information that confirms the hypothesis, while minimizing the meaning of information that contradicts this hypothesis.”<sup>36</sup> Those information filters prevent the data that denies the correctness of our view from reaching us,

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<sup>31</sup> Patricia Wallace, *The Psychology of the Internet* (Cambridge: Cambridge University Press, 2001), 79–80.

<sup>32</sup> Douglas T. Kenrick, Steven L. Neuberg, and Robert B. Cialdini, *Psychologia społeczna. Rozwiązane tajemnice*. Translated by Agnieszka Nowak et al. (Gdańsk: Gdańskie Wydawnictwo Psychologiczne, 2002), 130.

<sup>33</sup> Piotr Francuz, *Mechanizm uwagi. Przegląd zagadnień w perspektywie psychologicznej i neurofizjologicznej*, 58–59, [https://www.researchgate.net/profile/Piotr\\_Francuz/publication/259642486\\_Mechanizm\\_uwagi\\_przegląd\\_zagadnień\\_w\\_perspektywie\\_psychologicznej\\_i\\_neurofizjologicznej/links/02e7e52d0528ce994f000000/Mechanizm-uwagi-przegląd-zagadnień-w-perspektywie-psychologicznej-i-neurofizjologicznej.pdf](https://www.researchgate.net/profile/Piotr_Francuz/publication/259642486_Mechanizm_uwagi_przegląd_zagadnień_w_perspektywie_psychologicznej_i_neurofizjologicznej/links/02e7e52d0528ce994f000000/Mechanizm-uwagi-przegląd-zagadnień-w-perspektywie-psychologicznej-i-neurofizjologicznej.pdf).

<sup>34</sup> Kenrick et al., *Psychologia społeczna*, 129–130.

<sup>35</sup> Elliot Aronson, Timothy D. Wilson, and Robin M. Akert, *Psychologia społeczna. Serce i umysł*. Translated by Anna Brzezińska et al. (Poznań: Gdańskie Wydawnictwo Psychologiczne, 1997), 165–167.

<sup>36</sup> Mirosław Szreder, “Badanie próbkowe – projektowanie i wnioskowanie,” *SatSoftPolska* (2011), [https://www.statsoft.pl/wp.../badania\\_probkowe\\_projektowanie\\_i\\_wnioskowanie.pdf](https://www.statsoft.pl/wp.../badania_probkowe_projektowanie_i_wnioskowanie.pdf).

which in turn makes it irrefutable, keeping the developed worldview intact.<sup>37</sup> A research report published in 2017 by the Reuters Institute for the Study of Journalism and the University of Oxford confirms that these trends are intensifying on the Internet.<sup>38</sup>

The second filtering mechanism is the so-called *technological gatekeeping*,<sup>39</sup> based on the principle of personalizing the search content. It is implemented thanks to the algorithmic selection of the Internet resources. The effect of this operation is that only the ones that are compatible with our profile display from all the variety of information available on the web. This phenomenon is widely described by Eli Pariser in *Filter Bubble: What the Internet Is Hiding from You*. The algorithms that were supposed to be helpful in accessing content useful for us have become a “censor” of information as, instead of facilitating the search, they limit our access to it. In this case, technical considerations decide that the potential increase in the flow of information to the social system, which is possible through the Internet, does not lead to the unification of the level of information of its members and again the theory of *knowledge gap* is justified.<sup>40</sup> While examining the ethical aspects of the Internet, Mariusz Wojewoda writes about “small worlds,” in which existence deprives us of any chance of verifying the sought information.<sup>41</sup> That phenomenon, in turn, is related to a two-stage flow of information, which was pointed out by Daniel Katz and Paul Lazarsfeld. In their opinion, there are so-called adherers of opinion directing attention to selected information or directing its interpretations.<sup>42</sup>

Both our strategies of coping with information overload and technological gatekeeping are not widely recognizable, and it is this lack of awareness that seems to be the cause of the wasted educational potential of the digital communication technology which van Dijk draws attention to. What is worse, this

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<sup>37</sup> Shahram Heshmat, “What Is Confirmation Bias,” <https://www.psychologytoday.com/blog/science-choice/201504/what-is-confirmation-bias>, accessed May 4, 2018.

<sup>38</sup> Nic Newman, Richard Fletcher et al., *Reuters Institute Digital News Report 2017*, Reuters Institute for the Study of Journalism, University of Oxford, 2017, 31. [https://reutersinstitute.politics.ox.ac.uk/sites/default/files/Digital%20News%20Report%202017%20web\\_0.pdf](https://reutersinstitute.politics.ox.ac.uk/sites/default/files/Digital%20News%20Report%202017%20web_0.pdf).

<sup>39</sup> Magdalena Szpunar, *Imperializm kulturowy Internetu* (Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 2017), 27–29.

<sup>40</sup> Knowledge gaps theory by Philip Tichenor, George Donohue, and Claric Olien deals with differences in knowledge between better and less well-informed members of the public in which the media plays a significant role, see: Stanley J. Baran and Dennis K. Davis, *Teorie komunikowania masowego*, translated by Agata Sadza (Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 2007), 359–362.

<sup>41</sup> Mariusz Wojewoda, “Problemy etyczne dotyczące przepływu informacji w nowych mediach,” in *Kulturowe, społeczne i etyczne uwarunkowania biznesu, gospodarki i zarządzania*, edited by Leszek Karczewski and Henryk Kretek (Opole: Wydawnictwo Politechniki Opolskiej, 2014), 299.

<sup>42</sup> Baran and Davis, *Teorie komunikowania masowego*, 161.

questions the basic requirement put forward by Comenius a man should fulfill to be called a rational being. Overcoming this difficulty calls for the extension of “plastication”<sup>43</sup> of intelligent beings to develop media competence, with particular emphasis on the ability to think critically and to acquire information in a conscious way.

## Shaping Intelligent Beings in the Context of Developing Media Literacy

Let the observation of Andrzej Murzyn serve as a methodological tip for work on this fragment: “[R]eflection on education and upbringing makes sense only when it takes place in a space free from prejudices and stereotypes—a space constantly enriched by the achievements of all fields of the contemporary humanities. Only in such a space is it possible to cross the boundaries of narrow specialization and to take contemporary educational problems with ever new (and different) research perspectives.”<sup>44</sup> Accordingly, one should not undergo a negative, and to some degree stereotypical, evaluation that digital media are the source of many educational pathologies. It is more appropriate to put accents more objectively. Undoubtedly, one must understand the essence of media influence and learn how to use its potential effectively. This issue has always been present in pedagogical thought. For example, Comenius in *The Great Didactic* draws attention to critical thinking that should accompany reading books.<sup>45</sup> However, it was not until the 20th century that attention was paid to it in more detail, when the negative role of the media was noticed in the analyses of the mass society. The need to supplement the skills that could prove crucial for survival and adapt to live in a heavily saturated media environment (or even a *media society*, as Tomasz Goban-Klas calls it) was naturally born and collectively named “media competence.”<sup>46</sup>

Media competence is understood as “the ability to absorb, analyse, evaluate and communicate”<sup>47</sup> using the media. It comprises knowledge of media, related

<sup>43</sup> “Plastication”—this is a concept taken from the Polish translation of *The Great Didactic* by Jan Amos Komensky. Regardless of its slightly archaic overtones, it has connotations referring to the plasticity of “matter,” which is subjected to “processing” in educational processes and in this context seems adequate.

<sup>44</sup> Andrzej Murzyn, *Współczesna filozofia edukacji* (Kraków: Wydawnictwo Impuls, 2015), 7.

<sup>45</sup> Comenius, *The Great Didactic*, 115.

<sup>46</sup> See: Tomasz Goban-Klas, *Spoleczeństwo medialne* (Warszawa: Wydawnictwa Szkolne i Pedagogiczne, 2005); Grażyna Osika, *Tożsamość osobowa w epoce cyfrowych technologii komunikacyjnych* (Kraków: Universitas, 2016), 19–20.

<sup>47</sup> Baran and Davis, *Teorie komunikowania masowego*, 438.

to their understanding, evaluation of content, their methods of operation and efficient use.<sup>48</sup> This lack of denoting precision is not necessarily a disadvantage, as it allows us to realize how complex this problem is. As W. James Potter points out in his analysis, this difficulty was evident from the very beginning of work on media competences. However, media experts agree on several issues. Firstly, as media affect human at the physiological and behavioral level, we should also take into consideration their negative impact. Secondly, developing media literacy allows us to direct that influence. Thirdly, we are not born with those competences, and therefore they must be constantly developed and extended. Finally, those competences are complex.<sup>49</sup> According to Potter, we can talk about several levels on which interactions with media take place: cognitive, related to mental processes; emotional, related to the degree of involvement of feelings; aesthetic, which includes understanding, evaluation and enjoyment of media content; and moral, which refers to the axiological dimension.<sup>50</sup> Each of these levels is associated with the need to develop different competences, which can be considered as a whole of media education (*media literacy*). Renne Hobbs, in her analysis of media competences, claims that emphasis should be placed on their practical value—"digital and media literacy competencies, which constitute core competencies of citizenship in the digital age, have enormous practical value."<sup>51</sup> In her opinion, media skills should even be defined "as a constellation of life skills that are necessary for full participation in our media-saturated, information-rich society. These include the ability to do the following:

- make responsible choices and access information by locating and sharing materials and comprehending information and ideas;
- analyse messages in a variety of forms by identifying the author, purpose and point of view, and evaluating the quality and credibility of the content;
- create content in a variety of forms, making use of language, images, sound, and new digital tools and technologies;
- reflect on one's own conduct and communication behaviour by applying social responsibility and ethical principles;
- take social action by working individually and collaboratively to share knowledge and solve problems in the family, workplace and community, and by participating as a member of a community."<sup>52</sup>

<sup>48</sup> Waclaw Strykowski, quoted in Józef Bednarek, "Nowe kompetencje medialne społeczeństwa wiedzy," in *Media – Edukacja – Kultura: w stronę edukacji medialnej*, edited by Wojciech Skrzydlewski and Stanisław Dylak (Poznań–Rzeszów: Wydawnictwo PTTIME, 2012), 102–117.

<sup>49</sup> James W. Potter, "The State of Media Literacy," *Journal of Broadcasting & Electronic Media* 12 (2010): 676–680.

<sup>50</sup> James W. Potter, *Media Literacy* (Los Angeles—London—New Delhi—Singapore: Sage Publications INC., 2013), 23–24.

<sup>51</sup> Renee Hobbs, *Digital and Media Literacy. A Plan of Action* (Washington, D.C.: The Aspen Institute, 2010), vii.

<sup>52</sup> Hobbs, *Digital and Media Literacy. A Plan of Action*, vii–viii.

We should not treat Potter's or Hobbs's proposals as closed sets. Constantly updated protocols of communication behaviors in an adaptive reaction to new technical solutions mean that potential competence gaps should be supplemented on a regular basis. There are already some gaps in the skills of social dialogue via the media, in which case psychologists pay attention to the lack of "empathy scripts" due to the mediated nature of interaction<sup>53</sup>; therefore, raising awareness in this regard seems to be necessary.<sup>54</sup> Likewise, in the case of technical possibilities of violating privacy in digital media, the fact of leaving digital traces connected with the possibility of their identification necessitates creation of their own privacy policy<sup>55</sup> in the virtual world.

If we want to successfully implement Comenius's recommendations on "plastication" of intelligent beings, we should also supplement our competences with the ability to escape filtering bubbles. This should not be reduced to selecting information or developing critical thinking, or rather should not be limited to them. In this case, the key ideas seem to be as follows:

- awareness of the mechanisms that exclude us from the full circulation of information;
- teaching the need of conscious selection of influencers<sup>56</sup>;
- developing critical thinking regarding assessment of content in terms of the degree of their personalization, which is about conscious development practices for acquiring content, for example, using several search engines, opening subsequent search pages, using search engines that do not follow us, etc.;
- developing habits of checking what others think about a given topic, especially when they have a different opinion.

The implementation of these very simple guidelines is the first step towards what Comenius was advocating in education:

The education given shall be not false but real, not superficial but thorough, that is to say, that the rational animal, man, shall be guided, not by the intellects of other men, but by his own; shall not merely read the opinion of others and grasp their meaning or commit to root of things and acquire the habit of genuinely understanding and making use what he learns.<sup>57</sup>

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<sup>53</sup> Patricia Wallace, *The Psychology of the Internet* (Cambridge: Cambridge University Press, 2001), 96–119; Elias Aboujaoude, *Virtually You: The Dangerous Powers of the E-Personality* (New York—London: W. W. Norton & Company, 2011), 94–104.

<sup>54</sup> See: Grażyna Osika, "Dialog w mediach warunki formalne. Herbert P. Grice na nowo odkryty," in *Dialog w mediach – od fikcji do show*, edited by Michał Drożdż (Tarnów: Biblios, 2015), 63–74.

<sup>55</sup> See: Grażyna Osika, "Polityka prywatności użytkowników nowych mediów – uwarunkowania kompetencyjne," in *Prywatność w Sieci – dobro osobiste czy społeczne*, edited by Michał Drożdż (Tarnów: Biblios, 2016), 88–101.

<sup>56</sup> Influencers are people that we choose (usually unconsciously) as adherents of opinion, for example, bloggers, youtubers, celebrities, etc., in general: media people.

<sup>57</sup> Comenius, *The Great Didactic*, 82.

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Grażyna Osika

## La revendication de Jan Amos Komeński visant à éduquer des êtres raisonnables dans le contexte du développement des compétences médiatiques

### Résumé

Il est incontestable que Jan Amos Komeński, comme le premier, a élaboré le système éducatif déterminant l'étendue et les méthodes du travail didactique. En reconnaissant l'universalité de ses indications, on doit poser des questions sur les possibilités de leur adaptation à l'époque contemporaine. Dans les réflexions, on présume que les exigences de Komeński concernant la formation des êtres raisonnables doivent, dans la situation actuelle, prendre en considération la domination des formes de communication non directes qui se lient à la nécessité de développer des compétences médiatiques, compte tenu des capacités du raisonnement critique et du choix des méthodes de recueillir des informations. L'analyse a un caractère théorique, car il s'agit de comparer les indications de la Grande Didactique avec les possibilités actuelles de leur réalisation et de déterminer quelle étendue de compétences doit être complétée. Cette tâche exige l'introduction générale dans les objectifs pédagogiques de Komeński à l'intérieur des questions choisies, ainsi que la référence de ces objectifs à la situation didactique actuelle. Ces démarches permettront de compléter la conception didactique importante des éléments qui pourraient l'actualiser.

Mots-clés: Jan Amos Komeński, Grande Didactique, éducation, compétences médiatiques, éducation médiatique, bulles de filtres

Grażyna Osika

## Il postulato della formazione di esseri ragionevoli di Jan Amos Komenský (Comenio) nel contesto dello sviluppo delle competenze mediali

### Sommario

È indiscusso il fatto che Jan Amos Komenský fu il primo ad elaborare un sistema d'istruzione che definisce il campo ed i metodi del lavoro didattico. Riconoscendo l'universalità delle sue indicazioni dobbiamo interrogarci sulla possibilità di adattare ai tempi attuali. Nelle riflessioni si ipotizza che i requisiti di Komenský riguardanti la formazione di esseri ragionevoli nella situazione attuale, debbano considerare il dominio delle forme di comunicazione mediate che sono correlate alla necessità di sviluppare competenze mediali, prestando particolare attenzione alla capacità di pensiero critico e di scelta dei metodi di acquisizione delle informazioni. L'analisi ha natura teorica, si tratta di confrontare le indicazioni generiche della Grande Didattica con le loro possibilità attuali di realizzazione e di stabilire quale campo di competenza debba essere integrato. Tale compito richiede un'introduzione generale nei presupposti educativi di Komenský nell'ambito di problematiche selezionate, e successivamente un'applicazione di tali presupposti alla situazione didattica corrente. Tali attività consentiranno di integrare l'importante concezione didattica con argomenti che la aggiornano.

Parole chiave: Jan Amos Komenský (Comenio), Grande Didattica, istruzione, competenze mediali, educazione ai media, bolle di filtraggio





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# The Concept of Image According to John Amos Comenius and New Media

**Abstract:** The visual culture and communication through images are important aspects of contemporary culture, especially when we talk about the use of new media. The images affect the viewer in different ways and are also used for educational purposes. John Amos Comenius, as a reformer of the educational system in the modern era, was also a precursor of the use of images in education. We are facing a similar challenge today—to create a model of education based on new media, in which the aspects of word, image, and music in teaching are skillfully combined. In the analytical part of the article, the author compares the significance of images from the perspective of Comenius with contemporary theory of visual communication, especially in the concept of William J. T. Mitchell.

**Keywords:** John Amos Comenius, visual culture, image of the world, new media

## Introduction

The form and intellectual achievements of John Amos Comenius are extremely important, especially when we talk about the modern and contemporary model of teaching. The time in which Comenius lived (1592–1670) coincided with that of René Descartes—the precursor of modern philosophy (1596–1650). Comenius considered himself a theologian and a reformer of the education system. Descartes, in turn, was a mathematician and a physicist. Both of them were bound by their interest in philosophy. In 1642 both thinkers met in Amsterdam and discussed philosophy, admittedly disagreed with each other, but

showed interest in their respective views. Descartes summarized his views for Comenius, they were expounded later in the work of the *Principle of Philosophy* (*Principia Philosophiae*), and encouraged Comenius to elaborate on the idea of pansophy, an original philosophical idea, on which the Czech educational reformer worked throughout his entire life.<sup>1</sup> After Descartes's death, Comenius unfortunately joined the group of critics of Descartes's thought. The polemics concerned interpretation of natural phenomena—thickening air and thinning physical bodies. The Czech reformer did not have any specialist natural knowledge, and therefore it is possible to acknowledge that the polemics are only valid from the historian's point of view; however, it does not show Comenius in good light.

But if we look at Descartes's and Comenius's achievements from a broader perspective, it is possible to state that they put immense effort to describe the modern view of reality. Descartes made it in the area of philosophy and sciences (mathematics, geometry), while Comenius—in the proposal for the reform of the education system and the introduction of new ideas to the education system (pedagogy). Both thinkers lived in crucial times on account of the change in the way of understanding reality, specific for the Copernican Revolution in which the man as the thinking being is able to acquire and accumulate knowledge and has been put in the center of the world. This change of the man in relation to the world referred to technology or, more precisely, to the technical possibilities of processing the world, the accumulation of knowledge and acquisition of new skills.<sup>2</sup>

Nowadays, modern, especially enlightened and positivistic enthusiasm has been exhausted. The thesis that thanks to the increase of knowledge and the technology resulting from it, we will be able to change the material world in a way that is favorable for us—at the present, this thesis is naïve. We still, or perhaps even with greater sharpness, realize that human activity affects the fate, but especially in the 20th century, we have lost the conviction of the positive aspect of this impact. We clearly see the risks associated with the development of civilization, and the very idea of progress is getting more complicated. We talk more often about the change, rather than progress, we are considering these issues in the context of threats or cautiously in the context of new opportunities which arise. The turn of the Middle Ages and the beginning of the modern era are the moment of the interpretative paradigm shift. The development of technology, especially media techniques, means that we are at the threshold of the need to create a new paradigm—understanding the man from the perspective of his

<sup>1</sup> Tadeusz Bienkowski, "Wokół XVII-wiecznych polemik przyrodniczych," *Kwartalnik Historii i Techniki* 46/1 (2001): 29–40.

<sup>2</sup> Jaroslava Pešková, "Philosophische Argumentation und Aktuelle Aspekte der Consultatio," in *Comenius. Internationales Comenius—Colloquium*, edited by Norbert Kotowski and Jan B. Lášek (Bayreuth–Prag: Evangelisches Bildungszentrum, Studio GTS, 1991), 116–121.

or her products, that is, objects that are no longer a mere extension of human action, but they will become what characterizes our way of existence and sensual cognition of reality.<sup>3</sup>

At present, the relations among people, between people and the world of things, are closely related to the products of technology. It is especially visible in interactive media, which not only show reality, but also interpret and, in some aspects, process it. In this sense, the expression “image of reality” takes on a new meaning, and the expression ceases to be something metaphorical, but it indicates how we perceive and understand reality. With the help of media tools, man creates images, and by using them he or she communicates with others, in a sense he or she also reflects on him/herself (he or she reflects on his or her own identity). New media are often used for individual practices, such as posting and recording podcasts, or interactive presence. The change regarding the role of images is related to the difference between old and new media. Traditional media (i.e., press, radio, television) had a clearly defined sender and recipient of information. Journalists and media institutions were broadcasters, and all users were recipients.<sup>4</sup> In the case of new media, the division into the sender and the recipient loses its meaning, because these roles can change at any time, the recipient can become a sender, someone who processes the previously obtained information—the role of hypertext. New media are characterized by the previously unprecedented access to information sources, thanks to which the recipient adapts the message to the rhythm of his or her own life.

In this sense, new media (digital media) are becoming more than a way to gather and acquire information. This aspect of change is well illustrated by the transformation of the consumer into a producer of information, a prosumer of knowledge. So far this type of knowledge creation is a margin of media activity. According to sociological data, only 1% of users create information, 9% process it, and 90% are passive consumers of online resources and do not add new content to network resources.<sup>5</sup>

Prosumers are still a small percentage of active people in new media. In media communication, we do not give up words, but more and more often we communicate and express ourselves with the help of images. This change of

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<sup>3</sup> The author of the article is using the term: “paradigm,” in which a philosopher of the learning applied it. Cf. Thomas S. Kuhn. “Second Thoughts on Paradigms,” in *The Structure of Scientific Theories*, edited by Frederick Suppe (Urbana: University of Illinois Press, 1974), 459–482. Kuhn described the paradigm as a set of metaphysical, methodological, semantic predictions, to which scientists refer in the situation when formulating scientific theorems.

<sup>4</sup> One of the media experts Paul Levinson uses the term “new new media” and presents their extensive characteristics. Paul Levinson, *New New Media* (New York: Pearson Education, Inc., 2013), 11–25.

<sup>5</sup> Peter Lunefeld, *The Secret War between Downloading and Uploading. Tales of the Computer as Culture Machine* (Cambridge, MA–London: The MIT Press, 2011), 35–43.

attitude is referred to as an iconic or pictorial turn.<sup>6</sup> On the one hand, due to the universality and accessibility of communication, images facilitate the acquisition of complex content—it is undoubtedly something positive. On the other hand, “replacing” words with images can lead to the trivialization of the message content, the elimination of those aspects of information that either cannot be expressed with a picture from the process of communication or simplified to the pictorial abbreviation. It is worth returning to the journal by John Amos Comenius, who, with unusual insight for his time, analyzed the meaning of images in the context of communication in the educational space, to determine the phenomenon of contemporary meaning of images in teaching, but also more widely in public communication.

## The World in Images

The most important and the most known work of Comenius is the book *The Great Didactic*, but *The Orbis Pictures* is of equal importance (the full Latin title of this work is: *Orbis Sensualium Pictus. Hoc est Omnium Fundamentalium in Mundo Rerum & in Vita Actionum Pictura et Nomenclatura*).<sup>7</sup> According to the Czech reformer, the images play an important educational role, they are an introduction to learning words at an early stage of gaining knowledge. The idea of presenting the world in images, or the idea of presenting the world of things available to the senses is the concept of an illustrated encyclopedia. This idea is in line with modern and contemporary attempts to create a compendium of knowledge available to man alongside with contemporary ideas, which are referred to as Vikiverse, a network form of cataloging existing content, which consists of their visual arrangement. The gathering of knowledge available to man seems to outgrow the possibilities of any encyclopedia. Nowadays, it is not so much about the compendium of knowledge but about ways of gathering knowledge.

According to Comenius, the program of education through images is a development of the principle of viewpoint (the golden rule for the tutors) formulated in *The Great Didactic*.<sup>8</sup> It shows that teachers in the didactic process try to find

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<sup>6</sup> Phrases “iconic turn” or “pictorial turn” are represented in, for example, Gotfried Boehm and William J. T. Mitchell. Cf. William J. T. Mitchell, *What Do Pictures Want? The Lives and Loves of Images* (Chicago: The University of Chicago Press, 2005), 28–56.

<sup>7</sup> Jan A. Komeński, *Świat w obrazach rzeczy dostępnych zmysłom*. Introduction and Translation by Adam Fijałkowski (Warszawa: Wydawnictwo UW, 2015).

<sup>8</sup> John Amos Comenius, *The Great Didactic*. Translated into English and edited with Biographical, Historical and Critical Introductions by M. W. Keatinge. Reprinted from the second Revised Edition of 1910, Reissued 1967, by Russel & Russel a Division of Atheneum House, Inc.

the possibility of translating complex content into a sensual and pictorial form. Comenius pointed to the relationship between knowledge and sensory image. He wrote:

Science, or the knowledge of nature, consists of an internal perception, and needs the same accessories as the external perception of the eye, namely, an object to observe, and light by which to observe it. If these be given, perception will follow. The eye of the inner perception is the mind or the understanding, the object is all that lies necessary attention. But, as in the case of external perception a definite procedure is necessary if things are to be presented to the mind in such a way that it can grasp them and assimilate them with ease.<sup>9</sup>

For effective teaching, it is necessary to focus on the object being studied, attention focus, and application of the appropriate method of transferring image to permanent memory. Comenius discovered the regularity here, which is also referred to by contemporary media information creators, that is, the thesis that an image, more than a word, is an effective way of influencing the viewer.

According to the Czech reformer of education, there are three important tools for our education: these are the senses that Comenius describes as “windows of the soul” thanks to which a person perceives the world; thinking, which is the “mirror of the soul,” reflects what the senses inform us about and consists of creative inference, referred to as the “telescope of the soul.” Thanks to this ability a person can learn what goes beyond direct sensory data. These three powers of the soul allow to determine three levels of individual acquisition of wisdom: theory, practice, and *chresis*.<sup>10</sup> The first step consists of theoretical knowledge of things, the second stage involves testing knowledge in practice, and the last stage involves the use of acquired knowledge in life, in specific activities related to work and daily life. Wisdom differs from knowledge in the fact that it must be acquired individually by man. All these three aspects of wisdom are meant to lead to human development. Reasoning leads to cognition, thanks to the fact that things are reflected in the mind; in the process of cognition, in which the sound of things sounds, speech arises. Knowledge and speech generate action that in turn creates things. In this sense, the idea of individual human development is connected with the idea of human progress.

Belief in the possibility to improve the world and man, expressed through knowledge acquisition, speech development, and proper practice, is a consequence of the Protestant, Calvinist image of the world, which claims that wisdom, self-study, and action lead people to salvation. In this approach, religious

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<sup>9</sup> Comenius, *The Great Didactic*, 183.

<sup>10</sup> It is a reference to Aristotle's division into theoretical, practical, and productive knowledge. Aristotle used the term “poiesis” for production knowledge, hence the conceptual (production) knowledge.

ideas have entered the secular, modern canon of understanding the world. The idea of progress through action has a religious basis, in the context of the “disenchanted picture of the world” becoming an element of the idea of human progress.

Nowadays, we do not share the enthusiasm expressed by Comenius for the possibilities of perfecting man and the world—such ideas seem utopian.<sup>11</sup> In the discourse on the idea of progress one should also take into account the arguments of anti-intellectuals who perceive the dangers resulting from the introduction of utopian ideas into the sphere of practical applications. Noble ideas of human development through education are associated with educational coercion and requirements standards that children must meet.

The philosophical concept of Comenius was described by him as pansophy and was connected with the idea of popularizing useful and versatile omniscience, according to the principle—“teach everyone, with everything, about everything” (the principle *omnes, omnia, omnino*). The universality of knowledge postulated in the 17th century had obvious limitations, because its creators assumed the ability to read, and with some limitations, this postulate can be implemented only now—in the times of universal schooling of children. Education through images is easier than knowledge based on memorizing theories expressed in words, because the circle of recipients of picture information was and is definitely wider. Comenius’s postulate of acquiring knowledge in a “pleasant, easy, fast-reaching way” does not fit into the model of compulsory school education. Obtaining knowledge in a non-forced way takes place outside rather than at school. At present, we do not have a problem with access to knowledge, but rather with the selection, separation of true and well-founded knowledge from superficial or even false knowledge.

The inspiration for Comenius could have been a late medieval program of creating rules of biblical and religious education for students and the lower clergy, the so-called *Pauperum Bible (Bible for the Poor)*. The manuscript works contained an extract from the Holy Scriptures, above all from the Old and New Testaments, which were to present key biblical events in an accessible way. The term “poor” referred to a shortened set of truths of faith—a doctrinal script. The word was combined with the picture; the perception of cards from the *Pauperum Bible* required mastering of text reading techniques in which abbreviations, and specific writing and punctuation were used.

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<sup>11</sup> The idea of progress through science is currently represented in the environment of transhumanists, who advocate the idea of improving the quality of human life, thanks to the achievements of natural and technical sciences. However, it is difficult to consider these concepts for the purpose of this article. George Dvorsky, “Better Living Through Transhumanism,” *Journal of Evolution and Technology* 19(1) (2008): 62–66; Julian Savulescu and Nick Bostrom, *Human Enhancement* (Oxford–New York: Oxford University Press, 2011), 28–32.

Some of the forms of writing were very complex and complicated, reminiscent of modern mind maps (memory maps). The aim was to simplify the message at the moment because of educational goals. In the tradition of Christian art, there was a conviction that the image should support the doctrine of faith—*fides ex visu* (faith that results from looking). This is particularly evident in the example of the reform movement in the 16th century. The reformation fathers (Martin Luther, John Calvin) assumed the need for religious education for a wide range of recipients and they used the technical invention of that time—namely the print.<sup>12</sup> To a large extent, the social success of the Reformation was decided by printed images that could be distributed on a large scale. Comenius, as a senior bishop of the Czech Brothers community, understood the power of images to influence the minds of the faithful. He consistently transferred the way of thinking about the dissemination of religious knowledge to general knowledge. He saw the unquestionable advantages of images and pictorial thinking for popularizing knowledge.

Nowadays, the idea of universal access to knowledge can be achieved thanks to new media. However, a doubt arises whether this knowledge is deep, well-established or only superficial, allowing for gaining elementary information about the world at the level of popular knowledge. In scientific knowledge about the world, as it is so far formulated in the form of words and sentences, the image is only a form of its facilitation, cataloging, and furthers access to proven and well-founded knowledge. Mastering scientific knowledge requires appropriate competences. Nowadays, such terms as “iconic turn,” “pictorial turn,” or image logic—“icon-logic” are often used, which indicates a special interest in images. Criticism of images appears in many disciplines: in psychology, semiotics, anthropology, cultural studies, philosophy of mind, theory of teaching, but first and foremost in media theory. This diversity of image research indicates the importance of this phenomenon in contemporary culture. The impact of images on the recipient was poly-sensorial. To enable effective memorization of specific content, various human cognitive powers are used, regardless of whether it concerns school education or impact on adults who make consumer choices. According to the contemporary theoretician of visual culture, William J. T. Mitchell, paintings have some specific added value beyond communication, meaning, and persuasion—they create a specific image of the world. The value of additional images influences social changes and the shape of the future, political views of individuals, as well as the policy of states.<sup>13</sup>

For example, a photo showing a dead boy on a beach in Greece influenced the public opinion of the inhabitants of Western European countries towards

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<sup>12</sup> Ryszard Knapiński, “Biblia Pauperum – rzecz o dialogu słowa i obrazu,” *PAN Nauka* (2004): 133–164.

<sup>13</sup> Mitchell, *What Do Pictures Want?*, 113–120.

immigrants from Syria. The added value here, the image of reluctance and distrust was replaced by a picture of compassion and solidarity with the worse off (refugees). Then other images have again affected the social imagination: it is mainly about photos showing young men—immigrants leaving the carriers' boat, men holding mobile phones in their hands. Then the added value of the image, or the value of compassion was replaced with images of such anti-values as fear and hostility. Interestingly, the images also influence the social way of valorizing knowledge, that is, which aspects of knowledge about the world will deserve financing, and which aspects of knowledge will be marginalized. Nowadays, what cannot be visualized escapes public attention and criteria of institutional and scientific parameterization. Knowledge, which is the effect of scientists' work, needs a reliable visualization. Here a problem arises, namely, is credible knowledge both true and well justified? It is difficult to solve these issues in this article; however, it can be said that in case of images, it is primarily about visualization, adequate to the substantive content.

Image is not only what presents reality, we are now fully aware of the fact that the image also produces meanings. The image, having much more impact, directs the attention of audience to new areas, surprises us with an unconventional association. Sensitivity to sensory stimuli—image sense and specific iconic intelligence enable the study of many layers of meanings hidden in images.<sup>14</sup>

It is about developing old competences in relation to new skills. Images can deceive us, create illusions or manipulate recipients. The use of images is not free from some axiology or related ethical evaluation which is included in the question of what it means to use images well or badly. Images affect the audience to a greater extent than words. Image is not only a persuasive but also an educational tool, now it constitutes the main source of human knowledge about events. Comenius pointed to the positive role of images serving education, now a commercial-manipulative interaction of images. One should also take into consideration the negative impact of images on social imagination: this is particularly true for advertising and marketing activities of all kinds. The images are used to create the needs of potential customers, according to an informal rule: see as much as possible and let it be seen by the biggest number of recipients. The media culture of consumption is one of the key threats for contemporary people.

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<sup>14</sup> Mitchell, *What Do Pictures Want?*, 198–201.

## The Image of the World

What image of the world did Comenius appeal to? His and our world differ in a significant way. The expression “image of the world” takes us to the context in which we are staying, and it is obvious enough for us, hence we do not notice its restrictions. People living in a given period accept the established image of the world. They answer the question who the man is in a different way; the same applies to the accomplished existence or what is worthwhile to become involved in. Changes in the meaning of the image of the world are made as the consequences of scientific, moral, and political discoveries, creation of new models of understanding phenomena of the surrounding reality. Undoubtedly, the 17th century was a breakthrough in the history of European culture, among others due to the theory of Copernicus and Descartes’s philosophy. It seems that now we are approaching the next breakthrough—we are looking for a new paradigm to explain phenomena related to the impact of technology on human life.

Paradigm is never complete, and elements of earlier thinking always remain in the new image of the world. In our understanding of reality, we are not based on one image of the world, even a very complex one, as we refer to many models of reality. These models may agree or be conflicting, for example, this is true for the interpretation of the conflict between the scientific and religious image of the world. This conflict was not present in the medieval image of the world; it emerged with all its sharpness only in the modern period.<sup>15</sup> Comenius, living at the beginning of the modern period, relied on the medieval image of the world in which there was no clear conflict between scientific and religious thinking. However, Comenius’s thinking, like the philosophy of Descartes, was already part of the modern image of the world.

The image of reality is in a sense its representation: it consists of knowledge, culture of a given time, conscious or unconscious beliefs to which the philosopher refers, scientific activities that often rely on the duplication of what predecessors did, strategies of everyday activities related to the implementation of certain tasks, for example, religious practices, pursuing a healthy lifestyle, etc. The image of the world to which Comenius’s supporters refer is so obvious that he is identified with an objective view of reality.<sup>16</sup>

Comenius described his way of practicing philosophy as pansophy. It was a certain consequence of the concept of the late medieval philosopher Nicholas

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<sup>15</sup> Ian G. Barbour, “Ways of Relating Science and Theology,” in *Physics, Philosophy and Theology: A Common Quest for Understanding*, edited by Robert J. Russell, William R. Stoeger, and George V. Coyne (Vatican Observatory – Vatican City State, 1988), 21–48.

<sup>16</sup> Alexander Kolesnyk, “Menschen und Gesellschaftsbild bei Johann Amos Comenius,” in *Comenius. Internationales Comenius—Colloquium*, edited by Norbert Kotowski and Jan B. Lářek, 98–106. Bayreuth–Prag: Evangelisches Bildundszentrum, Studio GTS, 1999.

of Kuza, which is mainly about the issue of merging microcosm and macrocosm. The general theory of the world and man was to result from pansophy. The analysis of the image of the world reveals to us the image of man and vice versa, knowledge about a man affects how we understand God and the world at a given moment. Pansophy referred to three areas of research (Comenius used the metaphor of “three books”): God, Nature, and Art. The content from the first of these areas appears in the other two. The book of nature is a passive reproduction of the Creator, but art results from an active, creative attitude originating in human freedom.

The issue of creating a human image of the world is at the center of Comenius's interests. The image of the world consisted of the following layers: (1) materiality and potentiality—*mundus materialis et possibilis*, (2) perfect patterns in things and patterns of things in the world—*mundus archetypus et intelligibilis*, (3) creative and moral attitude—*mundus artificialis et moralis*. All three layers were related to the divine and material world. The Czech reformer devoted the greatest interest to this last area. The first two areas concerned the description of the world and the existing dependencies between God and nature. The third area was associated with the work of man and assumed active involvement in its change, although in its essence it was a reflection of the wisdom of God. All three areas shape the image of reality recorded in the human mind. Comenius wrote:

Here we have mirrored before us the marvelous wisdom God who was to arrange that the small mass of our brains should be sufficient to receive so many thousands of images. For, if the particulars can be remembered of anything that any of us (and this applies particularly to men of learning) have, many years before, seen, heard, tasted, read, or collected by experience or by reasoning, it is evident that these details must be carried in the brain. Yet is a fact the images of object formerly seen, heard, or read of, of which thousands of thousands and many more exist, and which are daily multiplied as we daily see, hear, read, or experience something now, are all carefully stored up.<sup>17</sup>

Pansophy was the theory of the “third world” organization, a program of its repair and modification towards its refinement. Therefore, the programs of changing the education system and education reform are a natural consequence of such an attitude. Pansophy was an ethical postulate addressed to the rulers and scholars calling for building a better world based on the idea of universal education, development of knowledge, religious tolerance, and respect for others.<sup>18</sup> The ambitious plan of creating an educational culture for the entire humanity, proclaimed by Comenius, resembles a socio-educational utopia. The basic formula of pansophy was the teaching principle *omnes, omnia, omnino*.

<sup>17</sup> Comenius, *The Great Didactic*, 45.

<sup>18</sup> Bogdan Suchodolski, *Komeński* (Warszawa: Wiedza Powszechna, 1979), 26–31.

However, it is difficult to demand everything from everybody, it is rather impossible. This principle meant abolishing artificial limitations in the access to knowledge, and pointed to the postulate of knowledge facilitation, which was to serve social and practical purposes, and above all, to moralize the world.

Pansophy was supposed to be not only synthetic knowledge about the world, including knowledge about words and things and knowledge about their use, but a general reflection on the use of theory and practice by man, which is something that affects shaping of the image of the world. Pansophy was, at the same time, meant to be knowledge about man and the world. Man was the image of the cosmic order of the world, and he was someone who used things for his own purposes. In this sense, Comenius's philosophy, on the one hand, was knowledge of the basic principles governing reality and, on the other hand, the theory of education for the proper use of things of this world. Comenius showed great care for the development of science, corresponded with well-known figures of that period from the world of science and politics, and influenced the reform of the educational system. He represented the view that knowledge can contribute to the repair of social relations and progress. The ideal for Comenius was the education of the "wise" man, whose image of the world consists of elements of humanistic, natural, and exact sciences, composed into a coherent wholeness of knowledge unity.

Implementation of the "wisdom" postulate is the most up-to-date, although we are not currently combining it with the use of information resources available online. Undoubtedly, however, nowadays we are dealing with a clear shift of emphasis from the knowledge written in books to knowledge stored in a digital form and available on the Internet. Here one should mark the difference between information and knowledge. For us, the Internet is primarily a source of information, extensive and chaotic knowledge. It is difficult for us to organize this information collection without the help of artificial intelligence. By creating algorithms artificial intelligence selects information, or actually personalizes a set of information for a specific user; it determines the algorithm based on our previous choices. Here one can formulate a restriction that as users we voluntarily bind ourselves to a situation in which a technical device, dependent on the constructor, selects information for us, information allowed by those who control the system (gatekeeping).

We can appreciate the benefits of artificial intelligence, but one should recognize the problems of its operation, especially when it comes to: the selection of access to information, more and more expanded control over the flow of information on the network, and the ever-growing knowledge of system administrators on user preferences. Paradoxically, "learning" goes both ways: users of new media gain knowledge using the web, and artificial intelligence responsible for creating search algorithms "is learning us"—is gaining knowledge about users' preferences. It seems that the possibility of using this information for marketing

purposes, including political ones, is a huge source of danger for younger and older users of the network.<sup>19</sup>

In this situation, it is very important to shape media competences by preparing the program for conscious and reasonable use of what opportunities the network resources offer. This applies equally to children and older Internet users. Here, special attention should be paid to the issue of protecting privacy on the web. We need to convince ourselves that every contact using new media is public, although it seems to us that it is a private contact that does not leave any trace. However, this type of belief is highly misleading.

One can point to several important aspects related to the use of new media:

1. Children and teenagers use the Internet resources eagerly; this is especially important for children from small urban centers and villages, they have the opportunity to supplement the lack of access to knowledge (cultural goods, libraries). This access is independent of school and is beyond control of the educational system. This independence often causes concern among those responsible for overseeing institutional education or those attached to the traditional teaching model.
2. The modern student does not have to train the memory because he has the technical capabilities of memorizing, gathering, and storing knowledge. For the adept of knowledge, it is the skillful use of catalogs of accumulated knowledge that is more important than remembering as well as technical and intellectual ability to isolate and separate what in network resources is useful and meaningful from what is superficial and accidental.<sup>20</sup> In this situation, we use the help of artificial intelligence, which selects information for us.
3. Having comprehensive and consistent knowledge is not possible. Online knowledge is meant to be practical, but on a selected topic that satisfies a certain type of individual user's curiosity. This is different from what we find in Comenius, whose practicality of knowledge was associated with the need to have a holistic view of the world.
4. New media, by forcing the digital character of the record, not only absorbed the old media—the press, radio, television—but also managed the social imagination about knowledge sharing. The cultural habit of being accustomed to websites makes the transfer of knowledge about the world literally its imaging—a description of the world with the help of images. This process concerns the dissemination of knowledge in the field of natural and exact sciences as well as the humanities.<sup>21</sup> It is connected with the possibility of

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<sup>19</sup> Parick H. Winston, *Artificial Intelligence* (New York: Addison-Wesley Publishing Company, 1993), 8–13.

<sup>20</sup> Heliodor Muszyński, “Nauczyciel w świecie medialnym,” *Neodidagmata* 33/34 (2012): 39–47.

<sup>21</sup> Helen C. Purchase, Natalia Andrinienko, Thomas J. Jankun-Kelly, Matthew Ward, “Theoretical Foundations of Information Visualization,” in *Information Visualization. Human-centered*

showing artifacts, visual models, photos, tables, etc. In accordance with Comenius's postulate, nowadays, the transfer of knowledge through images teaches us to find rules, points to the dependencies between images. We make use of the visual imagination and associations then.

5. Digital virtual reality is so attractive that it is the sphere that the emotional life of children and teenagers revolves around more and more often. Adults—parents, teachers, educators—often do not have access to this world, or do not understand it. Hence the suspicion that it is a dangerous space for a child. This is especially the case when the parent observes that the child is getting emotionally distant from him or her. It seems that real communities are not as attractive to a young person as the Internet ones, although in the opinions of young people there is no clear borderline between what is real and virtual, the transition between these worlds is without conflict (“digital natives”).<sup>22</sup>
6. A user of new media can communicate with other users without spatial limitations, which means that he or she can exchange information about the world and get to know the opinions of people from distant cultural backgrounds. In the situation of “having” many friends it is difficult to maintain a more profound kind of contact; nevertheless, contact is impossible to make without the help of the Internet.
7. In the digital culture of new media users we are dealing with a clear shift of accents from words to images. Proponents of using images in communication will be modern iconophiles, and those who say that images simplify communication will be modern iconoclasts. It is difficult to make a clear decision here. Undoubtedly, the role of the image in the cultural message and communication, especially intercultural communication, is much bigger than we have imagined so far.
8. These days, a fundamental reflection on the role of images in contemporary culture is important. It should be done on many different levels and in different research approaches. In this sense, image researchers will be the continuators of John Amos Comenius's thought.

In conclusion, in accordance with the general message of Comenius's thought, the modern educational model should be adapted to the changing world image. If teachers are to influence the process of educating young people effectively, it is necessary to learn the rules of new media functioning. Just like any other tool, it can be used in either a good or a bad way. Mastering media competences is essential for young people to be able to prepare themselves for adult life, to master social and professional skills. These competencies should be associated

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*Issues and Perspectives. Lecture Notes in Computer Science*, vol. 4950, edited by Andreas Kerren, John Stasko, Jean-Daniel Fekete, and Chris North (Berlin–Heidelberg: Springer-Verlag, 2008), 46–64.

<sup>22</sup> Marc Prensky, “Digital Natives, Digital Immigrants.” Part 1. *On the Horizon* 9(5) (2001): 1–6.

with the harmonious development of knowledge, the ability to create and read messages, appropriate valuation and the practical use of new media in the technical and intellectual dimension.

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Mariusz Wojewoda

## La conception de l'image de Jan Amos Komeński face aux nouveaux médias

### Résumé

La culture visuelle et la communication s'opérant à l'aide des images constituent un aspect important de la culture contemporaine, surtout quand on parle de l'application de nouveaux médias. Les images influencent le récepteur de différentes manières, elles sont également employées dans les buts éducatifs. Jan Amos Komeński, en tant que réformateur du système éducatif, était aussi à l'époque contemporaine le précurseur de l'utilisation des images dans l'éducation. Actuellement, on se trouve devant un défi similaire, c'est-à-dire la création du modèle de la formation basé sur les nouveaux médias, où seront habilement connectés les aspects de la parole, de l'image et de la musique dans le processus didactique. Dans la partie analytique, l'auteur de l'article compare l'importance des images dans la conception de Komeński avec la théorie contemporaine de la communication visuelle, particulièrement celle de William J. T. Mitchell.

Mots-clés: Jan Amos Komeński, culture visuelle, image du monde, nouveaux médias

Mariusz Wojewoda

## La concezione dell'immagine di Jan Amos Komenský (Comenio) ed i nuovi media

### Sommario

La cultura visuale e la comunicazione con l'ausilio di immagini costituisce un aspetto importante della cultura contemporanea, in particolare quando parliamo dell'utilizzo dei nuovi media. Le immagini influiscono sul destinatario in diversi modi, vengono usate anche a scopi educativi. Jan Amos Komenský, in qualità di riformatore del sistema scolastico, nel periodo moderno fu anche il precursore dell'utilizzo delle immagini nell'istruzione. Attualmente ci troviamo dinanzi ad una sfida simile: creare un modello di formazione basato sui nuovi media nel quale vengano combinati abilmente gli aspetti della parola, dell'immagine e della musica nell'insegnamento. Nella parte analitica l'autore dell'articolo raffronta l'importanza delle immagini secondo l'impostazione di Komenský con la teoria contemporanea della comunicazione visuale in particolare nella concezione di William J.T. Michell.

Parole chiave: Jan Amos Komenský (Comenio), cultura visuale, immagine del mondo, nuovi media





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# Relevance of Kant's Concept of Education for Civil Society

**Abstract:** The article presents Immanuel Kant's concept of education for living in a civil society. The author also characterizes the reality which is hidden under the term "civil society." In addition, the current challenges in the organization of the civil society are presented. On the basis of the analyses, the author reaches three conclusions. First of all, Kant's concept is extremely valid. According to the author, the thought of Kant inspires to work out solutions to effectively face challenges, which have the stakeholders seeking to build civil society. Second, Kant aptly pointed out that the possibility of building a civil society directly depends on proper upbringing and education of next generations. And thirdly, Kant's suggestion to create a "catechism of the law," which would be helpful in shaping the next generations, is worth to take into account in the current debate on the future civil society. The author notes that by modern technological possibilities Kant's suggestion could be implemented in the form of preparation of specific films, multimedia materials, etc., whose content could shape desirable attitudes in people.

**Keywords:** Immanuel Kant, civil society, upbringing, education, morality

## Introduction

Man, who by his nature is a social being, naturally strives for forming human communities, resulting in the emergence of various phenomena referred to by the term "society" or "community," supplemented by diverse additional attributes. Therefore, we can discuss, for instance, family community, local community or national society. The terms brought together according to this pattern can be neuter; for example, they indicate, first of all, the fact of the existence

of a specific form of a community, such as the term local community, where the reference to a given phenomenon provides the information that this group of people forms a local community. However, much more frequently it can be observed that the addition of specific determinants to supplement the term “society” or “community,” apart from its descriptive character, also has an evaluating function, namely, it is used for separating those forms of social life that are desirable, for various reasons, from those that are undesirable.

The notion of civil society also belongs to those terms that are marked with an evaluative function.<sup>1</sup> It has become customary to think that the phenomenon referred to as civil society should be confronted with, among others, a state of barbarity, highly undesirable from the perspective of the proper functioning of a person as a social being. In other words, establishing a civil society in individual countries is considered to be the aim, the attainment of which should be sought for by all interested parties, since it guarantees proper (i.e., considered proper from the rational perspective) functioning of a given state, as well as ensures to its citizens, as representatives of the mankind, the rights they are entitled to.

The concept of organizing social life according to the civil society model has undergone various stages since its emergence up to the present day. For Anglo-Saxon authors who created the first models of civil society at the turn of the 17th and 18th centuries, and in particular for John Locke (1632–1704) and David Hume (1711–1776), it was both the postulating notion, that is, showing the direction which individual human society should follow, and the descriptive notion, as it was used in order to present the ideals according to which the public order in England was organized at the time. In subsequent centuries, particularly under the influence of Georg W. F. Hegel (1770–1831) and Antonio Gramsci (1891–1937), the notion of civil society became increasingly enriched with normative features and was used to indicate the manner in which human communities should be organized, and not to describe their actual functioning. In the middle decades of the 20th century, the idea of civil society slightly lost its importance in the discourse carried out in the discussion on political and social issues, since other projects gained popularity at that time, for example, democratic society, open society, and totalitarian society (in the fascist or communist version). Along with social and economic processes, which at the turn of the 1970s and 1980s began to emerge in the

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<sup>1</sup> It is worth mentioning that the term “civic society” has two different counterparts in the Polish language, “społeczeństwo obywatelskie” (“citizenship society”) and its less frequent synonym, “społeczeństwo cywilne” (“civil society”). More on similarities and differences between the two terms can be found in Paweł Załęski, “Społeczeństwo cywilne i społeczeństwo polityczne: Hegłowskie kategorie w recepcji Tocqueville’a i Marksa,” in *Społeczeństwo obywatelskie: Między ideą a praktyką*, edited by Artur Kościański and Wojciech Misztal (Warszawa: Wydawnictwo IFiS PAN, 2008), 43–65.

countries of central and eastern Europe, increasingly struggling to “release” the burden of communism, the discussion on civil society again gained in importance among the discussions held in the political-social philosophy by the turn of the 20th and 21st centuries<sup>2</sup>

The group of authors belonging to the tradition of reflecting on civil society includes Immanuel Kant (1724–1804). However, he is only rarely mentioned and, if so, only as a mere contributor to the contemporary debate on civil society. Therefore, it seems necessary to present his thought as a possible inspiration for the participants of this debate to help them develop solutions, the implementation of which could significantly contribute to building civil society in individual countries.<sup>3</sup>

The objective to achieve the task presented above determines the course of the following reflections. First, the reality behind the notion of civil society will be discussed. Further on, the challenges which must be faced for civil society to be established in a given human community will be explained. The next step will be to describe Kant's proposal to create civil society. This will provide the basis upon which the relevance of Kant's reflections upon civil society will be presented.

## Characteristic Features of Civil Society

In the presently held discussion about civil society, three basic models of its description can be distinguished. In the first model (rooted in the tradition of liberalism), civil society becomes separated from the state and the area of economy, which is to ensure protection of human rights and guarantee individual freedom to citizens.<sup>4</sup> In the second model (close to Gramsci's idea of cultural hegemony), it is emphasized that civil society is first of all the space for organizing various strong and independent associations, institutions, etc., which legitimize

<sup>2</sup> Marcin Wałdoch, “Krótka historia idei społeczeństwa obywatelskiego,” *Słowo Młodych* 1(4) (2008): 5–19.

<sup>3</sup> The status and the challenges faced by the contemporary debate on the possibility of implementing the idea of civil society in various regions has been concisely presented, for example, by a Polish researcher Edyta Pietrzak. She also emphasizes that in the face of dynamically changing political and social reality in the world, there currently exists a pressing need to “rethink” the idea of civil society. See: Edyta Pietrzak, “Ewolucje społeczeństwa obywatelskiego i kryzys racjonalizmu,” *Civitas Hominibus: rocznik filozoficzno-społeczny* 10 (2015): 85–87.

<sup>4</sup> See, for example, Wioletta Szymczak, “Aksjologia liberalnej i komunitarystycznej wizji społeczeństwa obywatelskiego z perspektywy Alfreda Schütza koncepcji motywów działania,” *Zeszyty Naukowe KUL* 57(4) (2014): 136–141.

the institution of the public authority and the state.<sup>5</sup> Finally, in the third and the most recent model (related to the criticism of globalization processes), it is generally postulated that civil society of a global range should become the foundation upon which a new international order will be built.<sup>6</sup>

Despite the described differences, these three models present convergent optics, according to which civil society takes precedence in relation to all public institutions, particularly the state. This means that the society in relation to public authorities, especially the state authorities, holds its own subjectivity and the right to self-organization. Additionally, the interests of the society are entitled to hold priority before the interests of state institutions. Civil society can be therefore compared to a network or “a spider-web” with connections of various types, in particular of a socio-political and cultural nature, between individual entities so that they form a social entity, the interests of which prevail over interests of all public institutions and, in particular, the state.<sup>7</sup>

To present the above ideas in more detail, it can be claimed that contemporarily, civil society is considered to be such a community in which: (1) society is a proper subject of power which it holds through their elected representatives; (2) the entity holding power does not act arbitrarily, but on the basis of and pursuant to positively-established law; (3) rights, and, in particular, the freedom of citizens, are legally protected; (4) the citizens are guaranteed the possibility to actively participate in social life and to affect its form.<sup>8</sup>

Individuals within civil society can therefore undertake, freely, all activities, define any aims, etc., unless they are legally forbidden or violate moral principles considered in a given community as valid. Individual persons gathered in civil society are forbidden the least possible and that what they are permitted to do, they can carry out in the manner they wish.<sup>9</sup>

Civil society is also characterized by the variety and multitude of institutions and links through which individuals are connected. Moreover, the pluralism of civil society also includes conflicts between individual citizens. However, those

<sup>5</sup> See, for example, Bogusław Ponikowski, “Dialektyka społeczeństwa obywatelskiego i społeczeństwa politycznego w myśli politycznej Antonia Gramsciego,” in *Spoleczeństwo obywatelskie*, edited by Wiesław Bokajło and Kazimierz Dziubka (Wrocław: Wydawnictwo Uniwersytetu Wrocławskiego, 2001), 167–187.

<sup>6</sup> See, for example, Edyta Pietrzak, “Dyskusja nad ideą globalnego społeczeństwa obywatelskiego,” *Filo-Sofija* 29 (2015): 115–124.

<sup>7</sup> Comparison of the civil society to the “spider-web” was promoted, for example, by a Polish researcher, Andrzej Siciński. See: Andrzej Siciński, “O idei społeczeństwa obywatelskiego,” accessed October 30, 2017, <http://archiwum.wiz.pl/1996/96063600.asp>.

<sup>8</sup> Norberto Bobbio, “Społeczeństwo obywatelskie,” translated by Adam Szymanowski, in *Ani książkę, ani kupiec. Obywatel. Idea społeczeństwa obywatelskiego w myśli współczesnej*, edited by Jerzy Szacki (Kraków: Wydawnictwo Znak, 1997), 63–83.

<sup>9</sup> Will Kymlicka, *Współczesna filozofia polityczna*, translated by Andrzej Pawelec (Kraków–Warszawa: Wydawnictwo Aletheia, 1998), 235.

conflicts are not perceived as destructive for civil society, but as leading to the development of possibly the most effective and justified solutions to specific problems, as well as serving to determine the direction in which given institutions, organizations and the entire state should develop.<sup>10</sup>

On the other hand, a model member of civil society can be characterized as follows. First of all, he has perfectionist aspirations, demonstrated in striving for improving both himself and the functioning of the society, of individual institutions, etc. Secondly, he seizes emerging opportunities in a proper manner, that is, wisely, according to the law and morality, in order to improve himself and the reality surrounding him. Thirdly, he is characterized by open-mindedness, readiness to recognize his errors and willingness to rectify them. Fourthly, he is able to expend long-term effort, to impose self-discipline, and to sacrifice less important issues for the sake of nobler aims. Fifthly, he has civil courage, even if it jeopardizes his own interests, to stand for specific solutions, rights, etc., when the majority is of the opposite opinion. Finally, he demonstrates intellectual honesty, that is, does not twist the facts, arguments, etc. to defend his own beliefs, aims, etc.<sup>11</sup>

Based on the above, it can be concluded that members of a given community should be considered the corner-stone as well as the most important determinant in the development of the civic society. This means that civic conscious citizens, demonstrating activity and involvement in shaping social life in all its possible dimensions, in particular political, social, economic, and cultural, are the guarantee, first of all, of the existence and proper further development of civil society. In other words, the degree of citizens' involvement directly determines whether institutions or non-governmental organizations will be established and function well in a given community, to express and aim at reaching the needs and objectives of given groups and social environments.

## Challenges in Building Civil Society

Development of civil society in individual countries in the foreseeable future will certainly depend on many factors and social trends.<sup>12</sup> Nevertheless, passiveness

<sup>10</sup> Agnieszka Hess, *Spoleczni uczestnicy medialnego dyskursu politycznego w Polsce. Mediatyzacja i strategie komunikacyjne organizacji pozarządowych* (Kraków: Wydawnictwo Uniwersytetu Jagiellońskiego, 2013), 29–31.

<sup>11</sup> See: Wiesław Bokajło, "Społeczeństwo obywatelskie: sfera publiczna jako problem teorii demokracji," in *Spoleczeństwo obywatelskie*, 62–67.

<sup>12</sup> Generally, the following foreseeable conditions for development of civic society can be indicated: (1) Progressive reduction of the importance of the global range institutions (e.g., UN, EU), with the simultaneous growth in importance of local institutions, which is demonstrated, for instance, in the growth of significance of national states; (2) Deepening and increasing the

and apathy of citizens, that is, their reluctance or even aversion to actively participate in and shape social life of a specific estate, village, town, nation, etc. is invariably considered the major threat to the proper development of civil society. It can be, therefore, said that a constant, and at the same time the most important, feature which should be aimed at—regardless of changeable political, economic, social conditions, etc.—is proper and permanent mobilization of citizens. In the case of states where civil society has already been functioning for some time (e.g., most of the states of the world with a highly developed economy, members of the Organization for Economic Co-operation and Development (OECD)), the point would be to maintain this activity at an adequately high level.<sup>13</sup> However, for countries where civil society for various reasons does not yet properly function, specific tasks should be undertaken to stimulate the relevant activity of citizens (e.g., in Poland<sup>14</sup>).

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number of bonds (e.g., economic, political or cultural ones) between countries, regions, institutions, and single individuals; (3) An increase in the importance of religion in societies; (4) An increasingly widespread tendency to remove social, economic, cultural, etc. inequalities in the world; (5) Progressive demographic shifts (e.g., as a result of the inflow of immigrants or in some countries, a decrease in the number of births with the simultaneous growth of newborn children in other states), the results of which in the longer term are difficult even to estimate; (6) Changes in the methods for financing social undertakings (e.g., at present, it is private capital that plays an increasingly important role in this regard); (7) Deficit of trust towards public institutions; (8) Decreasing welfare benefits; (9) An increasing role of private sector entities in solving social and environmental challenges; (10) An increasingly more exposed invalidity of the “north-south” axis as a paradigmatic explanation of the global development possibilities (countries previously considered poor, e.g., China or India, play an increasing role in the life of the world). See Silvia Magnoni, “10 Trends Shaping the Future of Civil Society,” accessed September 25, 2017, <https://www.weforum.org/agenda/2015/08/10-trends-shaping-the-future-of-civil-society>.

<sup>13</sup> It seems meaningful in this context to observe, for example, than in the Western European countries, in which civic society has functioned so far in a satisfactory manner, its clear weakening can be observed from the beginning of the 1990s, which is reflected, among others in the atrophy of the citizens’ social activity, who most frequently value the concern for their own, individual matters above issues important for local or national community. See, for example, Karol Haratyk, “Dialektyka globalizacji. Od kryzysu społeczeństwa obywatelskiego do narodzin globalnego społeczeństwa obywatelskiego,” *Kultura–Historia–Globalizacja* 8 (2010): 77–81.

<sup>14</sup> For several years, the researchers have been emphasizing that the key reason for the deficiency in development of civil society in Poland is the communist past of the country, which until the end of the 1980s systematically prevented and destroyed all demonstrations of the “bottom-up” mobilization of citizens. See, for example, Wiktor Osiatyński, *Rzeczpospolita obywateli* (Warszawa: Wydawnictwo INNE, 2004), 24; Stephan Raabe, “Transformacja i społeczeństwo obywatelskie w Polsce. Kościół jako sojusznik społeczeństwa obywatelskiego,” *Raporty Fundacji Konrada Adenauera* 9 (2008): 6–9; Grzegorz Ekiert, Jan Kubik, and Michał Wenzel, “Country Report: Poland,” in *Civil Society in Central and Eastern Europe: Challenges and Opportunities*, edited by Peter Vandor, Nicole Traxler, Reinhard Millner, and Michael Meyer (Vienna: ERSTE Foundation, 2017), 76–91; Michał Płociński, “Utopia społeczeństwa obywatelskiego,” accessed September 25, 2017, <http://www.rp.pl/Plus-Minus/309219939-Utopia-spoleczenstwa-obywatelskiego.html?template=restricted>. At this occasion, it would be worth mentioning one of the

Additionally, in stimulating the activity of citizens, to help them to be able and willing to be involved in shaping the social life of a specific estate, village, town, nation, etc., two aspects should be distinguished: ideal (intellectual) and ethical-moral. The first aspect consists in providing the citizens with appropriate knowledge related to functioning of the society, politics, economics and law, as well as in developing specific skills on this basis, to enable them to “find their place” in the society. On the one hand, this concerns, among others, providing the citizens with basic knowledge concerning voting procedures, legal or tax regulations, as well as the rules governing the economy. On the other hand, the ethical-moral aspect consists in shaping social-oriented attitudes, assuming responsibility for the life of one's own community, starting from the family, through individual local communities, to finally embrace the nation and the entire humanity. The range of issues covered by the ethical and moral model for constructing civil society therefore includes the following problems: human dignity and freedom, rights and obligations of man, indispensability of interpersonal solidarity, social

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latest examples of aiming towards building a well-functioning civil society in Poland, namely, the establishment of the National Institute of Freedom—Centre for Civil Society Development. On 1 September 2017, the Sejm passed a relevant act, establishing this institution (see, e.g., “Sejm uchwalił ustawę o Narodowym Instytucie Wolności,” accessed September 25, 2017, <http://www.gazetaprawna.pl/artykuly/1071396,sejm-uchwalil-ustawe-o-narodowym-instytucie-wolnosci.html>). In the intention of the initiators of this project, mostly related to the Law and Justice party currently ruling in Poland, the aim of this institution is to support development of civil society in Poland, stimulating the citizens to undertake more intense activity, for example, in non-governmental organizations (see, e.g., “Projekt ustawy o Narodowym Instytucie Wolności—Centrum Rozwoju Społeczeństwa Obywatelskiego,” accessed September 25, 2017, <https://www.premier.gov.pl/mobile/wydarzenia/decyzje-rzadu/projekt-ustawy-o-narodowym-instytucie-wolnosci-centrum-rozwoju.html>). Although the above-mentioned project is strongly criticized by some groups, usually in opposition to the current Polish government, and evaluated as a “cover for the top-down” (e.g., through politically motivated distribution of financial means) controlling and manipulating of the activity of non-governmental organizations, etc. in such a way as to legitimize ideas put forward by representatives of the ruling party (see, e.g., Agata Ambroziak, “PiS chce dobić społeczeństwo obywatelskie. Narodowy Instytut Wolności pomoże sterować organizacjami pozarządowymi,” accessed September 25, 2017, <https://oko.press/pis-chce-dobic-spolesczenstwo-obywatelskie-narodowy-instytut-wolnosci-pomoze-sterowac-organizacjami-pozarządowymi>), the general condition of the civil society in Poland should be evaluated as highly unsatisfactory, as the involvement of citizens in social life is usually limited to participation in elections, and even in that they show an unsatisfactory voter turnout. Additionally, a growing lack of interest in the public sphere of the state can be observed in Poland, among citizens who turn their backs on community life, together with an increasing crisis of trust towards public institutions. Therefore, in Poland there unquestionably exists the need to start multidimensional attempts to mobilize Poles in the proper way, to facilitate dynamic development of the civil society in Poland (see, e.g., Ryszard Skrzypiec, *Wspieranie rozwoju społeczeństwa obywatelskiego w regionach. Ekspertyza dotycząca miejsca i roli organizacji pozarządowych i innych podmiotów ekonomii społecznej w strategiach i projektach strategii rozwoju województw 2014–2020* (Warszawa: Biblioteka Pożytku Publicznego, 2013), 102–103).

justice, responsibility for the common good, education for patriotism, and defense of peace.<sup>15</sup>

Establishing civil society through reinforcement of activities undertaken by individual citizens should be also perceived as the result of four functions: educational, integrational, mobilizing, and programmatic. This means that in order to build civil society, simultaneous actions must be undertaken of an educational, integrational, mobilizing, and programmatic nature. First of all, relevant educational (formative, upbringing) projects should be used to affect the shape of awareness and attitudes of the members of a given community. Secondly, educational activities should be accompanied by integrative projects, that is, all entities and institutions involved into the process of building civil society should remain in partner relations, supporting each other and never competing or striving for domination over the others. Thirdly, the specific content should be clearly formulated and practical tools should be created, by which individuals, institutions, public authorities, and other environments could be properly inspired and guided by when building civil society. Finally, the entities and institutions at stake should directly stimulate the building of civil society by combining this process with other objectives important for a given society, state, etc.<sup>16</sup>

On the basis of the above considerations, it can be claimed that stimulating a relevant activity of community members to shape civil society can be perceived as an activity facing certain challenges. First of all, one should attempt at “eliminating” the attitude of passiveness or apathy among citizens, that is, their unwillingness or reluctance to be involved in the social life. Secondly, this attempt should be given the form of a strictly planned, in terms of content and tools, educational and formative program. Thirdly, the implementation of this program should include as many institutions, social entities, etc. as possible which, through their cooperation, will lead to mobilization of citizens. Bearing in mind those challenges, let us take a look at Kant’s proposal for building civil society.

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<sup>15</sup> Highly interesting conclusions in this regard were reached by Polish researchers, Aleksandra Bilewicz and Dominika Potkańska. Based on the example of food cooperatives emerging in Poland (shared purchases of food directly from the producers once per week or once per fortnight), the researchers analyzed how and what factors determine successful development of civil society. They observed that involvement of people in establishing the bonds between neighbors and solving local issues in a responsible manner is perceived as the attitude of civil activity, political, economic, legal, cultural activity, etc. serving the welfare and development of the entire society (nation). See Aleksandra Bilewicz and Dominika Potkańska, “Jak kielkuje społeczeństwo obywatelskie? Kooperatywy spożywcze w Polsce jako przykład nieformalnego ruchu społecznego,” *Trzeci Sektor* 31(3), (2013): 25–44.

<sup>16</sup> Henryk Sasinowski, “Społeczeństwo obywatelskie i jego rola w budowie demokracji,” *Economy and Management* 1 (2012): 38.

## Kant's Proposal for Building Civil Society

According to Kant, the most desirable (in Kant's terminology it should be rather referred to as "fair") form of social life organization is the republican system, as it respects freedom and empowerment of citizens, who are treated as equal in rights and obligations towards society. Looking for the conditions to be fulfilled to establish a republican system in a given country, Kant arrived at the conclusion that the key (fundamental, primary) condition consists in the emergence—in this specific state—of a community, which, using the present day's terminology, should be described as civil society, since the proper functioning of the republican system requires the citizens, for instance, to get actively and wisely involved in social life, to respect the applicable law and to take into account the interests of others and the interests of the entire community while trying to reach their own aims.<sup>17</sup>

Searching for the possibility of building, in a given country, civil society and the republican system, Kant observed that reaching this aim requires not only external formation of appropriate public institutions or adoption of specific legal solutions, but first of all, formation of proper moral attitudes of citizens. The point is that although proper shaping of public institutions and law is, of course, important for the proper functioning of the republican system in a given country, what is much more important, that is, primary in terms of the system, is the appropriate ethos of its citizens. In other words, republican institutions and legal solutions should be—according to Kant—treated as the "shrine" of values, attitudes or moral beliefs, which are internally adopted by members of a given society.<sup>18</sup> According to the German thinker, the existence of the republican system is therefore conditioned upon the citizens adopting certain, quite precisely described, attitudes: (1) a peaceful attitude towards others; (2) hospitality; (3) integrity; (4) subjective treatment of other persons; (5) striving towards self-sufficiency, or living on one's own, and not on another person's costs; (6) respecting the autonomy of the other person; (7) abandoning activities that can raise distrust. This means that without assuming such attitudes by citizens, or at least by their significant majority, it is not possible to build a republican system in a given country.<sup>19</sup>

<sup>17</sup> Immanuel Kant, "Ku wieczystemu pokojowi," translated by Mirosław Żelazny, in *Dziela zebrane*, Immanuel Kant, vol. 6 (Toruń: Wydawnictwo Naukowe Uniwersytetu Mikołaja Kopernika, 2012), 339–340.

<sup>18</sup> See: Paweł Skrzydlewski, "Cywilizacja," accessed September 25, 2017, <http://www.ptta.pl/pef/pdf/c/cywilizacja.pdf>; Mieczysław A. Krąpiec, "Kultura," accessed September 25, 2017, <http://www.ptta.pl/pef/pdf/k/kultura.pdf>.

<sup>19</sup> Kant, "Ku wieczystemu pokojowi," 333–349.

In examining the possibilities for shaping desirable moral attitudes in citizens, the German philosopher came to believe that this could be achieved through the process of education. The way in which man is educated and what values, beliefs, and attitudes are presented to him as appropriate will determine the way in which he uses his own freedom, how he refers to others and whether he is involved in the social life.<sup>20</sup> In his work, *On Pedagogy*, the German philosopher additionally observed that, unlike animals, a human being comes into the world as an “unready” creature (malleable), that is, equipped only with the “germs” of humanity, whose further development and the direction of this development are significantly determined by multiple circumstances. These include, for example, biological, geographical, historical, social, and cultural conditions. However, according to Kant, it is education and upbringing that is of the utmost importance for the type of person a given individual will become in terms of practical skills, knowledge, and moral attitude. This means that man, particularly in his adolescence (according to Kant, until about the age of sixteen) is a being so “malleable” that by subjecting him to specific education and upbringing, it is possible to forge his morally and legally required attitudes, as well as to support him in the intellectual acquisition of the required contents and to teach specific activities in practice.<sup>21</sup>

The German thinker also observed that as regards proper functioning of the man in society, proper moral development of the young person should be perceived as the most important, while other areas of educating and formatting effects are of secondary importance. This means that—in Kant’s opinion—from the perspective of the proper development of humanity in a given person, moral attitudes adopted by a given person are of crucial importance, while his knowledge or practical skills are less important.<sup>22</sup>

According to Kant, moral education can be divided into two planes. The first of them consists in “eliminating” in pupils socially undesirable attitudes and vices, such as, for example, jealousy, ingratitude, satisfaction with the misfortune of other person, meanness, unfaithfulness, debauchery, squandering one’s wealth, failing to care for one’s own health and life and the health and life of other persons, stinginess, indolence or lack of sympathy. Another plane is devoted to developing socially desirable attitudes and virtues, such as, for example, reliability, honesty, peaceful disposition, moderation, generosity, charity or self-control. In the opinion of Kant, those two planes condition each other, that is, if “eliminating” undesirable attitudes and vices is to be effective and permanent, it should be accompanied by shaping in pupils desirable attitudes and

<sup>20</sup> Immanuel Kant, *O pedagogice*, translated by Dorota Sztobryn (Łódź: Wydawnictwo Dajas, 1999), 41; Immanuel Kant, *Antropologia w ujęciu pragmatycznym*, translated by Ewa Drzazgowska and Paulina Sosnowska (Warszawa: Wydawnictwo IFiS PAN, 2005), 299–300.

<sup>21</sup> Kant, *O pedagogice*, 41–50.

<sup>22</sup> Kant, *O pedagogice*, 54–55.

virtues, thus, in this way, bad attitudes and vices should be replaced with relevant good attitudes and virtues. The moral education can also point out objectives that should be treated as priorities, that is, the attainment of which should be attempted “at all cost.” This means that according to the German thinker, there exist “minimum” conditions, without the satisfaction of which it is not possible to talk about the moral integrity of a given person. Those conditions specify the so-called duty imperatives, that is, obligations whose fulfillment is an unconditional duty of man. These include the imperative of reliability (conscientiousness, justness, etc.), integrity and peaceful disposition. In other words, reliability, integrity, and peaceful disposition are the foundations of the moral fairness of the human being and any other desirable virtues or attitudes “elevate” him to reach subsequent, higher levels of good.<sup>23</sup>

The philosopher from Königsberg did not limit himself to formulating theoretical attitudes of moral formation, but he also attempted to provide specific solutions in this regard, with at least some of them deserving particular attention. First of all, in Kant's opinion, a man should be taught from the earliest childhood how to use his own freedom not to do harm, either to himself or to other persons. Secondly, requirements should increase along with the age of the pupil as regards proper use of his freedom.<sup>24</sup> Thirdly, the philosopher emphasized the fact that neither severe punishment nor too generous rewarding can be used to shape the pupil in a morally desirable way.<sup>25</sup> Fourthly, Kant required that the upbringing of the young generation should be the task of properly prepared school experts,<sup>26</sup> while he desired from experts to attract the pupils rather by the example of their own life than by moralization, strict discipline, etc.<sup>27</sup> Fifthly, Kant proposed developing of the “catechism of right” or—in other words—a manual which would present model behaviors or attitudes for specific life situations.<sup>28</sup> Sixthly, in the opinion of the German thinker, particularly intensive formation of attitudes, behaviors, etc. of pupils should take place by the age of sixteen, since this is the period in which people are more “malleable,” that is, prone to the influence of the educators.<sup>29</sup>

Based on the above considerations, it can be concluded that the issue of proper, in moral terms, development of members in a given community is what comes to the fore in Kant's proposal for building civil society. This means that, according to the German thinker, for civil society to emerge, and consequently, for ensuring its duration and proper development, establishment of specific

<sup>23</sup> Kant, *O pedagogice*, 79–91.

<sup>24</sup> Kant, *O pedagogice*, 53–54.

<sup>25</sup> Kant, *O pedagogice*, 79–82.

<sup>26</sup> Kant, *O pedagogice*, 49.

<sup>27</sup> Kant, *O pedagogice*, 52.

<sup>28</sup> Kant, *O pedagogice*, 89–90.

<sup>29</sup> Kant, *O pedagogice*, 53.

institutions, legal solutions, etc. is not as important as adopting appropriate values, attitudes, behaviors, etc. by the citizens. In other words, as Kant says, the existence and the realization of civil society directly depends on subjecting subsequent generations to the specific formative process.

## Conclusion

On the basis of the analysis conducted, it can be observed that Kant's proposal appears to be exceptionally relevant. This means that it can be treated as an inspiration in the search for possible solutions to face and fight off the challenges to successfully build civil society in individual countries.<sup>30</sup>

In summary, Kant pertinently emphasized that the possibility to build civil society directly depends on proper upbringing and education of further generations. Moreover, the German philosopher showed that shaping, in moral terms, the human being from the early childhood to responsibly use his own freedom, take a peaceful attitude towards others, etc., is of crucial importance for building civil society. The second point to be included in the discussion on the future of civil society is Kant's suggestion for creating a "catechism of right," the reading of which would facilitate proper formation of further generations. With technological possibilities available in modern times, this suggestion could be realized, for example, by preparing relevant films, multimedia materials, etc., whose content would shape desirable attitudes in people.

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<sup>30</sup> This relevance can be demonstrated when we take into account the postulate—put forward many years ago by a Polish researcher, Jerzy Szacki—that the reflection of the idea of civil society requires its moral dimension to be properly evaluated, since this is the dimension of civil society clearly emphasized by Kant. See: Jerzy Szacki, "Wstęp. Powrót idei społeczeństwa obywatelskiego," in *Ani książkę, ani kupiec. Obywatel. Idea społeczeństwa obywatelskiego w myśli współczesnej*, edited by Jerzy Szacki (Kraków: Wydawnictwo Znak, 1997), 37.

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Zdzisław Kieliszek

## L'actualité de la conception kantienne sur l'éducation à la vie dans la société civique

### Résumé

Dans l'article, on présente la conception kantienne portant sur l'éducation à la vie dans la société civique. L'auteur caractérise aussi la réalité qui se cache derrière la notion de « société civique ». En outre, on présente les défis auxquels il faut faire face aujourd'hui pour que la société civique puisse se concrétiser. Sur la base des analyses faites, l'auteur arrive à trois conclusions. Premièrement, il remarque que le projet kantien est extrêmement actuel. D'après l'auteur, la pensée d'Emmanuel Kant incite à élaborer des solutions permettant d'affronter efficacement les défis qui se posent devant ceux qui cherchent à créer la société civique. Deuxièmement, selon l'auteur, Emmanuel Kant a pertinemment remarqué que la possibilité de créer la société civique dépend directement d'une éducation convenable des générations subséquentes. Et troisièmement, à l'avis de l'auteur, la suggestion kantienne de créer « le catéchisme de la loi », dont la lecture serait utile à la formation appropriée des générations subséquentes, est digne d'être prise en considération dans la discussion sur le futur de la société civique que l'on mène actuellement. L'auteur remarque qu'avec les possibilités technologiques contemporaines on pourrait réaliser cette suggestion kantienne en préparant par exemple des films définis, des matériels multimédias, etc. dont le contenu pourrait développer chez les gens des comportements désirés.

Mots-clés: Emmanuel Kant, société civique, éducation, enseignement, moralité

Zdzisław Kieliszek

## L'attualità della concezione kantiana di educazione alla vita nella società civile

### Sommario

Nell'articolo è presentata la concezione kantiana di educazione alla vita nella società civile. L'autore descrive anche la realtà che si cela sotto l'espressione "società civile". Inoltre sono presentate le sfide che si devono affrontare nei tempi contemporanei affinché la società civile si possa concretizzare. Sulla base delle analisi condotte l'autore giunge a tre conclusioni. Primo, osserva che il progetto kantiano è oltremodo attuale. L'autore è del parere che il pensiero di Immanuel Kant ispiri ad elaborare soluzioni che permettano di fronteggiare efficacemente le sfide dinanzi ai soggetti interessati i quali perseguono l'edificazione della società civile. Secondo, l'autore ritiene che Immanuel Kant avesse giustamente osservato che la possibilità di edificare una società civile dipende direttamente da un'educazione adeguata e dall'istruzione delle generazioni che si susseguono. E terzo, a parere dell'autore vale la pena di considerare nella discussione sul futuro della società civile, in corso nei tempi contemporanei, il suggerimento kantiano di creare un "catechismo del diritto" la cui lettura sarebbe utile nella formazione adeguata delle generazioni successive. L'autore osserva che con le possibilità tecnologiche contemporanee tale suggerimento kantiano si potrebbe realizzare ad es. sotto forma di preparazione di film specifici, materiali multimediali, ecc., il cui contenuto potrebbe formare nelle persone le condotte desiderate.

Parole chiave: Immanuel Kant, società civile, educazione, istruzione, morale



Part Two

# Canon Law





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# Biblical Inspirations and Canonical Foundations of Education

**Abstract:** The New Testament reports several Jesus's *logia* about children that form a part of his preaching of the kingdom of God. Children are shown as examples to be emulated and accepted by his disciples. Such testimonies can be found in synoptic gospels. However, Paul in his grand Song of Love in the First Epistle to the Corinthians appreciates the fact that he matured into his adult age. To his disciples Jesus also proposes an ideal of abandoning family life in favor of radical discipleship, while in Paul's epistles to the Colossians and Ephesians we find the then model of the family and of raising children which Christians accept, yet they are obliged to perfect it in a life which draws its strength from the faith in Christ. For Paul, a more adequate option is to live without a wife; however, those in marriage should be strictly monogamous and raise their children well. In the course of its history, the Catholic Church has acknowledged celibacy as the appropriate form of clerical life. The Canon Law regulation on marriage and on the basic parameters of educating the offspring still draws its inspiration from the practice of the beginnings of the Church as documented in the New Testament.

**Keywords:** Gospel, New Testament, Church, children, family, matrimony, education, parents, celibacy, canon law, council

## Recognition for Children in Synoptic Gospels

In all of the Synoptic gospels, we find the same testimonies about the esteem Jesus had for children. These *logia* bring the new and surprising aspect of Jesus's teachings. They deviate from the opinion held at that time, because in the time of Jesus a child meant very little. For our contemporaries, they present a vital contribution to our understanding of Jesus's message about the kingdom of God

as it was preached by the Lord Himself. The Judaizing aspect of the Gospel of Matthew is the reason why the evangelist makes Jesus talk about the “kingdom of heaven,” rather than the “kingdom of God.” “At that time the disciples approached Jesus and said, ‘Who is the greatest in the kingdom of heaven?’ He called a child over, placed it in their midst, and said, ‘Amen, I say to you, unless you turn and become like children, you will not enter the kingdom of heaven. Whoever humbles himself like this child is the greatest in the kingdom of heaven.’”<sup>1</sup> Here Jesus makes an appeal to the intuition of the listener who should understand what the Lord meant when he exalted children in contrast with the adults: indeed, a child is simple, trusting, sincere, open-minded, and loyal to the parents. In fact, this unconditional loyalty should be the model for the relationship of Jesus’s disciples to their heavenly Father. They should not vie who is the greatest in the kingdom of heaven, because in this kingdom, there is solely the heavenly Father and His children. There are no other functions and privileges in God’s kingdom. As for merit and position, no one is more or less than a child.<sup>2</sup> Thus, Luke completes the story with the following statement: “For the one who is least among all of you is the one who is the greatest.”<sup>3</sup>

Children also assume the position of Jesus’s “little ones,” who enjoy God’s special favor and protection: “See that you do not despise one of these little ones, for I say to you that their angels in heaven always look upon the face of my heavenly Father.”<sup>4</sup> Children and those whose faith has been marked with a similar childlike loyalty should enjoy a special protection against scandal:<sup>5</sup> “Whoever causes one of these little ones who believe in me to sin, it would be better for him to have a great millstone hung around his neck and to be drowned in the depths of the sea.”<sup>6</sup> Instead of scandalizing the little ones, it is necessary to accept them as if it were the Lord Himself: “And whoever receives one child such as this in My name receives Me.”<sup>7</sup> This should not necessarily refer to adopting a child or accepting him/her in foster care, although even in this field

<sup>1</sup> Mt 18:1–4. All the quotations from the Bible are taken from the New American Bible, Revised Edition (2011). Available at <http://www.usccb.org/bible/index.cfm>.

<sup>2</sup> “It is neither child-senior, nor child-archbishop, or child-doctor.” Jiří Mrázek, *Evangelium podle Matouše* (Praha: Centrum biblických studií AVČR a UK v Praze, 2011), 306.

<sup>3</sup> Lk 9,48b.

<sup>4</sup> Mt 18:10.

<sup>5</sup> “Jesus warns against a scandal caused to these simple people because it may present an obstacle for their entering the kingdom of God. [...] Jesus’s words, in a grave and urgent manner, turn to ambitious leaders who want to be celebrated and get hold of the first positions and because of that they could not care less about humble brothers who are less gifted and less strong in faith.” Angelico Poppi, *Sinossi dei quattro Vangeli. Introduzione e commento. Volume II – Introduzione generale e ai singoli vangeli. Commento* (Padova: Edizioni Messagero, 1990), 133.

<sup>6</sup> Mt 18:6.

<sup>7</sup> Mt 18:5.

many have found an inspiration in the 2,000 years of preaching the Gospel message, and, indeed, some of them have made this decision. This may serve as an inspiration also for a major ecclesiastical project, as the one which, for example, matured in the life of the founder of the Salesian congregation when he saw the material and moral need of the young: “Besides the working youth, Don Bosco also came to know the others who wandered through the streets with no work and accommodation. They would stay especially on the outskirts of the city, on the banks of the river Po, and in the areas chosen as future construction sites. A great many of them came from slovenly families and some were even sent by their parents to beg and to steal.”<sup>8</sup>

The spiritual origin of the decision to devote one’s whole life and work to such children is also expressed in the series of *logia* found in the Gospel of Mark: “And people were bringing children to him that he might touch them, but the disciples rebuked them. When Jesus saw this he became indignant and said to them, ‘Let the children come to me; do not prevent them, for the kingdom of God belongs to such as these.’”<sup>9</sup> Here the parents demand that Jesus physically touches their children, since his touch is a part of the healing process in many passages in the gospels. This longing for his touch reveals an almost magical understanding of this act; however, Jesus used this opportunity for the preaching of the kingdom of God.<sup>10</sup>

## Non-idealistic View of the Matter and Educational Methods

The reports of the Synoptic evangelists about Jesus’s attitude to children seem to show an almost idealizing effort to put children on a pedestal. That does not correspond to the opposite reality, that is, that children tend to be disobedient, quarrelsome, timid, fearful, petty, spoilt, fussy or moody. They are also unable

<sup>8</sup> P. Alberti (Antonín Dokoupil), *Světce Don Bosko. Nové upravené vydání* (Řím: Křesťanská akademie, 1977), 63.

<sup>9</sup> Mk 10:13–14.

<sup>10</sup> “The disciples react negatively and forbid the parents to do that. Jesus’s response can be understood metaphorically: to those who are like children belongs the kingdom of God, i.e. to those who have similar trust as children. Children, contrary to adults, are aware of the fact that they are not grown-up, that they have not yet reached the goal, and that they are dependent on others. However, the fundamental significance is probably literal: it refers to children in general, i.e. not just to those accepted by Jesus, since they share the perspective of the kingdom of God with the other Christians, and thus they belong to the nascent Church.” Petr Pokorný, *Evangelium podle Marka* (Praha: Centrum biblických studií AVČR a UK v Praze, 2011), 306.

to accept responsibility for their own life and the life of their neighbors. However, Jesus does not conceal this aspect from his listeners, as it is clear from the following criticism: “To what shall I compare this generation? It is like children who sit in marketplaces and call to one another: ‘We played the flute for you, but you did not dance, we sang a dirge but you did not mourn.’”<sup>11</sup>

Nevertheless, it is chiefly Paul who emphasizes the necessity to free oneself of everything that prevents God’s love in its entirety and fully focus on neighborly love: “When I was a child, I used to talk as a child, think as a child, reason as a child; when I became a man, I put aside childish things.” Indeed, childlike trust does not exclude childish attitudes which need to be eliminated in the process of one’s maturing.<sup>12</sup> From a Christian perspective, the hoped-for eschatological consummation in Christ takes the form of a gradual maturing of the faith of the faithful: “[...] until we all attain to the unity of faith and knowledge of the Son of God, to mature manhood, to the extent of the full stature of Christ, so that we may no longer be infants, tossed by waves and swept along by every wind of teaching arising from human trickery, from their cunning in the interests of deceitful scheming.”<sup>13</sup>

The Biblical tradition knows and recognizes even strict educational methods: “Folly is bound to the heart of a youth, but the rod of discipline will drive it out.”<sup>14</sup> The epistle to the Hebrews elaborates on the use of strict educational methods in contrast with the way God acts:

You have also forgotten the exhortation addressed to you as sons: “My son, do not disdain the discipline of the Lord or lose heart when reproved by him; for whom the Lord loves, he disciplines; he scourges every son he acknowledges.” Endure your trials as “discipline”; God treats you as sons. For what “son” is there whom his father does not discipline? If you are without discipline, in which all have shared, you are not sons but bastards. Besides this, we have had our earthly fathers to discipline us, and we respected them. Should we not [then] submit all the more to the Father of spirits and live? They disciplined us for a short time as seemed right to them, but he does so for our benefit, in order that we may share his holiness. At the time, all discipline seems a cause

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<sup>11</sup> Mt 11:16–19.

<sup>12</sup> “As for these three verbs, we could possibly specify their meaning. However, Paul used these verbs to describe the entire intellectual territory of man. However much the expanding knowledge and individual growth in understanding could lead in this direction, the apostle probably did not think of any development. He just wanted to stress the huge difference in mentality, speaking capacity, and thinking of a child and an adult. In this context, he added the following: Once I became an adult, I laid aside everything that was childish.” Ladislav Tichý, *Chvála lásky. Interpretace a účinky 13. kapitoly prvního listu Korintanům* (Olomouc: Univerzita Palackého, 2008), 92.

<sup>13</sup> Eph 4,13–14a.

<sup>14</sup> Prov 22,15.

not for joy but for pain, yet later it brings the peaceful fruit of righteousness to those who are trained by it.<sup>15</sup>

Although this New Testament passage is concerned mainly with leading the faithful through periods of suffering, it also presents the educational ideas of its age.<sup>16</sup>

The tradition of the Church used to hold onto the Biblical principles of education. This can be documented from the reform decree of the Council of Trent in the passage about the necessity of priestly seminaries:

Whereas the age of youth, unless it be rightly trained, is prone to follow after the pleasures of the world; and unless it be formed, from its tender years, unto piety and religion, before habits of vice have taken possession of the whole man, it never will perfectly, and without the greatest, and well-nigh special, help of Almighty God, persevere in ecclesiastical discipline.<sup>17</sup>

Children's tendency to evil used to be explained as a consequence and manifestation of the original sin, and so stern educational methods are justified. However, already the Pauline epistles to the Colossians and Ephesians know such cases where too strict a discipline harms the integral development of the child: "Children, obey your parents in everything, for this is pleasing to the Lord. Fathers, do not provoke your children, so they may not become discouraged."<sup>18</sup>

## Family Life and Radical Discipleship

This reminder to the earthly fathers forms a part of a list of rules for the mutual coexistence of the communities of the Church and provides an idea about the

<sup>15</sup> Heb 12,5–11.

<sup>16</sup> "In his commentary on the Book of Proverbs, the author well focuses on the fact that suffering in human life is not meaningless, but it has a high *educational* value. It has its place in the process of human maturing, such as punishment in family upbringing. That is why he does not omit to remind his addressees: *God deals with you as with his sons*. [...] Verse 10 explains the difference between human and divine *education* in an even clearer manner. Human *education* lasts only for a short period of time and it is based on dubious principles: *they educated according to their own discretion*." Jaroslav Brož, *List Židům* (Praha: Centrum biblických studií AVČR a UK v Praze, 2015), 194–195.

<sup>17</sup> Ignác Antonín Hrdina, *Dokumenty tridentského koncilu. Latinský text a překlad do češtiny* (Praha: Krystal, 2015), 197; J. Waterworth (ed. and trans.), *The Canons and Decrees of the Sacred and Oecumenical Council of Trent* (London: Dolman, 1848), 187.

<sup>18</sup> Col 3:20–21; Cf. Eph 6:1.4.

ideal model of a Christian household (*Haustafel*). It is interesting to see that Christian radicalism is not manifested here by its breakup with the institutions typical for the contemporary society in the Roman empire. However, traditional Roman institutions are legitimized with theological reflection, not with the application of Roman law. This is the case, for instance, with the power of the father over his wife and the entire family (*patria potestas*): the father of the family (*pater familias*) enjoys a sovereign position in the family, as it was usual in contemporary society. Nevertheless, the model for the realization of such a model is not the law itself, but Christ's own example: "Be subordinate to one another out of reverence for Christ. Wives should be subordinate to their husbands as to the Lord. For the husband is head of his wife just as Christ is head of the church, he himself the savior of the body."<sup>19</sup> It almost seems as if Christians want to win the favor of contemporary society by an exemplary effort to meet the expected standards of family relations: "But if a widow has children or grandchildren, let these first learn to perform their religious duty to their own family and to make recompense to their parents [...]. And whoever does not provide for relatives and especially family members has denied the faith and is worse than an unbeliever."<sup>20</sup>

This sketch of a model "bourgeois" life in early Christian communities conspicuously contrasts with Jesus's calls for radical discipleship:

And to another he said, "Follow me." But he replied, "[Lord,] let me go first and bury my father." But he answered him, "Let the dead bury their dead. But you, go and proclaim the kingdom of God." And another said, "I will follow you, Lord, but first let me say farewell to my family at home." [To him] Jesus said, "No one who sets a hand to the plow and looks to what was left behind is fit for the kingdom of God."<sup>21</sup>

In fact, radical discipleship in the early Christian community often meant separation from the closest family: "He walked along a little farther and saw James, the son of Zebedee, and his brother John. They too were in a boat mending their nets. Then he called them. So they left their father Zebedee in the boat along with the hired men and followed him."<sup>22</sup> For those who have decided to follow Him, there is a fascinating reward:

Amen, I say to you, there is no one who has given up house or brothers or sisters or mother or father or children or lands for my sake and for the sake of the gospel who will not receive a hundred times more now in this present

<sup>19</sup> Eph 5:21–22.

<sup>20</sup> 1 Tim 5:4.8.

<sup>21</sup> Lk 9:59–62.

<sup>22</sup> Mk 1:19–20.

age: houses and brothers and sisters and mothers and children and lands, with persecutions, and eternal life in the age to come. But many that are first will be last, and [the] last will be first.<sup>23</sup>

Indeed, major New Testament testimonies prove that wifelessness was a highly valued personal state already in the first Christian century. In the Gospel of Matthew, Jesus exalts those who “renounced marriage for the sake of the kingdom of heaven.”<sup>24</sup> Paul formulates the following principle: “It is a good thing for a man not to touch a woman.” Wifelessness for Paul seems to be more fitting for the service to God: “An unmarried man is anxious about the things of the Lord, how he may please the Lord.”<sup>25</sup> As with other similar passages of Pauline message about marriage and abstinence, this passage symmetrically divides the role of a husband and a wife. This passage, therefore, does not quote the wife as “man’s helper,”<sup>26</sup> whose role would be to help him realize his prime personal interest about the things of the Lord and thus disregard her own needs.

Nevertheless,<sup>27</sup> the clergy in the early Church were not required to stay celibate. According to the Pauline pastoral epistles, the clerics were, on the contrary, called to have an exemplary family life. The first letter to Timothy requires that a bishop be “married only once” and “he must manage his own household well, keeping his children under control with perfect dignity.”<sup>28</sup> Also the deacons “may be married only once and must manage their children and their households well.”<sup>29</sup> Candidates of some of the church offices were supposed to prove to be exemplary educators of their own children.

It is also clear that the penetration of Gnostic doctrines and practices into the organism of the early Church, including exaggerated ascetical aspirations, caused a certain suspicion about the questioning clerical married life, as it is attested by the epistle of Ignatius of Antioch addressed to the Polycarp of Smyrna in the beginning of the second Christian century: “If anyone can continue in a state of purity, to the honour of Him who is Lord of the flesh, let him so remain without boasting. If he begins to boast, he is undone; and if he reckon himself greater than the bishop, he is ruined.”<sup>30</sup>

<sup>23</sup> Mk 10:29–31.

<sup>24</sup> Cf. Mt 19:12.

<sup>25</sup> 1 Cor 7:32–33.

<sup>26</sup> Cf. Gn 2:18.

<sup>27</sup> “Paul demands strict equality and justice (*iustitia distributiva*) in the relationship between a man and a woman between men and women. [...] Even though he must repeat himself, Paul takes the strictest possible care that the same measures are applied and are required from a woman as from a man.” Klaus Berger, *Kommentar zum euen Testament* (Gütersloh: Gütersloher Verlagshaus, 2011), 585.

<sup>28</sup> 1 Tim 3,2,4; cf. Tt 1,6.

<sup>29</sup> 1 Tim 3,12.

<sup>30</sup> Pol 5,2a – the Letter of Ignatius of Antioch in: *Patrologia Graeca* 5, 643–727.

Already with Paul, who is not known to have lived family life, one can clearly demonstrate an aspect of spiritual parenthood: “I am writing you this not to shame you, but to admonish you as my beloved children. Even if you should have countless guides to Christ, yet you do not have many fathers, for I became your father in Christ Jesus through the gospel.”<sup>31</sup> A motherly affection of a caring pastor can attain a new form in the difficulties: “My children, for whom I am again in labor until Christ be formed in you!”<sup>32</sup>

## An Eschatological Perspective

While the disciple’s renunciation of family life is a manifestation of radical discipleship, Paul’s views are motivated by eschatological perspective:

I tell you, brothers, the time is running out. From now on, let those having wives act as not having them, those weeping as not weeping, those rejoicing as not rejoicing, those buying as not owning, those using the world as not using it fully. For the world in its present form is passing away.<sup>33</sup>

The expectation of the imminent transformation of the universe as well as the awareness of the limitations of the reality experienced so far does not allow Paul to connect to the Old Testament view of the world which brings joy, allows a fulfilled life that is to be passed willingly onto new generations. There is no mention of fertility or the capacity to multiply related to the joy of numerous children as it is so enthusiastically praised in the Psalms: “Certainly sons are a gift from the Lord, the fruit of the womb, a reward. Like arrows in the hand of a warrior are the sons born in one’s youth. Blessed is the man who has filled his quiver with them.”<sup>34</sup>

It may seem that Paul’s “dreamy” experience of this world too much resembles the Stoic notion of apathy (*apatheia*)<sup>35</sup> or that he somewhat uncritically

<sup>31</sup> 1 Cor 4,14–15.

<sup>32</sup> Gal 4,19.

<sup>33</sup> 1 Cor 7:29b–31.

<sup>34</sup> Heb 127:3–5a.

<sup>35</sup> “For the stoics, this means radical elimination of passions seen as evil for the soul causing its own unhappiness. Passions can be uprooted from the soul because they manifest themselves in the form of erroneous judgements; or they present their consequences. A correct judgement—and thus also knowledge—eliminates passions and make a person happy.” Giovanni Reale, *Storia della filosofia antica. Volume V – Lessico, indici e bibliografia* (Milano: Vita e pensiero, 1989), 22.

accepts the then concepts of Hebrew apocalyptic. However, the overall context of the Pauline epistles makes it clear that the transformation of “the form of this world” will necessarily be connected to Christ’s Parousia. The dramatic coming of the Son of Man may be accompanied by special suffering of those who have devoted themselves to family life, as it is attested in one of Jesus’s *logion*: “Woe to pregnant women and nursing mothers in those days.”<sup>36</sup>

Clearly, Paul must have known Jesus’s radical concept of unconditional monogamy and the ban on divorce. Although Paul does not quote him directly, he distinguishes between the teaching of Jesus Himself and regulations and recommendations based on his own authority. The doctrine that he offers thus consists of two degrees: the first, absolutely binding, because it comes from the resurrected and exalted Lord (*kyrios*), and the second, lower degree which presents Paul himself as “an apostle of Christ Jesus by the will of God”<sup>37</sup>: “To the married, however, I give this instruction (not I, but the Lord): A wife should not separate from her husband—and if she does separate she must either remain single or become reconciled to her husband—and a husband should not divorce his wife. To the rest I say (not the Lord): if any brother has a wife who is an unbeliever, and she is willing to go on living with him, he should not divorce her; and if any woman has a husband who is an unbeliever, and he is willing to go on living with her, she should not divorce her husband. [...] If the unbeliever separates, however, let him separate. The brother or sister is not bound in such cases.”<sup>38</sup> This also takes into account the interest of the children, because they may be raised in a harmonic environment only as long as the issue of the religious coexistence of the parents is not the cause of permanent conflicts: “For the unbelieving husband is made holy through his wife, and the unbelieving wife is made holy through the brother. Otherwise your children would be unclean, whereas in fact they are holy.”<sup>39</sup> Those at stake here are the unbaptized offspring since they are also included in the salvific dynamics of faith which entered the life of one of their parents.<sup>40</sup> It is thus clear that Paul takes heed of the interests of children and their education as well as their need to be raised in a complete and original family.

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<sup>36</sup> Mk 13:17.

<sup>37</sup> Cf. 1 Cor 1,1.

<sup>38</sup> 1 Cor 7:10–13.15a.

<sup>39</sup> 1 Cor 7:14.

<sup>40</sup> “To buttress his argumentation, Paul turns the attention of those who live in mixed marriages to the relationship with their own children. In these circumstances, the focus is not unbelieving children who were born at a time in which both parents were pagans. Their baptism was prevented either by the non-Christian partner (this would probably run contrary to the positive appreciation in the second half of the verse), or they themselves refused baptism as adults.” Christian Wolff, *Der erste Brief des Paulus an die Korinther* (Leipzig: Evangelische Verlagsanstalt, 1996), 144.

## Clerical Celibacy and Family Life

Jesus's preaching of the kingdom of God calls for a resolute discipleship which for the most radical of them results in the renunciation of the family and offspring and thus also the upbringing of their children. On the other hand, Jesus has a high esteem for children as those to whom belongs the kingdom of God and as a model for imitation. These seemingly opposite tendencies are somewhat transformed in the early apostolic period. Christian radicalism may also be demonstrated in an exemplary family life; moreover, candidates for spiritual offices are required to raise their children impeccably. The ecclesiastical organism is progressively penetrated with exaggerated ascetical tendencies and so it is necessary to warn in favor of marriage as an institution: "Let marriage be honored among all and the marriage bed be kept undefiled, for God will judge the immoral and adulterers."<sup>41</sup>

In the course of the centuries, the radicality of the "undivided heart" of those who renounced marriage gradually proved to be suitable especially for the clerics; however, a high appreciation for marriage has remained a constant component of the mission of the Church. At the Council of Trullo in 692, the Byzantine Christian East first legislated to introduce compulsory celibacy at the Council of Trullo in 692.<sup>42</sup> Celibacy for priests in the Latin church of the West was introduced across the board for priests (presbyters) in the provisions of two consecutive councils which were, however, celebrated after the schism between Rome and Constantinople. The seventh canon of the First Lateran Council of 1123 stipulates the following: "We absolutely forbid priests, deacons or subdeacons to live with concubines and wives."<sup>43</sup> The Second Lateran Council in 1139 drew the consequences of this ban and introducing the provision of the sixth canon dealing with the annulment of the existing clerical marriages.<sup>44</sup> However, some interpretations claim that these provisions achieved no real revolution in this respect.<sup>45</sup>

<sup>41</sup> Heb 13:4.

<sup>42</sup> Canon 12, in: *Pravidla všeobecných a místních sněmů i sv. otců pravoslavné církve* (Pravoslavná církev v Československu, 1955), 41–42.

<sup>43</sup> *Conciliorum Oecumenicorum Decreta* (Bologna: Edizioni Dehoniane, 2002), 191.

<sup>44</sup> *Conciliorum Oecumenicorum Decreta*, 198.

<sup>45</sup> "In reference to 1 Cor 9,5, it is often argued that Peter and the other apostles would walk with their wives as if they were their sisters. The Gregorian reform is, in fact, new only as long as the ancient church provision about abstinence became a general ban on marriage and an obstacle to form a marriage. Abstinence of wifelessness thus forms in the Western church a concrete shape from the earliest times, perhaps even the times of the apostles, definitely in the post-apostolic period." – Walter Kasper (ed.), "Zölibat als Lebensform – allein und doch nicht einsam," in *Die Kirche und ihre Ämter. Schriften Herder zur Ekklesiologie II* (Freiburg–Basel–Wien: Herder, 2009), 310–324, 315.

Even today, the Christian marriage proves to be an ideal place to provide due parental care and education, as it is reflected in one of the important fundamental norms of the Church in the Code of Canon Law addressed to Christian parents: “Since they have given life to their children, parents have a most grave obligation and possess the right to educate them. Therefore, it is for Christian parents particularly to take care of the Christian education of their children according to the doctrine handed on by the Church.”<sup>46</sup> The obligation of educating children is rooted in the foundations of the Catholic doctrine of marriage as transposed in contemporary Canon Law, because one of the two equally important goals of marriage is, together with the broadly conceived “good of the spouses” (*bonum coniugum*), also “the procreation and education of offspring” (*procreatio et educatio proles*).<sup>47</sup> In the previous code of 1917 it was the only main goal of marriage.<sup>48</sup>

## The Basics of the Provision about Education in the Code

This issue is dealt with in the valid Code of Canon Law in its third title of the third book called Catholic Education (*De educatione catholica*).<sup>49</sup> Its basic source and inspiration is the doctrine of Vatican II found especially in the declaration *Gravissimum Educationis*.<sup>50</sup> The initial norm of the title of the Code about education postulates a general right of all parents to decide on the method

<sup>46</sup> Canon 226, n. 2 CIC/1983.

<sup>47</sup> Cf. Canon 1055, n. 1 CIC/1983.

<sup>48</sup> “In an effort to express the mutual relationship of the goals of marriage, one of the goals was often (based on the author’s starting point) preferred over the other. In the beginning, the stress was on the *bonum proles* which accentuates the social significance of marriage: the first Code of 1917 in Canon 1013, n. 1 thus designates procreation as the primary goal and the personal as secondary [...]. From the 1930s, a great emphasis has been put on the personal goal, mainly due to new philosophical movements and the development of the humanities.” Damián Němec, *Manželské právo katolické církve s ohledem na platné české právo* (Praha – Kostelní Vydří: Krystal – Karmelitánské nakladatelství, 2006), 18.

<sup>49</sup> “*Catholic*, not just ‘Christian,’ as it can be found in the *Schema canonum* from 1977. This term means that these are norms concerning Catholics, that is, those who are members of the Catholic Church and are subordinate to its laws (Canon 11). It also indicates that it is a type of education which finds its fundamentals and inspiration in the Catholic anthropological position.” Agostino Montan, “L’educazione cattolica (cann. 793–821),” in *La funzione di insegnare della Chiesa*, Gruppo Italiano Docenti di Diritto Canonico (a cura) (Milano: Edizioni Glossa, 1994), 65–117, 76.

<sup>50</sup> AAS 58 (1966), 728–739.

of educating their offspring. This was clearly in contradistinction to various etatist and ideological efforts to indoctrinate children. After that it moves to the formulation of the duties and rights of Catholic parents: “Parents and those who take their place are bound by the obligation and possess the right of educating their offspring. Catholic parents also have the duty and right of choosing those means and institutions through which they can provide more suitably for the Catholic education of their children, according to local circumstances.”<sup>51</sup> Thus the foundations of the legal provision in relation to education can be found in an imaginary triangle state (civil society)—the (Catholic) Church—parents (legal representatives) of the children. Each of the three subjects has their own duties and rights in relation to the education of children and youth. The Catholic legislator puts an extraordinary emphasis on the non-interference of the state into the process of education against the will of the parents. Nevertheless, the state still has an active role: it needs to help parents realize their educational obligations: “Parents also have the right to that assistance, to be furnished by civil society, which they need to secure the Catholic education of their children.”<sup>52</sup> It belongs to the programmatic norms of the Code of Canon Law, where the real addressees are not the individual faithful, but the subject which is paradoxically not subordinate to the Canon Law of the Church, that is, the state or public authority. The Church and its pastors also have grave obligation in this respect: “The duty and right of educating belongs in a special way to the Church, to which has been divinely entrusted the mission of assisting persons so that they are able to reach the fullness of the Christian life.”<sup>53</sup> It is clear that the legislator understands education as realization of the divine right based on the words of the Resurrected Lord addressed to the apostles: “Go, therefore, and make disciples of all nations, baptizing them in the name of the Father, and of the Son, and of the Holy Spirit.”<sup>54</sup> It is evident that the New Testament concept of discipleship used in the mentioned extract is not only doctrinal, but strives to lead a faithful Christian to Christ. This is reflected in the fundamental norm of the Code of Canon Law about the character of education: “Since true education must strive for complete formation of the human person that looks to his or her final end as well as to the common good of societies, children and youth are to be nurtured in such a way that they are able to develop their physical, moral, and intellectual talents harmoniously, acquire a more perfect sense of responsibility and right use of freedom, and are formed to participate actively in social life.”<sup>55</sup>

Important aspects of Catholic education are also the subject of the legal regulation of some of the constitutional norms of the Canon Law. The Code’s

<sup>51</sup> Canon 793, n. 1 CIC/1983.

<sup>52</sup> Canon 793, n. 2 CIC/1983.

<sup>53</sup> Canon 794, n. 1 and n. 2 CIC/1983.

<sup>54</sup> Mt 28,19–20a.

<sup>55</sup> Canon 795, CIC/1983.

catalogue of the rights of the Catholic faithful, for example, confirms academic freedom: “Those engaged in the sacred disciplines have a just freedom of inquiry and of expressing their opinion prudently on those matters in which they possess expertise, while observing the submission due to the Magisterium of the Church.”<sup>56</sup> The fact that it concerns a right addressed to all the faithful also signals an active role of the lay persons in the educational and academic process:

Lay persons are bound by the obligation and possess the right to acquire knowledge of Christian doctrine appropriate to the capacity and condition of each in order for them to be able to live according to this doctrine, announce it themselves, defend it if necessary, and take their part in exercising the apostolate. They also possess the right to acquire that fuller knowledge of the sacred sciences which are taught in ecclesiastical universities and faculties or in institutes of religious sciences, by attending classes there and pursuing academic degrees. If the prescripts regarding the requisite suitability have been observed, they are also qualified to receive from legitimate ecclesiastical authority a mandate to teach the sacred sciences.<sup>57</sup>

It is worth reminding that historically the first great teacher of the Christian doctrine was Justin Martyr, himself not a cleric. Around the middle of the second Christian century he writes about his specific vocation: “I remind you of the Scriptures and have no intention of communicating solely their aesthetic quality; I do not have such an authorisation, however, God granted me His grace (*gratia mihi a Deo concessa*) to understand His Scriptures.”<sup>58</sup> Leading and educating others is a task which presupposes an extraordinary moral maturity: this is testified in this warning in the Letter of James: “Not many of you should become teachers, my brothers, for you realize that we will be judged more strictly.”<sup>59</sup>

## Conclusion

There is an abyss of 2,000 years between the Biblical foundations of the New Testament and the principles of contemporary legal regulation of Catholic education. However, in its fundamental aspects, there is unity. The identity of the Church the educator is linked to the identity of Christ whose doctrine should dwell amongst Christians “richly,” while “teaching and admonishing one another

<sup>56</sup> Canon 218, CIC/1983

<sup>57</sup> Canon 229, CIC/1983.

<sup>58</sup> *Dialogus cum Tryphone*, in *Patrologia graeca* 6, 605–608.

<sup>59</sup> James 3:1.

in all wisdom.”<sup>60</sup> Since the very beginnings, the Church has been very conscious of the fact that there are not just radical forms of following Christ in which family life is renounced. In the course of the centuries, there have been some unhealthy ascetic tendencies, completely refusing marriage and child bearing; however, they have never become fully-fledged bearers of Christian culture and education. On the contrary, the Church has always supported the family and married life; in fact, in some historical epochs the Church was the one and only institution that ran scholastic and educational establishments. Moreover, the faithful have been reminded to educate their offspring in faith. In fact, the Church still postulates the right of the parents to educate their children in accordance with their conscience against the indoctrinating efforts of the public power. This all is the legacy of the doctrine, found already in the earliest Christian sources, especially in the New Testament. This legacy has been developed also by legislation and application of the norms of the Canon Law in the field of Catholic education.

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<sup>60</sup> Cf. Col 3:16.

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## Inspirations bibliques et fondements canoniques de l'éducation

### Résumé

Le Nouveau Testament présente certains propos de Jésus sur les enfants, qui appartenaient aussi au Royaume de Dieu. Les enfants sont donnés comme l'exemple, les disciples devraient les imiter et adopter. Ces témoignages sont inclus dans les évangiles synoptiques, tandis que – par exemple – l'Apôtre Paul, dans l'« Hymne à la Charité » de la Première Épître aux Corinthiens, trouve que le fait d'avoir atteint sa maturité est quelque chose de positif. Jésus présente aussi à ses disciples l'idéal de l'abandon de la vie familiale au profit de la vie spirituelle. Dans les Épîtres aux Colossiens et aux Éphésiens, on trouvera des passages traitant du modèle antique de la famille et de l'éducation des enfants que les chrétiens acceptent, bien qu'ils doivent les améliorer en vivant dans la foi. Selon le Saint Paul, il est mieux que l'homme vive sans femme, pourtant, ceux qui concluent le mariage devraient observer la monogamie stricte et élever convenablement leurs enfants. Au cours de l'histoire, l'Église catholique a accepté le célibat comme la manière propice de vivre pour les ecclésiastiques. La réglementation canonique du mariage et des paramètres essentiels concernant l'éducation des enfants s'appuient toujours sur la pratique datant des commencements de l'Église et elle est – quant à cette pratique – documentée dans les textes du Nouveau Testament.

Mots-clés : Évangile, Nouveau Testament, Église, enfants, famille, mariage, éducation, parents, célibat, droit canonique, conseil

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## Ispirazioni bibliche e fondamenti canonici dell'educazione

### Sommario

Il Nuovo Testamento presenta alcune affermazioni di Gesù sui bambini i quali appartenevano parimenti al Regno di Dio. I bambini sono indicati come esempio, i discepoli devono emularli ed accettarli. Tali testimonianze sono racchiuse nei vangeli sinottici mentre l'apostolo Paolo, ad esempio, nell'«Inno alla carità» della prima lettera ai Corinzi ritiene positivo il fatto di essere

cresciuto all'età adulta. Gesù presenta ai suoi discepoli anche l'ideale di abbandonare la vita familiare per la vita spirituale. Nelle lettere ai Colossesi ed agli Efesini troviamo brani che parlano del modello antico della famiglia e dell'educazione dei figli che i cristiani accettano anche se dovrebbero migliorarli attraverso la vita nella fede. Secondo san Paolo è meglio che l'uomo rimanga senza donna ma coloro che si sposano devono osservare rigorosamente la monogamia ed educare adeguatamente i propri figli. Nel corso della storia la Chiesa cattolica riconobbe il celibato come modo adeguato di vita per gli ecclesiastici. La normativa canonica matrimoniale ed i parametri fondamentali dell'educazione della prole continuano a fondarsi sulla pratica degli inizi della Chiesa documentata nelle scritture del Nuovo Testamento.

Parole chiave: Vangelo, Nuovo Testamento, chiesa, figli, famiglia, matrimonio, educazione, genitori, celibato, diritto canonico, consiglio



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# Church and the Bologna Process Motives, Prospects, Difficulties

**Abstract:** Participation of the Holy See in the Bologna Process involves bilateral benefits, but it also causes problems connected with the necessity of adaptation of ecclesiastical higher education to the requirements of the Bologna Declaration. The hitherto experience shows that the Holy See actively has taken on the responsibility for the development of the whole process, yet leaving behind particular adaptation forms within the framework of education conducted by it.

**Keywords:** church, the Bologna Process

## Introduction

Bill Readings's book entitled *The University in Ruins* published by Harvard University Press in 1997, came out in Poland in 2017. The young academic diagnoses the condition of higher education in the 1990s of the previous century. The purpose of this diagnosis is neither its criticism nor admiration, but concern about the improvement of the learning environment. This concern is caused by the crisis which affected universities at the end of the previous century. Readings observes that the most significant reason for the crisis were the processes taking place in the external political and economic space, which forced a change in the function and position of universities.

Readings emphasizes that the present understanding of the university is very different from the medieval original. It was shaped under the influence of German intellectuals of the 18th and the 19th centuries, who made the university an institution supporting the cultural development of nations. Thus, they tied

the academy with the idea of the nation state, towards which they were supposed to play a servile role. Culture- and nation-forming role of universities did not stand the test of time due to the historical globalization processes. Corporations took the place of nation states, subordinating communities, institutions (including the educational ones) and individuals to its interests. Universities replaced their hitherto culture-forming functions with the activities developing the ability to satisfy economic needs, which would enable the creation of a society based on widespread prosperity. Readings recognized the role played by the nationalistic movements, but he did not draw from it any far-reaching conclusions suggesting that the idea of a nation state and globalization do not have to exclude each other.<sup>1</sup> In the course of his study he concludes that the university should form a community whose resignation from the idea of identity will enable the acceptance of the greatest number of individuals. It cannot allow corporate systemic changes, in which individuals are turned into the cogs of a perfectly functioning mechanism. A distinctive quality of such a community is the replacement of staking everything on one card. Joint thinking based on incessant dialogue replaces a conclusive exchange of ideas. What is important is thus a certain ideal of a shared way of thinking.

Readings's analyses, though interesting and provoking questions concerning the place and role of the university in the structure of modern societies, leave something to be desired. The university is a school of thinking, and thinking aims to discover and solve the riddle of the foundations of the existence and functioning of reality. Conclusive solutions might become the basis for further thinking process (hence the continuous dialogism), but they also have some purpose, which is not merely to persuade debate adversaries but a shared pursuit of the truth. This idea guided the medieval luminaries who undertook academic activity.

What solutions will be suggested by the Bologna Process launched in 1999? Does the participation of the Holy See contribute anything to the process itself? What benefits result from this participation for the ecclesiastical higher education, whose starting point is the dialogue between God and the human and the Word of God?

## The Goal of the Bologna Process

The Bologna Process began on 19 September 1999 when the Ministers of Education from 29 countries signed the so-called Bologna Declaration, whose

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<sup>1</sup> Grzegorz Jankowicz, "Myśleć w ruinach," *Tygodnik Powszechny. Magazyn Literacki* 44 (2017): 18.

aim was to create the European Higher Education Area (EHEA) by the year 2010. The Declaration indicated the ways and appropriate measures to reach this goal. The starting point of this activity was acknowledgement of the fundamental principles of functioning of the universities expressed in *Magna Charta Universitatum*,<sup>2</sup> which in turn enable the realization of particular steps aiming at:

- aligning the systems of the European Higher Education;
- creating common space for higher education in the context of diversity of cultures and educational systems through their harmonization (and not unification—standardization), that is, developing the rules of cooperation, considering the diversity and autonomy of individual countries and academies.<sup>3</sup>

The final result of the Bologna process is supposed to be mutual acknowledgement of titles and degrees awarded in different academic centers by the countries which took part in the initiatives. Recognition of the titles received during the period of studies makes it possible to engage professionally in the countries-signatories of the process without the necessity to complete the required job qualifications.

Looking at the objectives and means to achieve them, it is impossible not to observe certain phenomena occurring in Europe which led to the decision to create the European Higher Education Area. Undoubtedly, one of them is the multi-dimensional problem of globalization (mondialization), which affects different sectors of life: political, economic, social, cultural, technological, environmental, but also ethical and, as a result, individual. The expanded reality influences many (if not all) aspects of our life and makes us reflect on the new ways in which individuals and social groups, institutions, and organizations can fulfill their roles in the changing structure of reality.<sup>4</sup>

The Bologna Process is the response of the academic world to the needs and challenges caused by the new situation suggesting the development of a new reaction to the problems emerging in many countries. According to the

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<sup>2</sup> *Magna Charta Universitatum* (18.09.1998), accessed December 5, 2017, <http://www.magna-charta.org/resources/files/the-magna-charta/english>.

<sup>3</sup> These objectives are to be achieved through: adoption of a system of easily readable and comparable degrees; adoption of a system essentially based on two main cycles, undergraduate and graduate; establishment of a system of credits—such as in the ECTS system—as a proper means of promoting the most widespread student mobility; promotion of mobility by overcoming obstacles to the effective exercise of free movement; promotion of European co-operation in quality assurance with a view to developing comparable criteria and methodologies; promotion of the necessary European dimensions in higher education, particularly with regards to curricular development, inter-institutional cooperation, mobility schemes, and integrated programs of study, training and research. *The Bologna Declaration of 19 June 1999*, accessed December 5, 2017, [http://www.magna-charta.org/resources/files/BOLOGNA\\_DECLARATION.pdf](http://www.magna-charta.org/resources/files/BOLOGNA_DECLARATION.pdf).

<sup>4</sup> Zenon Grocholewski, *Uniwersytety wobec współczesnych wyznań* (Warszawa: Szkoła Wyższa im. Bogdana Jańskiego, 2013), 85.

assumptions expressed in the Bologna Declaration, implementation of the process aims at:

- creating conditions for citizen mobility;
- adjusting the educational system to the needs of the job market and thereby contributing to improvement in employment;
- increasing the attractiveness and competitiveness of universities so that they will ensure genuine contribution of higher education to the development of civilization. Such a belief based on the current role of universities was expressed in the Preamble *Magna Charta Universitatum*, where it says that “at the approaching end of this millennium the future of mankind depends largely on cultural, scientific and technical development; and this is built up in centres of culture, knowledge and research as represented by the true universities.”<sup>5</sup>

The role of the academic environment—when it comes to its engagement for the benefit of the changing world—is not merely limited to offering practical solutions which make it possible to respond to the challenges of the contemporary world. The Head of the Education Department of the Council of Europe Dr Sjur Bergan emphasized that the role of the academic environment is reflection upon why we are in this situation and what brought us here. He indicates the value of the whole academic heritage for the Bologna Process, which results from immanent academic values and from the fact that it provides and extends the prospects for the entire reform process of universities. Reform is distinctive for this heritage, in which universities, the church and the parliament are the oldest and continuously present European institutions. He mentioned one of the qualities of universities which allowed them to survive and play a significant role in so many dimensions of life. They have survived thanks to being open to reforms preserving their essence and values.<sup>6</sup> Duration and renewal, cultivation of values and adaptation have enabled universities to play a key role in the life of changing Europe.

In the context of the heritage of European universities, as it was observed by Bergan, the presence of the church in the Bologna process cannot be overlooked. This presence is not just the result of pursuits on the part of the church but is somewhat required by the nature of universities themselves, which are a typically European “product,” in the emergence of which the church played an undisputed role, and the needs of Europe. This aspect should be emphasized. The need for the church with its academic structures is observed on the part of the whole process. The presence of the church in academic structures

<sup>5</sup> *Magna Charta Universitatum*, Preamble, 1.

<sup>6</sup> Sjur Bergan, “Intervento. Conferenza stampa di presentazione del Seminario di Studi sul ‘Bologna Process’ (30 marzo – 1<sup>o</sup> aprile 2006, Aula Nuova del Sinodo in Vaticano),” *Bollettino Sala Stampa della Santa Sede* 30.03.2006, accessed October 10, 2017, <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2006/03/30/0156/00463.html>.

is not only a sign of respect towards it on the part of the European authorities. It was accentuated by the Director of UNESCO-CEPES (*European Center for Higher Education*) Dr Jan Sedlak who stated the need for its presence enabling universities to preserve cultural heritage and academic values.<sup>7</sup> Without these two dimensions, universities would not be able to fulfill their role of the factor shaping the life of contemporary Europe, whose existence is a result of long-lasting processes. European universities cannot direct their attention only towards the needs of the market and employment which they want to respond to together with reorganization of schooling and acknowledging academic titles, though—as it may seem—that is what the current process concentrates on. Such focus, however important and practical in the face of requirements of the life of European community, cannot ignore the vital and immanent dimensions of educational processes. The purpose of universities is to educate and form a human, which goes beyond the demands dictated by utilitarian pragmatism and the needs of technology.<sup>8</sup> Teaching is one of the elements shaping the way of perceiving the world, one's role in it, engaging in appropriate activity in a community wider than created by *universitas magistrorum ac scholarium*. These objectives of higher education were emphasized by Bergan, who indicated its three main goals:

- preparation for starting activity on the job market;
- preparing young people for life as active citizens of democratic countries; personal development of young people;
- development and maintenance of broad and deeper foundation of scientific knowledge.<sup>9</sup>

The above-mentioned objectives and goals established by high-ranking officials responsible for higher education in Europe point out the desired by the Bologna Process presence of the church. Universities in Europe arose from its heart (*ex corde Ecclesiae*).

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<sup>7</sup> Jan Sedlak, "Intervento. Conferenza stampa di presentazione del Seminario di Studi sul 'Bologna Process' (30 marzo – 1<sup>o</sup> aprile 2006, Aula Nuova del Sinodo in Vaticano)," *Bollettino Sala Stampa della Santa Sede* 30.03.2006, accessed October 25, 2017, <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2006/03/30/0156/00463.html>.

<sup>8</sup> Franco Immoda, "Università ecclesiastiche di qualità per la sfida educativa," *L'Osservatore Romano* 15.07.2010, accessed October 10, 2017, [http://www.vatican.va/news\\_services/or/or\\_quo/interviste/2010/160q08a1.html](http://www.vatican.va/news_services/or/or_quo/interviste/2010/160q08a1.html).

<sup>9</sup> Bergan, "Intervento."

## Participation of the Church in the Bologna Process

It can be concluded that the church and organization of education in it is a form of archetype for the Bologna process. It results from the very nature of the Catholic, that is, universal church, which is present in different political and state orders. All its academic centers are subordinate to the Holy See and their existence and operation is subject to norms included in the Apostolic Constitution *Sapientia Christiana*. Academic degrees and titles are acknowledged by every church higher education institution.

The church engages in education to satisfy the needs resulting from its mission so that activities appropriate for the church can be subsequently initiated. Due to the fact that *Ecclesia semper reformanda*, teaching at church universities is subject to verification in order to be adequately adjusted to the conditions in which the church exists and operates. This teaching preserves what is constant and constitutes the basis for activity as well as seeks means of expression to respond to circumstances and needs of its members and other people living in specific political and social conditions. In order to be effectively present in the world, the church engages in cooperation with all institutions open to it. Undoubtedly, the universities with church departments and church universities educating citizens living in the common national or international space fall into this category.

The desirable presence of the church in the Bologna Process and the advantages of such participation recognized by the church herself caused that the church joined it on 19 September 2003 accepting its objectives, goals, and measures which will influence the organization of studies at the universities in its subordination with all the implications they entail. Involvement in the process occurs at the international level (participation in meetings, institutions responsible for the implementation of the Bologna Process), in the national space engaging the ministry responsible for introducing the Bologna Process, that is, in case of the Holy See, the Congregation for the Catholic Education and established in 2007 Agency for evaluation and promotion of quality of academic institutions left to the discretion of the Holy See (AVEPRO—*Agenzia della Santa Sede per la valutazione e la promozione della Qualità delle università e facoltà ecclesiastiche*) and in subordination of the Secretariat of State, and at the institutional level in which specific universities and church departments are involved.

Involvement of the church in the Bologna Process concerns only universities and church departments, also those belonging to state universities, and other institutions (higher institutes of religious knowledge, institutes affiliated with church departments), which are subordinate to the Holy See and fall under

its only competence. What characterizes these universities is the fact that degrees and academic titles are left to the only discretion of the Holy See and are awarded on its behalf, they have specific requirements and their own methodology determined by the nature and purpose of ecclesiastical studies themselves, and educate people engaged in activities existing in the church. On the other hand, Catholic universities (academies and departments) are not subject to the Bologna Process as they are institutions of the Holy See. However, they can participate in this process on the basis of norms observed in the country in which they exist.

## Motives for the Holy See Involvement in the Bologna Process

Joining the Bologna Process by the Holy See just four years after it was launched proves that its objectives, goals, and implementation resources were evaluated as positive, accepted, and considered practicable. Archbishop J. Michael Miller<sup>10</sup> (The Secretary of the Congregation for the Catholic Education) expressed his opinion that participation and involvement in the Bologna Process is indicative of full consent (“pienna adesione”) of the Holy See to the measures taken in the process. Archbishop Miller also observes that commitment and cooperation of numerous institutions is “witness to the genuine spirit of the Bologna Process.”<sup>11</sup> The Bologna Process is valuable and authentic. The Holy See states that creating a common area of higher education does not only involve establishing and strengthening structural relationships between European centres of education. This process is more than just achieving structural aims. It builds a particular kind of bridges based upon knowledge and friendship, which enable effective introduction of significant changes in the European system of higher education.<sup>12</sup> According to the Holy See, the Bologna Process is compliant with the perennial

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<sup>10</sup> J. Michael Miller, “Intervento. Conferenza stampa di presentazione del Seminario di Studi sul ‘Bologna Process’ (30 marzo – 1<sup>o</sup> aprile 2006, Aula Nuova del Sinodo in Vaticano),” *Bollettino Sala Stampa della Santa Sede* 30.03.2006, accessed October 10, 2017, <https://press.vatican.va/content/salastampa/it/bollettino/pubblico/2006/03/30/0156/00463.html>.

<sup>11</sup> J. Michael Miller, *Final Report. Summary and Synthesis of the Bologna Process Official Seminar. 30 March – 1 April 2006. Vatican City. The Cultural Heritage and Academic Values of the European University and the Attractiveness of the European Higher Education Area*, accessed October 25, 2017, [http://www.aic.lv/bologna/2005\\_07/sem05\\_07/se\\_holy\\_see/HolySeeSeminarreport.pdf](http://www.aic.lv/bologna/2005_07/sem05_07/se_holy_see/HolySeeSeminarreport.pdf).

<sup>12</sup> Miller, “Final Report.”

structure of the university as a scientific and formation community of professors and students that allows introducing changes thanks to which the university has lasted in Europe for centuries. *Universitas semper reformanda*. Thus, the Bologna Process promotes the university in its undisputed role in shaping a community based on wisdom and knowledge. The church perceives its involvement in the Bologna Process as a cooperation for the common good of the European society, for which the university—the community shaping and educating the human to undertake tasks in the society—is a special place.

What was the particular reason why the Holy See made the decision to join the Bologna Process? I think the answer to this question lies in three elements which can be inferred from the utterances of people responsible for education in the church. These are: Europe (and in a wider perspective—the world), the university, and the church (the attractiveness of its own universities). I do not mention them in terms of benefits for the church and self-interest, although they do exist as such, or risks for the church's own higher education, but regarding the commitment and role the church is supposed to fulfill and for which the Bologna Process creates appropriate conditions, in particular owing to the mobility of academic staff and students due to acknowledgement of both academic degrees and titles and the levels of obtained knowledge.

The phenomenon which describes modern Europe is globalization which is accompanied by migration of population along with the way of perceiving reality. The societies which were once homogenous in terms of religion, ideology, and forms of life are increasingly affected by other ways of thinking and perceiving reality. The new forms of cooperation are not threatened by the coexistence of different beliefs but the potential nihilism, indifference, or loss of identity. The academic life was characterized by striving for unity along with respect for diversity and diversity in unity. Therefore, academic education should aim to shape adequate attitude and clearly defined points of reference which will enable exchanging opinions, holding discussions, understanding others, and argumentation. What I mean is not only academic discussion. A variety of concepts and beliefs (religious people, agnostics, non-believers, materialists, and spiritualists, people recognizing immanent and transcendent things and values, socialists and liberals) have a genuine influence on reality. They coexist in and interpenetrate almost all aspects of social life: political, educational, cultural or the one connected with the family. Cardinal Grocholewski in this context asks whether “upbringing in accordance with a particular ideology is possible. Some people step onto the misleading path of nihilism.”<sup>13</sup> Answering this question he indicates the Holy See's motif for joining the Bologna Process. The Catholic university, in the face of globalization, is called to present a clearly defined and specified Christian ideology, which will allow the people who were

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<sup>13</sup> Grocholewski, *Uniwersytety wobec współczesnych wyznań*, 86.

shaped in it and are convinced of its effectiveness to get involved in the life in the pluralist world. In the university formation process, one must not ignore cultural elements, which lead to the disintegration of human life into what is private and public, spiritual and material, which is consequently transferred onto the world of knowledge and education, in which the technical and scientific culture dominates over the humanities. Noticing this situation, the church engages in integral education and upbringing based on Christian anthropology and synthesis around knowledge relying on a wide cognitive spectrum.

Another reason for the Holy See's involvement in the Bologna Process is what the then archbishop Miller called the idea of university in creating a common area of higher education in Europe.<sup>14</sup> The university has never been and cannot be, owing to the tasks it is supposed to perform, the school which prepares an individual to cope in life by undertaking practical tasks that would be focused on one's own needs. The university is an "academic community" that exists and takes steps for the benefit of local, national, and international communities<sup>15</sup>; it "is an ideal meeting-ground for teachers capable of imparting their knowledge and well equipped to develop it by research and innovation and for students entitled, able and willing to enrich their minds with that knowledge."<sup>16</sup> The experience of community along with the simultaneous mobility of professors and students have characterized universities since their foundation. Therefore, on the one hand, universities should be protected from the danger of their "massification" or, on the other, geographical dispersion preventing mobility. The church has a large experience in this area because of its character of universality and presence in all latitudes, and also communal orientation, which is strengthened by teaching and understanding the truths resulting from the Revelation and communicated at the ecclesial university.

Another reason which provoked the Holy See to participate in the Bologna Process is what can be found in the expression "ecclesial university." The place of higher education in the church is the university, whose concept, existence, and operation serve as a model for the development of other academies undertaking similar actions. It does not refer only to the historical name as it shows the reality it expresses. The involvement of the Holy See in the Bologna Process in a way fulfills a protective function for the specific nature of the teaching performed at the academies called universities. This specific nature is expressed through the way of perceiving the teaching process itself, which is focused on the universality of research and learning processes as well as education for efficient social performance based on compensation and interpenetration of unity and diversity in many aspects of social life.

<sup>14</sup> Miller, "Final Report," 19.

<sup>15</sup> Joannes Paulus II, "Ex Corde Ecclesiae" (15.08.1990), *AAS* 82 (1990), n. 12.

<sup>16</sup> *Magna Charta Universitatum*, Fundamental principles, n. 3.

The Holy See is convinced that only preserving the specific nature of their own identity guarantees the attractiveness of universities. It does not concern only ecclesial universities. However, due to the cultivation of their identity which is expressed by the unity of teaching, universality of the message and integrity of life forms in the society are a visible sign for other universities responsible for consolidating European humanist tradition.<sup>17</sup> From this standpoint, the Holy See offers its contribution to the common reflection, dialogue on issues concerning the cultural heritage of Europe, spreading and promoting common values.

The church origin of universities proves their identity. Their attractiveness depends on their specific nature. I believe, though, that apart from the advantage of identity, the motif for the Holy See's involvement in the Bologna Process was the concern for this character not to be marginalized and for the Church teaching not to be restricted in conducting its own scientific research.

Cardinal Grocholewski stated that "the Bologna Process in reference to our studies—that is, their quality, specific nature, and mission—does not bring any negative elements but it gives some guarantee."<sup>18</sup>

## Benefits of the Involvement of the Church in the Bologna Process

The presence of Catholic universities in the Bologna Process is desirable both for the process itself and the Holy See. Its contribution and involvement entails the necessity to meet the requirements of the process. Consequently, it causes the need to enter the process with the hitherto developed model of education. However, one cannot ignore some advantages for the education process and the appreciation of educational achievements of the ecclesiastical schooling. To put it simply, it can be said that thanks to joining the Bologna Process, universities and church departments existing outside the structures of state universities are treated as equal, whereas those existing in university structures outside the church participate and take advantage of what the university offers in terms of schooling and research base. The Bologna Process ensures preservation of the specific nature of the church teaching and its acknowledged usefulness for the formation process.

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<sup>17</sup> *Magna Charta Universitatum*, Fundamental principles, n. 4.

<sup>18</sup> Grocholewski, *Uniwersytety wobec współczesnych wyznań*, 84.

Cardinal Grocholewski, evaluating the benefits resulting from the Holy See's participation in the Bologna process, drew attention to the following ones<sup>19</sup>:

1. The ecclesial studies, which since the very origin of European universities have been present there, would have been pushed into the background if the Holy See had remained outside the process. It would have also been a disadvantage for the system of schooling characteristic of universities based on integrity and universality. This requirement was clearly formulated in *Magna Charta Universitatum* of 1998 (equality of ecclesial studies versus their marginalization).
2. In case of the Holy See not joining the Bologna Process church departments existing at state universities would have to comply with the government regulations in the field of education, which do not always represent the specific nature and teaching methods relevant for church teaching. As a consequence, the authenticity of the development of these departments would be considerably limited (equality of ecclesial studies versus compliance with the state regulations).
3. Church departments are legitimately incorporated into the teaching process at state universities, thanks to which they are able to conduct their own research and teach according to their own methods, thus accomplishing their mission (freedom of teaching and using research infrastructure).
4. Academic titles awarded at church universities gain full recognition in the whole academic world (recognition of academic titles).
5. The Holy See is involved in international institutions in which decisions concerning university studies are made. This is a vital advantage. The Holy See can contribute its own experience and accomplishments (participation in the decision-making processes concerning higher education).
6. The possibility of participation in scientific discussions on different academic levels prompts reflection on the issues determining the shape of the European community, and thus contributes to the development of the church teaching. It also induces giving the answer to some burning questions. Discussion based on the exchange of opinions and open to convincing proposals is beneficial for both the faith and culture (participation in discussion).

To the variety of benefits brought by the involvement of the Holy See in the Bologna Process from the point of view of its official representatives, I would add that it is linked with the necessity of constant improvement in the quality of church universities and departments and the quality of teaching. It is ensured by the above-mentioned AVEPRO.

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<sup>19</sup> Grocholewski, *Uniwersytety wobec współczesnych wyznań*, 83–84.

## Difficulties Resulting from the Participation

The Holy See's involvement in the Bologna Process has practical consequences for the ecclesial studies set by the Bologna declaration. Church universities are governed by regulations contained in the Apostolic Constitution *Sapientia Christiana*. Between these two documents, there are quite clear differences concerning the requirements of ecclesial studies and their role in comparison to secular universities. It is enough to point out here what determines the identity of church universities is the subject to be taught and the purpose. The subject distinguishing church universities, which at the same time defines their nature, is teaching of the holy doctrine (theology) and branches of knowledge related to it,<sup>20</sup> which is indispensably connected with the perspective of the Catholic faith, within which research and teaching are conducted. In turn, the purpose is scientific research of the Christian Revelation, teaching consistent with the Catholic doctrine, preparation for taking on and fulfilling the function in the Church (service to the Church).<sup>21</sup>

In addition, the Holy See defines the qualities required to be admitted to ecclesiastical university. It is the "evidence of moral life"<sup>22</sup> and, with a view to obtaining academic degrees, an academic certificate of studies required to study at the state university the part of which is the church department.<sup>23</sup> The above requirements, although they ensure the identity of church university, to some extent restrict the possibility of undertaking them by people who are not able to submit an appropriate evidence of moral life.

Another difficulty is connected with the adaptation of the division of studies into cycles in compliance with the requirements of the Bologna Declaration so that completing the first course of studies (three years) can enable undertaking them in the next stage (two years). Classification into stages allows for the mobility of students or broadening knowledge from other areas on the basis of the obtained ECTS points. This possibility meets the requirement set at the meeting of the Ministers of Education in Prague in 2001, which indicates the value of the permanent formation. The previous division of church studies did not correspond to the classification contained in the Bologna Declaration. Currently, three years after the Holy See joined the Bologna Process, the Congregation for the Catholic Education has only reformed church studies in the field of philosophy,<sup>24</sup> modifying and adapting the periods of study. The modification

<sup>20</sup> *Sapientia Christiana*, art. 2.

<sup>21</sup> *Sapientia Christiana*, art. 3, nn. 1–2.

<sup>22</sup> *Sapientia Christiana*, art. 31.

<sup>23</sup> *Sapientia Christiana*, art. 32, n 1.

<sup>24</sup> Congregation for Catholic Education, *Decree on the Reform of Ecclesiastical Studies on Philosophy* (28.01.2011), accessed December 5, 2017, [http://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_20110128\\_dec-rif-filosofia\\_en.html](http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20110128_dec-rif-filosofia_en.html).

mainly consisted of the necessity to distinguish within philosophy studies the philosophy classes at the departments of philosophy from philosophy studies at the departments of theology or higher theological seminaries, at which classes are a part of a five-year-course.<sup>25</sup>

Similar adaptations are necessary for studies at the departments of theology and canon law. With regard to the latter ones, the reform of 2002 is not consistent with the Bologna Declaration. The similarity of the Declaration and ecclesial studies only concerns the classification into three educational cycles. However, their duration is different.

Regarding the difficulties connected with participation in the Bologna process, the issue of students' and lecturers' mobility is also emphasized. The Holy See faces the problem of changing the admission criteria for ecclesiastical studies due to the "academic requirement" of submitting the certificate of completing studies necessary to be admitted to the state university that the church department is affiliated with.

In the context of deliberations concerning the discrepancy between the Bologna Process and ecclesiastical higher education, and actually certain risks the process itself poses, the former rector of the Pontifical Lateran University bishop Enrico dal Covolo draws attention to the process of dechristianization, which is taking place through gradual dechristianization of schools and universities as they are subordinated to the direct control of the state. He claims that the so-called Bologna Process is also a part of this logic through the content of teaching imposed by not only the curricula but also textbooks. At the 13th General Assembly of the Synod of Bishops devoted to the new evangelisation (7–28 October 2012), he said that "the vision of culture open to faith is increasingly weakened in favour of the so-called inter-religious and inter-cultural prospects. In reality, in this way the seeds of a vision of culture far from Christianity or even against it are sowed in young people's minds." This process, in his opinion, also develops through the ways of preparing academic staff, who in the formation process are more and more subordinated to the state regulations. He opposes the kind of teaching imposed by the state as in this way it deprives the human of the basic right for development. Therefore, the church should be present more actively in the curricula, preparation of textbooks and the way knowledge is imparted participating in the dialogue of faith and culture, dialogue of teaching about God and the human.<sup>26</sup>

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<sup>25</sup> *Decree on the Reform of Ecclesiastical Studies on Philosophy*, 14.

<sup>26</sup> Beata Zajączkowska, "Dechrystianizacja przez szkoły," accessed December 5, 2017, <http://kosciol.wiara.pl/doc/1325062.Dechrystianizacja-przez-szkoly>.

## Conclusions

1. Involvement of the Holy See in the Bologna Process reflects both difficulties and hopes, indicating that despite its objectives it does not progress so easily. Fourteen-year experience of the presence of the Church in the process resulted in one general document concerning one kind of ecclesiastical studies (philosophy). The process itself also did not deliver expected results in the scheduled time.
2. The positive aspects of the presence of the Holy See in the Bologna Process can be noticed in a wider context. The first one is undoubtedly the opportunity for the ecclesiastical science to contribute to the development of culture and education as well as preservation of the humanistic heritage of Europe. The second dimension is the possibility to give realistic and satisfactory response to increasingly extensive and never-ending questions of the globalizing but also diversifying reality. The third dimension concerns the opportunity to fulfill even more expressively the evangelical mission of the church through its presence at the universities.
3. The presence of ecclesiastical science at the universities is bilaterally desirable: on the part of academic education and the involvement of the church. Several years ago Prof. Bruno Esposito noted that the most important element which should be dealt with is not including the Bologna Process in the structure of academic studies but their full engagement in it on the basis of co-responsibility and not only cooperation.<sup>27</sup> In retrospect, it is clear that the activity of the Holy See developed in the latter field, and what was supposed not to create problems faced delays.

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<sup>27</sup> Bruno Esposito, "L'adesione della Santa Sede al. Processo di Bologna (periodo 2003 – 2005): sue conseguenze immediate e prospettive future per l'ordinamento degli studi nelle Università e Facoltà ecclesiastiche," *Angelicum* 83 (2006): 175.

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Tomasz Galkowski

## L'Église face au processus de Bologne Motifs, perspectives, difficultés

### Résumé

La participation du Siège apostolique au processus de Bologne se lie aux avantages bilatéraux, mais provoque aussi des difficultés liées à la nécessité de l'adaptation de l'enseignement supérieur ecclésiastique aux exigences de la Déclaration de Bologne. Les expériences actuelles dénotent que le Saint-Siège assume activement la coresponsabilité du développement du processus tout entier, en laissant en arrière les formes adaptatives concrètes dans le cadre de l'enseignement supérieur qu'il organise.

Mots-clés: Église, Processus de Bologne

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## La Chiesa e il Processo di Bologna Moventi, prospettive, difficoltà

### Sommario

La partecipazione della Santa Sede al Processo di Bologna è legata a vantaggi reciproci ma genera anche difficoltà connesse alla necessità di adattare l'istruzione superiore ecclesiastica ai requisiti della Dichiarazione di Bologna. Le esperienze finora acquisite indicano che la Santa Sede intraprende attivamente la corresponsabilità per lo sviluppo dell'intero processo lasciando tuttavia indietro le forme di adattamento concrete nell'ambito del sistema d'istruzione superiore gestito dalla stessa.

Parole chiave: Chiesa, Processo di Bologna



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# Transsexualism, Homosexuality, and Priesthood. Canonical Remarks Concerning the Relevant *Ratio Fundamentalis Institutionis Sacerdotalis* Standards

**Abstract:** The scientific contemplation, inspired by the publication of the new *Ratio Fundamentalis*, is concentrated around the following issues: (1) accepting/not accepting to seminar, accepting/not accepting a transsexual person to the holy orders, (2) letting/not letting a homosexual person to the holy orders. Two assumptions accompany the detailed exploration of these issues. Firstly, what is key for achieving reliable research results is the affirmation of the appropriate anthropology, according to which both transsexualism and homosexuality are to be treated under common denominator as psychosexual disorders. Secondly, if the context closer to the research is defined by a doctrinal background, drafted for each of the mentioned phenomena, in the form of relevant anthropological and ethical, as well as theological and ecclesiological principles and guidelines included in numerous sources of the Church's Magisterium, then with reference to both transsexualism and homosexuality, an invaluable cognitive character is presented by especially one source document, namely the *Instruction* of the 2015 Congregation for Catholic Education.

**Keywords:** transsexualism, homosexuality, priesthood, adequate anthropology, canonical norms of CIC/1983, *Ratio Fundamentalis Institutionis Sacerdotalis*

## Introductory Remarks

In continuity with the teaching of the Second Vatican Council and, in particular, with the Decree *Optatam Totius* on priestly formation, the Congregation for Catholic Education has published various documents with the aim of promoting a suitable, integral formation of future priests, by offering guidelines and precise norms regarding its diverse aspects. In the meantime, the 1990 Synod of Bishops also reflected on the formation of priests in the circumstances of the present day, with the intention of bringing to completion the doctrine of the Council on this theme and making it more explicit and effective in today's world. Following this Synod, Pope John Paul II published the Post-Synodal Apostolic Exhortation *Pastores Dabo Vobis*.<sup>1</sup>

It is not without a reason that an attempt of an aspectual outlook on the new *Ratio Fundamentalis Institutionis Sacerdotalis*<sup>2</sup>—taking into consideration a crucial, however still poorly explored “matter” defined by the means of the title of this study—is worth to be initiated with an attentive “listening” to the voice of the 2005 Magisterium. Indeed, the importance of the mentioned words of the introduction to the well-known document of the Congregation for Catholic Education entitled *Instruction Concerning the Criteria for the Discernment of Vocations with Regard to Persons with Homosexual Tendencies in View of Their Admission to the Seminary and to Holy Orders*—essentially complete in the careful depiction of the doctrinal background and referring to the “signs of times”<sup>3</sup>—is possible to be evaluated knowing the closer context of their formulation. And it is about, no more no less, the presented in the document, authoritative (since having its support in papal authority)<sup>4</sup> solution to the two important issues: (1) whether or not to let candidates who have disordered

<sup>1</sup> Congregation for Catholic Education, *Instruction Concerning the Criteria for the Discernment of Vocations with Regard to Persons with Homosexual Tendencies in View of their Admission to the Seminary and to Holy Orders* (November 4, 2005), Introduction, accessed December 28, 2017, [http://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_20051104\\_istruzione\\_en.html](http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20051104_istruzione_en.html). Henceforth as *Instruction 2005*.

<sup>2</sup> Congregation for the Clergy, *The Gift of the Priestly Vocation. Ratio Fundamentalis Institutionis Sacerdotalis* (December 8, 2016), accessed December 28, 2017, <http://www.clerus.va/content/dam/clerus/Ratio%20Fundamentalis/The%20Gift%20of%20the%20Priestly%20Vocation.pdf>. Henceforth as *Ratio Fundamentalis 2016*.

<sup>3</sup> Vatican Council II, Pastoral Constitution on the Church in the Modern World *Gaudium et Spes* (December 7, 1965), n. 4; International Theological Commission, *Theology Today: Perspectives, Principles and Criteria* (2011), n. 51–58, accessed December 28, 2017, [http://www.vatican.va/roman\\_curia/congregations/cfaith/cti\\_documents/rc\\_cti\\_doc\\_20111129\\_tologia-oggi\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/cti_documents/rc_cti_doc_20111129_tologia-oggi_en.html).

<sup>4</sup> The text of the quoted document is crowned with a dictum: “The Supreme Pontiff Benedict XVI, on 31 August 2005, approved this present Instruction and ordered its publication,” *Instruction 2005*, Introduction.

sexual identity to seminar and let them obtain holy orders (an *implicite* given answer); (2) whether or not to accept to seminar and allow taking holy orders by candidates who show homosexual tendencies (question asked directly<sup>5</sup> and an *explicite* given answer).

In order to shed brighter light on the hermeneutical horizon of research threads defined in such a way, it seems crucial to refer to one more source document. As far as the Congregation for Catholic Education rightly touches upon the significance of the “guidelines and precise norms” it issued, which concern the priestly formation, then in the researched “area” it seems difficult to overestimate the importance of the words of the Congregation for the Doctrine of the Faith from over 30 years ago, which can easily be called the catalyst in the gradual crystallization of the *novum* of the Church outlook on the mentioned issues. It is about the proclamation included in the *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons*: “The human person, made in the image and likeness of God, can hardly be adequately described by a reductionist reference to his or her sexual orientation.”<sup>6</sup> However, if we are to mention a gradual<sup>7</sup> crystallization of the contemporary Church’s standpoint, the “ripe fruit” of which are conclusions of the quoted document from 2005 (as we can easily guess, introduced in the new *Ratio Fundamentalis*), then it seems right to mention that reaching these conclusions in the Church legal and pastoral practice did not escape the “reefs” of the old scheme thinking. It finds evidence in the standpoint of the Congregation for Divine Worship and the Discipline of the Sacraments, issued three years ago and signed by its prefect at that time, in which Jorge Arturo Medina Estévez in a flatly negative (and an unnuanced!) way answers the official question posed by a bishop,<sup>8</sup> who

<sup>5</sup> This question is posed already in the next paragraph of the Introduction: “In light of this abundant teaching, the present Instruction does not intend to dwell on all questions in the area of affectivity and sexuality that require an attentive discernment during the entire period of formation. Rather, it contains norms concerning a specific question, made more urgent by the current situation, and that is: whether to admit to the seminary and to holy orders candidates who have deep-seated homosexual tendencies.” Instruction 2005, Introduction.

<sup>6</sup> Congregation for the Doctrine of the Faith, *Letter to the Bishops of the Catholic Church on the Pastoral Care of Homosexual Persons* (October 1, 1986), n. 16, accessed December 28, 2017, [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19861001\\_homosexual-persons\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19861001_homosexual-persons_en.html). The meaning of this magisterial speech is emphasized by, for example, the current prefect of the Congregation for Catholic Education, valued expert Giuseppe Versaldi, “Implicazioni psicologiche dell’Istruzione *In continuità* del 4 novembre 2005,” *Periodica de re canonica* 95 (2006): 463. In turn, the decisiveness of this entire document is highlighted by its commentator Giovanni Marchesi, “L’omosessualità: problema pastorale per la Chiesa. A proposito del documento vaticano,” *La civiltà cattolica* 137/4 (1986): 560–569.

<sup>7</sup> See: Giovanni Marchesi, “Omossessualità e sacerdozio,” *La civiltà cattolica* 157/1 (2006): 167–170.

<sup>8</sup> “Questa Congregazione per il Culto Divino e la Disciplina dei Sacramenti, tendendo presente l’esperienza che proviene da non poche cause istruite in vista di ottenere la dispensa dagli

asked whether men who show homosexual inclinations can receive the sacrament of the holy orders.<sup>9</sup>

These short, yet essential introductory remarks should be complemented with a description of the methodology of the contemplation conducted here. It seems right to emphasize that the specific passages of *Ratio Fundamentalis Institutionis Sacerdotalis* (2016), on which the research focus as a result of deliberating over the title issues, are located mainly (though not only) in the 8th chapter of the document, entitled “Criteria and Norms.”

What is important, from the very Introduction to the new *Ratio Fundamentalis* we can learn a lot about its roots in sources. So, it is completely just to follow this track. This means that the further (general) context of the remarks made here shall be defined by: (a) John Paul II’s *Pastores dabo Vobis* from 1992<sup>10</sup>—especially the statement it includes that matches a paradigm in importance: “an integrated vision of the formation of future clerics [...] [has to—A.P.] take into equal account all four dimensions that involve the person of the seminarian: human, intellectual, spiritual and pastoral”<sup>11</sup>; (b) Benedict XVI’s *motu proprio Ministrorum institutio* from 2013<sup>12</sup>—in which it is difficult not to see an important message: the formation of seminarians and formation of permanent priests is a “uniform reality”<sup>13</sup>; (c) relevant canons of the Code of Canon Law

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obblighi che derivano dalla sacra Ordinazione, e dopo doverosa consultazione con la Congregazione per la Dottrina della Fede, esprime suo giudizio nel modo seguente: L’ordinazione al diaconato e al presbiterato di uomini omosessuali o con tendenza omosessuale è assolutamente sconsigliabile e imprudente e, dal punto di vista pastorale, molto rischiosa. Una persona omosessuale o con tendenza omosessuale non è, per tanto, idoneo a ricevere il sacramento dell’Ordine sacro.” Congregation for Divine Worship and the Discipline of the Sacraments, Letter (May 16, 2002), *Notitiae* 38 (2002): 586.

<sup>9</sup> The prominent expert in the subject matter Gianfranco Ghirlanda evaluates the then motives behind the decision of the prefect of the Congregation for Divine Worship and the Discipline of the Sacraments: *Dalla Lettera del Card. J. Medina Estévez [...] si evince che un numero consistente di richieste di dispensa dagli obblighi derivanti dall’Ordinazione trovano la sua ragione nella difficoltà da parte di uomini con tendenze omosessuali a vivere la castità celibataria.* Gianfranco Ghirlanda, “Aspetti canonici dell’Istruzione *In continuità* del 4 novembre 2005,” *Periodica de re canonica* 95 (2006): 404, n. 29.

<sup>10</sup> John Paul II, “Post-Synodal Apostolic Exhortation *Pastores Dabo Vobis*” (March 25, 1992), *Acta Apostolicae Sedis* 84 (1992): 657–804. Henceforth as PDV.

<sup>11</sup> *Ratio Fundamentalis* 2016, Introduction. See: Timothy Costello, *Forming a Priestly Identity: Anthropology of Priestly Formation in the Documents of the VIII Synod of Bishops and the Apostolic Exhortation “Pastores dabo vobis”* (Roma: Editrice Pontificia Università Gregoriana, 2002).

<sup>12</sup> Benedict XVI, “*Motu proprio Ministrorum Institutio*” (January 16, 2013), *Acta Apostolicae Sedis* 105 (2013): 130–135.

<sup>13</sup> Benedict XVI, “*Motu proprio Ministrorum Institutio.*” *Nota bene* that is the result of giving the Congregation for the Clergy, already responsible for permanent formation of clergymen, also the responsibility for their initial formation in a seminar, which was earlier the domain of the Congregation for Catholic Education.

from 1983<sup>14</sup> (the source *explicite* mentioned here; however, also different as for example the relevant articles of the Catechism of the Catholic Church from 1992<sup>15</sup>). There is no way of avoiding the *meritum* of the message included in the final paragraph of the Introduction: “Guidelines of various kinds—theological, spiritual, pedagogical, canonical—are offered in the text of this *Ratio Fundamentalis*, along with actual norms, which mirror those of the Code of Canon Law, and determine more precisely the manner of their application.”<sup>16</sup>

In order to fulfill the rather complete outline of the adopted research assumptions, it is important to, naturally, present the closer (detailed) context connected with the subject matter issues specified in the title. These issues—as it was already possible to emphasize—focus on the following ones: (1) accepting/not accepting to seminar, accepting/not accepting a transsexual person to the holy orders, (2) letting/not letting a homosexual person to the holy orders. In planning a scientific exploration of these issues two issues seem to be relevant. Firstly, what is key for achieving reliable research results is the affirmation of the appropriate anthropology, according to which both transsexualism and homosexuality are to be treated under common denominator as psychosexual disorders. Secondly, even if the said context closer to the research should be defined by doctrinal background drafted for each of the mentioned phenomena in the form of relevant anthropological and ethical, as well as theological and ecclesiological principles and guidelines included in numerous sources of the Church’s Magisterium (among others previously presented), then—as it turns out—with reference to both transsexualism and homosexuality, an invaluable cognitive character is presented by especially one source document, namely, the 2015 *Instruction* mentioned at the very beginning.

## Transsexualism and Priesthood

It should not come as a surprise that among the issues of the aforementioned 8th chapter of the new *Ratio Fundamentalis Institutionis Sacerdotalis* entitled “Criteria and Norms” a separate subsection found its place: “Psychological Health,”<sup>17</sup> which indicates towards, among others, difficult to harmonize with priesthood

<sup>14</sup> *Code of Canon Law* (promulgated: January 25, 1983). Henceforth as CIC.

<sup>15</sup> *Catechism of the Catholic Church* (promulgated: October 11, 1992). Henceforth as CCC.

<sup>16</sup> *Ratio Fundamentalis* 2016, Introduction. What draws attention here is referring to the regulations of can. 31 § 1 CIC regarding the general executory decrees, which “more precisely determine the methods to be observed in applying the law or which urge the observance of laws.”

<sup>17</sup> *Ratio Fundamentalis* 2016, nn. 191–196.

personality pathologies connected with human sexuality, and among those are the mentioned paraphilias.<sup>18</sup> Indeed, here we can easily talk about a new—taking into consideration the circumstances of the present day<sup>19</sup>—approach to the greatly desired early diagnosing in a candidate for priesthood personality pathologies in the shape of sexual background disorders: firstly, sexual identity disorders (transsexualism), but also disorders of sexual preferences or sexual dysfunctions. The contrast between the old and the new approach is visible in that way that in the previous *Ratio Fundamentalis* (1985) the concepts of physical and mental health of candidates appeared en passant.<sup>20</sup> The authors of the 2016 *Ratio Fundamentalis* do not leave any space for doubt here by putting forward a clear recommendation for bishops and all others responsible for priestly formation: “As a rule candidates will not be admitted to Seminary who suffer from any pathology [...] that could undermine the discretion of judgment of a person and, consequently, his ability to assume the obligations of the vocation and of the ministry.”<sup>21</sup>

We are allowed to ask about the way such a standpoint of the Church is anchored in sources. Indeed, there is no shortage of such source references in the discussed document. Firstly, a well known fragment of the Pastoral Adhortation *Pastores dabo Vobis*, evoked in *Ratio Fundamentalis*<sup>22</sup> sheds light on the truth that the holy orders require from the one who received them, a full gift from oneself for the service for the People of God, as showed by Christ the Betrothed.<sup>23</sup> In turn, this truth is referred to by numbers 92 and 94 of the *Ratio Fundamentalis*. Alongside the “classic” exhibition of human formation, as the foundation for the entire priestly formation,<sup>24</sup> emphasized by means of a statement that suggests that the aim of human formation is “the integral growth of the person,”<sup>25</sup>

<sup>18</sup> *Ratio Fundamentalis* 2016, n. 191.

<sup>19</sup> Instruction 2005, Introduction.

<sup>20</sup> Sacra Congregazione per l’Educazione Cattolica, *Ratio fundamentalis institutionis sacerdotalis*, (March 19, 1985), n. 39, accessed December 28, 2017, [http://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_19850319\\_ratio-fundamentalis\\_it.html](http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_19850319_ratio-fundamentalis_it.html). Henceforth as *Ratio Fundamentalis* 1985.

<sup>21</sup> *Ratio Fundamentalis* 2016, n. 191.

<sup>22</sup> *Ratio Fundamentalis* 2016, n. 39.

<sup>23</sup> PDV, n. 22.

<sup>24</sup> Cf. PDV, n. 43.

<sup>25</sup> “Human formation, being the foundation of all priestly formation, promotes the integral growth of the person and allows the integration of all its dimensions. [...] Psychologically it focuses on the constitution of a stable personality, characterized by emotional balance, self-control and a well integrated sexuality. In the moral sphere, it is connected to the requirement that the individual arrive gradually at a well formed conscience. This means that he will become a responsible person able to make the right decisions, gifted with right judgment and able to have an objective perception of persons and events. [...] He ought to be aware of the social environment, and be helped to improve his capacity for social interaction, so that he can contribute to building up the community in which he lives.” *Ratio Fundamentalis* 2016, n. 94.

the authors of the document establish that: “The concept of integral formation is of the greatest importance, since it is the whole person, with all that he is and all that he possesses, who will be at the Lord’s service in the Christian community. The one called is an ‘integral subject,’ namely someone who has been previously chosen to attain a sound interior life, without divisions or contradictions.”<sup>26</sup>

Precisely, this passage of *Ratio Fundamentalis* allows us to formulate a crucial conclusion: a positive identification of the “integral subject,” unambiguously attributed to a candidate for priesthood, constitutes a reference point for the entire dynamics of the seminary formation process.<sup>27</sup> Obviously, this anthropological paradigm has an impact on the very exposure, in the document, of the profile of this formation (with widely outlined aspects: physical, psychological, moral, and social). Suffice it to say that in the doctrinal horizon, described in such a way and enriched with the results of experts’ research,<sup>28</sup> an intentional emphasis of the importance of the psychological dimension of formation is inscribed. Therefore, what does it mean that bringing up to date the requirements that directly refer to the psychological and personal structure of a candidate to holy orders is not only desired but also essential? The authors of *Ratio Fundamentalis* do not leave this question without an answer: a candidate should have “a stable personality, characterized by emotional balance, self-control and a well integrated sexuality.”<sup>29</sup>

Not in a different way that through the prism of a paradigmatic “integral subject,” we should perceive the elementary criteria of verifying a candidate’s abilities of realizing the social dimension of formation, so—using the words of the analyzed document—“capacity for social interaction, so that he can

<sup>26</sup> *Ratio Fundamentalis* 2016, n. 92.

<sup>27</sup> Adopting a similar assumption, Timothy Costello rightly notices: “The Synod, and especially PDV, understands maturity as the basis upon which priestly identity rests. This represents a strengthening of earlier statements and an advance in the church’s thinking to the extent that human maturity is regarded as pivotal and not merely as one among many factors to be considered. In this respect the insight finds scientific corroboration in the research of Rulla, Ridick and Imoda.” Costello, *Forming a Priestly Identity*, 115–116. See Luigi M. Rulla, Joyce Ridick, and Franco Imoda, *Entering and Leaving Vocation: Intrapsychic Dynamics* (Roma: Editrice Pontificia Università Gregoriana, 1988).

<sup>28</sup> “The three dimensions are [...] aspects of the person or, more precisely, three acquired habitual dispositions which have an axiological foundation. The first dimension is prevalently conscious and corresponds to the motivational disposition to transcend the self for the sake and moral and religious values. [...] In the second dimension the person is confronted with a combination of self-transcendent (moral and religious) values together with natural values. [...] The third dimension is oriented primarily towards natural values and leads to the progressive development of psychic structures which enable the person to function normally or with varying degrees of psychopathology.” Costello, *Forming a Priestly Identity*, 26–27.

<sup>29</sup> *Ratio Fundamentalis* 2016, n. 94.

contribute to building up the community in which he lives.”<sup>30</sup> The first criterion is connected with the fundamental truth that the Creator inscribed in the personal being of a human a binary sexual structure: “being a man” and “being a woman.” According to the Christian anthropology “sexuality [...] is by no means something purely biological, but concerns the innermost being of the human person as such.”<sup>31</sup> Sexuality of a person in whom soul and body constitute one entity can be understood ontologically (integrally) as impressing a birthmark on the entire human existence. This integrated sexuality in the integral subject, in turn, has influence on the second elementary criterion, described by the authors of *Ratio Fundamentalis* in the following formulas: “an ability to establish mature and well balanced interpersonal relationships”<sup>32</sup> and “a mature capacity for relations with men and women.”<sup>33</sup> It is about an ability to go beyond oneself and toward a mature interpersonal bond with men and women, especially the ability of dynamic creation of communion bonds with the area of Church community.<sup>34</sup>

This thread of contemplating the subject should be concluded by means of remarks that would be relevant in the place of canon law.

Firstly, if the quoted elementary criteria of mature personality (“well-integrated sexuality,” ability to “enter into relations”) should be used in relation to every candidate for the holy orders, then it also concerns—consistently—the circle of people defined by means of the title of this study.<sup>35</sup> At the same time, there is no doubt that both the decision about admitting one to the seminary and the evaluation of the formation result in the act of allowing one to receive holy orders and are located in the area of responsibility (rights and duties) of a diocesan bishop<sup>36</sup>—supported directly by the rector of the seminary and form

<sup>30</sup> *Ratio Fundamentalis* 2016.

<sup>31</sup> John Paul II, Apostolic Exhortation *Familiaris Consortio* (November 22, 1981), n. 11.

<sup>32</sup> *Ratio Fundamentalis* 2016, n. 94.

<sup>33</sup> *Ratio Fundamentalis* 2016, n. 95.

<sup>34</sup> Similarly, a Polish theologian Czesław Rychlicki—based on, among others, the research of Albino Ronco and Vittorio Gambino—emphasizes two principles which have a crucial role in the process of priestly formation and as such are subject to verification in the process of admitting one to the holy orders: “the principle of directing oneself and the principle of participation.” Czesław Rychlicki, “Ludzka formacja kandydatów do kapłaństwa według *Pastores dabo vobis*,” *Studia Płockie* 24 (1996): 79–84. Cf. Albino Ronco, “Formazione umana di base del futuro pastore,” in *Sacerdoti per la nuova evangelizzazione. Studi sull’Esortazione apostolica “Pastores dabo vobis” di Giovanni Paolo II*, edited by Enrico Dal Covolo and Achille M. Triacca (Roma: Libreria Ateneo Salesiano, 1994), 163–169; Vittorio Gambino, *Dimensioni della formazione presbiteriale: prospettive dopo il Sinodo del ‘90 e la “Pastores dabo vobis”* (Torino: Leumann, 1993).

<sup>35</sup> Naturally, these elementary criteria—treated together with detailed criteria (these will be the topic of contemplation in the next section)—remain valid in the objective evaluation of a homosexual person’s fitness.

<sup>36</sup> “One should always keep in mind that, for the good of the Church, pastoral charity, at all levels of responsibility, is not manifested by admitting whomsoever to the Seminary, but by

tutors,<sup>37</sup> as well as others responsible for the formation (among others, specialists<sup>38</sup>). Indeed, the said verification of *abilitas* (*capacitas*) of a candidate is conducted according to the rule evoked in *Ratio Fundamentalis*: “The Church has the right to verify the suitability of future priests, including by means of recourse to medical and psychological science.”<sup>39</sup> The precise legal foundation of Church’s conduct can. 241 § 1 CIC.<sup>40</sup>

Secondly, due to the extraordinary responsibility of the rector and other formators for vocational discernment, what is desired and necessary is the help of experts in the psychological sciences, representing “the Christian vision about the human person, sexuality, as well as vocation to the priesthood and to celibacy. In this way, their interventions may take into account the mystery of man in his personal dialogue with God, according to the vision of the Church.”<sup>41</sup>

Thirdly, according to the *Guidelines for the Use of Psychology in the Admission and Formation of Candidates for the Priesthood*, announced in 2008 by the Congregation for Catholic Education (and confirmed in the new *Ratio Fundamentalis*<sup>42</sup>), the participation of an expert in the examination of a candidate’s fitness (as part of the so-called Initial Discernment<sup>43</sup>) can result in, among others, issuing the following opinion<sup>44</sup>: “a sexuality identity [...] is confused or not yet well defined,”<sup>45</sup> or issuing the contrary opinion. In the first case—should transsexualism be diagnosed—the following rule will be used: “[...] candidates

offering well thought out vocational guidance and a sound process of formation.” *Ratio Fundamentalis* 2016, n. 128.

<sup>37</sup> Cf. CIC, can. 239.

<sup>38</sup> *Ratio Fundamentalis* 2016, nn. 145–147.

<sup>39</sup> *Ratio Fundamentalis* 2016, n. 189.

<sup>40</sup> “Ad seminarium maius ab Episcopo dioecesano admittantur tantummodo ii qui, attentis eorum dotibus humanis et moralibus, spiritualibus et intellectualibus, eorum valetudine physica et psychica necnon recta voluntate, habiles aestimantur qui ministeriis sacris perpetuo sese dedicent.”

<sup>41</sup> *Ratio Fundamentalis* 2016, n. 192. Congregation for Catholic Education, *Guidelines for the Use of Psychology in the Admission and Formation of Candidates for the Priesthood* (June 29, 2008), n. 8, accessed December 28, 2017, [http://www.vatican.va/roman\\_curia/congregations/ccatheduc/documents/rc\\_con\\_ccatheduc\\_doc\\_20080628\\_orientamenti\\_en.html](http://www.vatican.va/roman_curia/congregations/ccatheduc/documents/rc_con_ccatheduc_doc_20080628_orientamenti_en.html). Henceforth as *Guidelines* 2008. See also: Giuseppe Versaldi, “Uso della psicologia nella formazione sacerdotale e religiosa nel rispetto dei diritti della persona,” *Periodica de re canonica* 83 (1994): 449–464; Tomasz Gałkowski, “Wiedza psychologiczna w formacji kandydatów do kapłaństwa,” *Prawo kanoniczne* 53/1–2 (2010): 41–59.

<sup>42</sup> *Ratio Fundamentalis* 2016, n. 192–195. To clarify, in the previous *Ratio Fundamentalis* this matter was described merely by a general statement: “Il giovane deve [...] godere della libertà psicologica interna ed esterna, e possedere il necessario grado di maturità affettiva, per poter sperimentare e vivere il celibato come completamento della sua persona.” *Ratio Fundamentalis* 1985, n. 48.

<sup>43</sup> *Guidelines* 2008, n. 8.

<sup>44</sup> *Ratio Fundamentalis* 2016, n. 192.

<sup>45</sup> *Guidelines* 2008, n. 8.

will not be admitted to Seminary [nor allowed to receive holy orders—A.P.] who suffer from any pathology.”<sup>46</sup>

It is not difficult to guess what personality pathology this description concerns. Indeed, since David Olivier Cauldwell defined transsexualism in 1949,<sup>47</sup> and not long after precisely acknowledging it to be a sexual identity disorder,<sup>48</sup> there has been no doubt it is an illness syndrome. The best confirmation of this fact is the invariable presence of transsexualism in the WHO Classification of Mental and Behavioural Disorders (ICD-10, 1992),<sup>49</sup> as well as on the list of mental disorders published by the American Psychiatric Association—under the diagnostic name: “gender identity disorder” (DSM-4-TR, 2000), or since not long ago: “gender dysphoria” (last edition: DSM-5, 2013). What proves that in the most explicit way is its qualification on the list of psychological disorders issued by the American Psychiatric Association—under the diagnostic name: “gender identity disorder” or “gender dysphoria” (last edition: DSM-5, 2003).<sup>50</sup>

It is worth reminding that according to the classic depictions we deal with a correct sexual identity when a human in the area of external behavior takes on the sexual role compatible with somatotype, that is, the morphological construction of his or her body. It is about the biological sex, the determinant of which are, on the one hand, concepts that define primary sexual features (internal sex organs): “genetic sex” (criterion: type of sex chromosomes—men 46,XY;

<sup>46</sup> *Ratio Fundamentalis* 2016, n. 191; cf. CIC, can. 241 § 1, can. 1041 n. 1, can. 1051 n. 1.

<sup>47</sup> “David Oliver Caudwell, an American sexologist, introduced the term ‘transsexualism’ in 1949 for those wishing to change physiological sex, and distinguished between biological and psychological sex.” Sarah Murjan and Walter Pierre Bouman, “Transgender—Living in a Gender Different from That Assigned at Birth”, in *The Palgrave Handbook of the Psychology of Sexuality and Gender*, edited by Christina Richards and Meg John Barker (Hampshire: Palgrave Macmillan, 2015), 200.

<sup>48</sup> Harry Benjamin, *The Transsexual Phenomenon* (New York: Julian Press 1966).

<sup>49</sup> “A desire to live and be accepted as a member of the opposite sex, usually accompanied by a sense of discomfort with, or inappropriateness of, one’s anatomic sex and a wish to have hormonal treatment and surgery to make one’s body as congruent as possible with the preferred sex. Diagnostic guidelines: For this diagnosis to be made, the transsexual identity should have been present persistently for at least 2 years, and must not be a symptom of another mental disorder, such as schizophrenia, or associated with any intersex, genetic, or sex chromosome abnormality.” World Health Organization, *The ICD-10 Classification of Mental and Behavioural Disorders. Clinical Descriptions and Diagnostic Guidelines*, F64.0 (Gender identity disorders. Transsexualism), 168, accessed December 28, 2017, <http://www.who.int/classifications/icd/en/bluebook.pdf>.

<sup>50</sup> American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition* (Arlington, VA: American Psychiatric Association, 2013), Gender Dysphoria, 451–459; cf. Murjan, Bouman, *Transgender*, 203. I omit the strongly discussed in the scientific circles issue whether it is only about a small alteration or about a foreboding of a real change of approach of the American Psychiatric Association towards the phenomenon of transsexualism (similarly as it happened in 1973 in case of homosexuality).

women: 46,XX), “gonadal sex” (criterion: type of gonad—in men: testicles, in women: ovaries), “gametal sex” (criterion: type of produced gametes—in men: spermatozoon, in women: ova), “hormonal sex” (criterion: type and volume of secreted sex hormones—in men androgens prevail, in women: estrogens). On the other hand, a determinant of biological sex is “phenotypic sex,” which defines both secondary sexual features (external sex organs—men: penis and scrotum, women: clitoris and labia) and third-rate features (different for men and women body proportions, hair, timbre).<sup>51</sup>

Here, moreover—not immersing in the twists and turns of these really complicated issues—two complementing remarks seem essential. Firstly, the contemporary medical and psychological literature connects inseparably the description of a proper sexual identification with the concept of “brain sex,” which also refers to the area of somatics.<sup>52</sup> Secondly, proving in the subject matter research works the dynamics of shaping the sexual identification: from conception to full maturity<sup>53</sup> confirms—according to the new paradigm of research on sex—the fact of coexistence in this process of biological and cultural factors<sup>54</sup> (*nota bene* in the ideological promotion of the “advantage” of the latter ones, it is the concept of “gender” which made an incredible career<sup>55</sup>).

<sup>51</sup> CCC, art. 2332.

<sup>52</sup> Since the early 1990s medical and psychological publications concentrate on the concept of “brain sex” (differences in the construction of brain determine mental sex, and what decides about sex are not only genes but also hormones). See: Anne Moir and David Jessel, *Brain Sex: The Real Difference between Men and Women* (New York: Carol Publishing Group, 1991).

<sup>53</sup> This research shows that, among others, at every stage of development the identification process might be disturbed, and the behavior of a child typical for opposite sex: clothes, interests or games, might result from parents’ decisions connected with, for example, desire to have an opposite sex child, or a low position of father in family.

<sup>54</sup> In order to tell apart biological sex from the so called social-cultural sexual identity, the concept of “gender” has been adopted. In the same way that the biological sex refers to somatics, gender refers to psyche. Unfortunately, the concept of “gender” is used nowadays to promote, as part of *gender studies* (social science that appeared in 1970s as an effect of the so called second wave of feminism), a one-sided and harmful concept, according to which sex is mainly shaped by culture and that is why—contrary to the stereotypes of femininity/masculinity—sex can change according to the social and cultural trends, as well as individual circumstances. *Gender studies* constitute an element of a far-flung political strategy (*gender mainstreaming*), aimed at eliminating instances of discrimination of women and promoting sustainable relations between men and women. See: *Idea „gender” jako wyzwanie dla teologii*, edited by Antoni Jucewicz and Marian Machinek (Olsztyn: Hosianum 2009); *„Mężczyznę i niewiastę stworzył ich.” Afirmacja osoby ludzkiej odpowiedzi nauk teologicznych na ideologiczną uzurpację genderyzmu*, edited by Andrzej Pastwa (Katowice: Księgarnia św. Jacka, 2012).

<sup>55</sup> See: Judith Butler, *Gender Trouble: Feminism and the Subversion of Identity* (New York: Routledge, 1990). In the 2008 *Address to the Roman Rota* Benedict XVI defined standing in opposition to the gender ideology through the promotion of properly understood “Human Ecology” as a pressing task for the Church: “What is often expressed and understood by the term ‘gender’ ultimately ends up being man’s attempt at self-emancipation from creation and the Creator [...] in

Not losing from sight the fundamental reference point in the contemplation of the discussed issue, namely, assumptions of the adequate anthropology, in formulating theses and deriving canon law conclusions it is important to bear in mind the magisterial clarification: “Sexuality affects all aspects of the human person in the unity of his body and soul. It especially concerns affectivity, the capacity to love and to procreate, and in a more general way the aptitude for forming bonds of communion with others.”<sup>56</sup> It is exactly on the groundwork of such defined phenomenon of sex that the Catechism of the Catholic Church formulates an explicit indication: “Everyone, man and woman, should acknowledge and accept his or her sexual identity.”<sup>57</sup>

Referring directly to the title problem, it should be acknowledged that a proper sexual identification is characterized in the mental area and consistent with one’s biological sex feeling of belonging to male or female sex. Transsexualism (type: M/F or type F/M) constitutes a sex identity disorder which can be characterized by a radical discrepancy between the subjective sexual identification and the objective sexuality of a given person. As long as the personal development of a person is characterized by a harmonious conformity between the feeling of gender and biological sex, an obsessive “transsexual” desire to belong to the opposing sex radically undermines this conformity. Transsexual people aim at taking social roles according to their mental feeling of sex, which potentially exposes them to conflicts with cultural norms (secondarily, it concerns also the sexual area: sexual drive towards representatives of the same sex is perceived to be heterosexual). Transsexuals with a syndrome of serious identity disorders (as opposed to the syndrome of “uncertain identity”) aim at a surgical change of sex and an official recognition of a “new” marital status.<sup>58</sup> These changes are, however, only superficial (the operation changes merely the phenotype features) and do not change the very sexual nature of humans (the genetic sexual structure remains unchanged): a man in his essence remains a man, and a woman remains a woman.<sup>59</sup>

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opposition to the truth, in opposition to the Creator Spirit.” Benedict XVI, *Address to the Members of the Roman Curia for the Traditional Exchange of Christmas Greetings* (December 22, 2008), accessed December 28, 2017, [http://w2.vatican.va/content/benedict-xvi/en/speeches/2008/december/documents/hf\\_ben-xvi\\_spe\\_20081222\\_curia-romana.html](http://w2.vatican.va/content/benedict-xvi/en/speeches/2008/december/documents/hf_ben-xvi_spe_20081222_curia-romana.html). Cf. Giuseppe Dalla Torre, “Identità sessuale e diritto canonico,” in *Atti del convegno nazionale dell’U.G.C.I. Palermo, 9–11 dicembre 2010* (Milano: Giuffrè, 2012), 132; see also: Laura Palazzani, “Identità di genere come problema biogiuridico,” in *Identità sessuale e identità di genere. Atti del convegno nazionale dell’U.G.C.I. Palermo, 9–11 dicembre 2010* (Milano: Giuffrè, 2012), 7–23.

<sup>56</sup> CCC, art. 2332.

<sup>57</sup> CCC, art. 2333.

<sup>58</sup> See more: Christiane Ant, *Transsexualität und menschliche Identität. Herausforderung sexualethischer Konzeptionen* (Münster–Hamburg–London: Lit Verlag, 2000).

<sup>59</sup> Here it seems worth to point to the fact that in the official statement from 1991 the Congregation for the Doctrine of the Faith established in some person “new” gender merely

Putting the issue of transsexualism on a canon law plane, it seems right to begin from an introductory remark. Although the Code of Canon Law did not directly define the canon law position of people afflicted with transsexualism (which is *nota bene* understandable), the following general rule is binding: declaring by the church the existence of objective obstacles in the realization of some subjective laws does not change the fact that transsexual people, on a par with others, enjoy elementary rights of followers announced in can. 208–223 CIC.

Having presented this assumption, we can proceed to the crux of the researched issue. While evaluating the fitness of a transsexual person for receiving holy orders, the following has to be taken into consideration: (1) current knowledge; (2) differences between secondary transsexualism (acquired after birth as a result of mistakes in the process of upbringing, influence of environment) from primary (innate, genetic); (3) principle that “the categories that belong to psychiatry or psychology are not automatically transferred to the field of canon law.”<sup>60</sup> Within this context, what acquires meaning is the fact that in the medical doctrine with reference to transsexualism depictions classifying types are preferred (types, types of disorders), and what is unfortunately omitted are quantifying depictions (gravity of disorders). In the legal and canonical order the latter ones are relevant and require being taken into consideration.

In the light of the canonical doctrine a subject capable of receiving valid holy orders is a baptized man.<sup>61</sup> It is about a man (*vir*) in his ontological fullness—among others with a harmonious development of physical and mental sexuality. Therefore, we cannot allow a situation when both a non-operated transsexual man, as well as an operated transsexual woman (F/M) with a serious antagonism of somatic and mental factors in the sexual self-determination decides about the *defectus sexus virilis*.<sup>62</sup> Especially in a primary transsexual, there is

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phenotypically, in the face of invariably existing biological sex. Kongregation für die Glaubenslehre, “Schreiben vom 28. Mai 1991 an dem Vorsitzenden der Deutschen Bischofskonferenz zur Eheschließung von Transsexuellen,” *De processibus et matrimonialibus* 2 (1995): 315. Urbano Navarrete speaks out in a similar way: “Iuvat in memoriam hic revocare [...] operationes chirurgicas non mutare structurum geneticam, cromosomaticam, gonadicam individui; quod attingit vero data phaenotypica mutationes non sunt nisi valde accessoriae et cum exitu reapse monstruoso. Ideo persona remanet eiusdem sexus ac re vera erat ante operationes chirurgicas.” Urbano Navarrete, “Transsexualismus et ordo canonicus,” *Periodica de re canonica* 86 (1997), in *Zukunftshorizonte katholischer Sexualethik*, edited by Konrad Hilpert (Freiburg im Breisgau: Herder, 2011), 353.

<sup>60</sup> John Paul II, “Address to the Tribunal of the Roman Rota” (January 25, 1988), accessed December 28, 2017, [http://w2.vatican.va/content/john-paul-ii/en/speeches/1988/january/documents/hf\\_jp-ii\\_spe\\_19880125\\_roman-rot.html](http://w2.vatican.va/content/john-paul-ii/en/speeches/1988/january/documents/hf_jp-ii_spe_19880125_roman-rot.html).

<sup>61</sup> CIC, can. 1024.

<sup>62</sup> The expert in the subject matter area Maurizio Faggioni rightly notices: “Sia nel caso del *maschio transessuale non operato* sia della *donna transessuale operata* siamo di fronte a un’i-

a potential irregularity for receiving the holy orders, classified in the Code of Canon Law as the “other psychic illness”; such a candidate “is judged unqualified to fulfill the ministry properly.”<sup>63</sup>

Since in the case of choosing the priesthood<sup>64</sup> we cannot speak about a free choice—so there is no right to the holy orders that would be parallel to *ius connubii*<sup>65</sup>—then not only acknowledged fact of primary transsexualism but also secondary transsexualism, due to the mentioned gravity of disorders in a candidate, will decide about his negative admission to seminary and, as a result, impossibility to receive the holy orders. What is more, in the light of the binding law, a comprehensive justification can be found for a person responsible (rector) taking the very decision, when the affiliation of a candidate to the male sex proves to be only doubtful.<sup>66</sup>

Hypothetically, after the transsexual person has accepted the holy orders<sup>67</sup> it is still possible to nullify them<sup>68</sup> *ex defectu sexus*, that is, due to the existence of anomalies that deeply destroy the sexual identity of the ordained person—obviously when the holy orders are bestowed (the sacramental character excludes the retroactivity of law). Apart from that, the occurrence of the mentioned anomalies after bestowing the holy orders (e.g., undergoing sex change operation M/F) is connected with the occurrence of abnormalities in delivering the holy orders<sup>69</sup> and thus justifies the request for a rescript concerning transfer to secular state.<sup>70</sup>

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nadeguata definizione della sessualità maschile nelle sue componenti fisiche e psichiche e questo li rende *non capaci* dell'ordinazione per *defectus sexus virilis*.” Maurizio P. Faggioni, “Il transsexualismo. Questioni antropologiche, etiche e canonistiche,” *Antonianum* 75 (2000): 304–305.

<sup>63</sup> “Ad recipiendos ordines sunt irregulares: (1) qui aliqua forma laborat amentiae aliusve psychicae infirmitatis, qua, consultis peritis, inhabilis iudicatur ad ministerium rite implendum,” CIC, can. 1041, n. 1.

<sup>64</sup> CIC, can. 219.

<sup>65</sup> Cf. CIC, can. 1058.

<sup>66</sup> “Non esistendo, come per il matrimonium, un diritto a ricevere l'ordine sacro, secondo la tradizione canonistica basta che l'appartenenza al sesso maschile anche soltanto *dubbia* perché il soggetto non possa essere ammesso all'ordinazione.” Maurizio P. Faggioni, “Il transsexualismo,” 305.

<sup>67</sup> See: Navarrete, “Transsexualismus et ordo canonicus,” 119–121.

<sup>68</sup> “Sacra ordinatio, semel valide recepta, numquam irrita fit. Clericus tamen statum clericalem amittit: [...] sententia iudicali aut decreto administrativo, quo invaliditas sacrae ordinationis declaratur.” CIC, can. 1041, n. 1.

<sup>69</sup> CIC, can. 1044 § 1, n. 3 and can. 1041, n. 5: “Ad exercendos ordines receptos sunt irregulares [...] qui seipsum vel alium graviter et dolose mutilaverit vel sibi vitam adimere tentaverit.”

<sup>70</sup> “Sacra ordinatio, semel valide recepta, numquam irrita fit. Clericus tamen statum clericalem amittit: [...] rescripto Apostolicae Sedis; quod vero rescriptum diaconis ob graves tantum causas, presbyteris ob gravissimas causas ac Apostolica Sede conceditur.” CIC, can. 290 n. 3.

## Homosexuality and Priesthood

Adopted in the title of the study, the formula of illuminating this issue in the form of remarks—which, taking into consideration the complexity<sup>71</sup> of the subject matter, constitutes merely an announcement of some draft (in the synthetic form)—imposes also within this segment of canon law research a care for methodological discipline. This means a consistent contemplation of the issue within the area of anthropological and ethical, as well as ecclesiological assumptions put forward before. Therefore, it seems unnecessary to add that the entire doctrinal “background” in the form of declaration and directives of the Church Magisterium, presented while discussing the issue of transsexualism, remains timely. Indeed, what seems just here as a repeated reference to the anthropological paradigm (“integral subject”) is an elementary reference point for a genuine discourse and formulating appropriate theses. Naturally, it is about the adopted in the *Ratio Fundamentalis* rule—gauge of a responsible verification of a candidate’s fitness (*abilitas*) to be admitted to a seminary and priesthood. A candidate should be characterized by: “a stable personality, characterized by emotional balance, self-control and a well integrated sexuality.”<sup>72</sup>

The aforementioned general magisterial indications require complementation with a detailed source material, directly regarding the issue of homosexuality and priesthood. There is a fundamental reason for that. In chapter VIII “Criteria and Norms” of the analyzed document (*Ratio Fundamentalis* 2016) subsection C appeared, namely, “Persons with Homosexual Tendencies.”<sup>73</sup> A careful recipient of the quoted declarations and guidelines of the Congregation for the Clergy will, first of all, pay attention to the fact that the instructive introduction to the content of this—no matter what we say: bold in its conclusions (if not breakthrough)—part of *Ratio Fundamentalis* is the previous subsection B entitled “Admission, Dismissal and Departure from the Seminary.”<sup>74</sup> which is initiated by means of the already quoted sentence: “The Church has the right to verify the suitability of future priests, including by means of recourse to medical and psychological science.”<sup>75</sup> In the footnote to this constatation the regulation of can. 241 § 1 CIC was mentioned: “A diocesan bishop is to admit to a major seminary only those who are judged qualified to dedicate themselves permanently to the sacred ministries; he is to consider their human, moral,

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<sup>71</sup> See: Tony Anatrella, *La teoria del gender e l’origine dell’omosessualità* (Cinisello Balsamo: San Paolo Edizioni, 2015<sup>3</sup>). Cf. also “Le omosessualità,” in *Concilium* 44 (2008/1).

<sup>72</sup> *Ratio Fundamentalis* 2016, n. 94.

<sup>73</sup> *Ratio Fundamentalis*, nn. 199–201.

<sup>74</sup> *Ratio Fundamentalis*, nn. 189–198.

<sup>75</sup> *Ratio Fundamentalis*, n. 189.

spiritual, and intellectual qualities, their physical and psychic health, and their correct intention.” In turn, the second source mentioned in the said footnote constitute the *Guidelines for the Use of Psychology in the Admission and Formation of Candidates for the Priesthood* (2008), and precisely number 11—with the abundance of objective content offering evaluation and specifying obligation (constatations, directives).<sup>76</sup> What underlines the significance of this document (as it was already possible to notice) is the fact that a little bit farther, in the subsection dedicated to mental health the authors of *Ratio Fundamentalis* once again repeat (literally) the recommendations included in the Guidelines. “It is useful for the Rector and other formators to be able to count on the cooperation of experts in the psychological sciences [...] [representing—A.P.] the Christian vision about the human person, sexuality, as well as vocation to the priesthood and to celibacy. In this way, their interventions may take into account the mystery of man in his personal dialog with God, according to the vision of the church.”<sup>77</sup>

After this short delineation of the general magisterial background we can focus on the key, title context, subsection C: “Persons with Homosexual Tendencies.” It should be immediately noticed that not a single code provision was evoked here. Instead there is—alongside the articles referred to in the footnotes of the Catechism of the Catholic Church regarding homosexuality (art. 2357–2358)<sup>78</sup>—a wide reference, in a form of quotes, to the source document, the cognitive and normative value of which now, like before, we will be able to familiarize ourselves with, namely, the *Instruction Concerning the Criteria for the Discernment of Vocations with Regard to Persons with Homosexual Tendencies*.

<sup>76</sup> At first a crucial statement appears: “It belongs to the Church to choose persons whom she believes suitable for the pastoral ministry, and it is her right and duty to verify the presence of the qualities required in those whom she admits to the sacred ministry.” Subsequently the authors of the document stamp this statement with either formulas taken from the Code of Canon Law (CIC, can. 1051, n. 1, can. 1052 § 1 and § 3), or the general reference to the regulations of this Code (CIC, can. 1025, can. 1051, can. 1052).

<sup>77</sup> *Ratio Fundamentalis* 2016, n. 192.

<sup>78</sup> “Homosexuality refers to relations between men or between women who experience an exclusive or predominant sexual attraction toward persons of the same sex. It has taken a great variety of forms through the centuries and in different cultures. Its psychological genesis remains largely unexplained. Basing itself on Sacred Scripture, which presents homosexual acts as acts of grave depravity, tradition has always declared that ‘homosexual acts are intrinsically disordered.’ They are contrary to the natural law. They close the sexual act to the gift of life. They do not proceed from a genuine affective and sexual complementarity. Under no circumstances can they be approved” (CCC, art. 2357). “The number of men and women who have deep-seated homosexual tendencies is not negligible. This inclination, which is objectively disordered, constitutes for most of them a trial. They must be accepted with respect, compassion, and sensitivity. Every sign of unjust discrimination in their regard should be avoided. These persons are called to fulfill God’s will in their lives and, if they are Christians, to unite to the sacrifice of the Lord’s Cross the difficulties they may encounter from their condition” (CCC, art. 2358).

*cies in View of Their Admission to the Seminary and to Holy Orders* (2005). It is precisely in this document that the Congregation for Catholic Education directly defines the authoritative illumination of the analyzed problem of homosexuality and priesthood as “urgent.”<sup>79</sup> A troublesome question appears: “whether to admit to the seminary and to the holy orders candidates who have deep-seated homosexual tendencies.” As an answer, in the three chapters the following issues are contemplated: “Affective Maturity and Spiritual Fatherhood,”<sup>80</sup> “Homosexuality and the Ordained Ministry,”<sup>81</sup> “Discernment by the Church Concerning the Suitability of Candidates.”<sup>82</sup> What is crucial, the relevant subject magisterium culminates already in the middle segment of the document.

In the second chapter of the Instruction the key passage appears, which should be understood as an extracode formulation of a given directive of conduct (universal, however devoid of the importance of an act<sup>83</sup>). Therefore, we should not be surprised that these normative instructions were *in extenso* transferred to *Ratio Fundamentalis*: “[The Congregation for Catholic Education—A.P.], in accord with the Congregation for Divine Worship and the Discipline of the Sacraments, believes it necessary to state clearly that the Church, while profoundly respecting the persons in question, cannot admit to the seminary or to holy orders those who practice homosexuality, present deep-seated homosexual tendencies or support the so-called gay culture. Such persons, in fact, find themselves in a situation that gravely hinders them from relating correctly to men and women. One must in no way overlook the negative consequences that can derive from the ordination of persons with deep-seated homosexual tendencies.”<sup>84</sup> Immediately after there is a indication of the Instruction, which complements this directive and which also found its place in *Ratio*: “Different, however, would be the case in which one were dealing with homosexual tendencies that were only the expression of a transitory problem—for example, that of an adolescence not yet superseded. Nevertheless, such tendencies must be clearly overcome at least three years before ordination to the diaconate.”<sup>85</sup>

<sup>79</sup> Instruction 2005, Introduction.

<sup>80</sup> Instruction 2005, n. 1. Here the following passage is worth noticing: “The candidate to the ordained ministry, therefore, must reach affective maturity. Such maturity will allow him to relate correctly to both men and women, developing in him a true sense of spiritual fatherhood towards the Church community that will be entrusted to him.”

<sup>81</sup> Instruction 2005, n. 2.

<sup>82</sup> Instruction 2005, n. 3.

<sup>83</sup> Not only the very type of the document—here: Instruction (can. 34 CIC), and in case of *Ratio Fundamentalis*: general executory decree (can. 31 § 1 CIC; cf. *Ratio Fundamentalis* 2016, Conclusion)—but also lack of papal *approbatio specifica* (and only the ordinary papal approval, i.e., *in forma communi*), determine in the first and second case that these directive are of administrative norms character that serves the purpose of applying law.

<sup>84</sup> Instruction, n. 2; *Ratio Fundamentalis* 2016, n. 199.

<sup>85</sup> Instruction 2005, n. 2; *Ratio Fundamentalis* 2016, n. 200.

In turn, from the Instruction chapter entitled “Discernment by the Church Concerning the Suitability of Candidates” the authors of *Ratio Fundamentalis* excerpted a sentence, like previously, having an unambiguous character of a directive statement—universal administrative act of the congregation: “If a candidate practices homosexuality or presents deep-seated homosexual tendencies, his spiritual director as well as his confessor have the duty to dissuade him in conscience from proceeding towards ordination.”<sup>86</sup>

Among the mentioned regulations of the subsection of *Ratio Fundamentalis* entitled “Persons with Homosexual Tendencies,” what should be referred to—in every such unveiled case (potentially incorrect personality)—is an *in concreto* establishment of the actuality, based on competent knowledge from the area of psychology (as a rule by experts in the psychological sciences),<sup>87</sup> using the elementary criteria,<sup>88</sup> which are: degree of human maturity and mental health of a candidate for seminary/priesthood.<sup>89</sup> However, an important *in genere* premise in this process of individualized verification is an adequate (!) examination and defining of the very phenomenon of homosexuality. Here—if we were to juxtapose both title categories—it is much more difficult to find scientific depiction that would be free from ideological influences. First of all, influential experts’ circles are not eager to classify homosexuality as well as transsexualism in the area of mental disorders. In the 1960s, there was still a consensus according to which homosexuality was an illness—anomaly, characterized by a lack of adaptation to the heterosexual norms of intercourse adopted in the contemporary civilization (DSM-1, 1952; DSM-2, 1968).<sup>90</sup> However, already in 1973, due to a strong pressure coming from the homosexual lobby and not without an influence of some research showing that homosexuality is not connected with any mental disorders, it was at first removed from the DSM classification of the American Psychiatric Association (cf. DSM-3, 1980), and subsequently in 1990 from the WHO Classification of Mental and Behavioural Disorders (cf. ICD-10, 1992).

Referring to these circumstances, a valued expert in canon law, psychiatrist Giuseppe Versaldi, recommends consistent perception of the problem of homosexuality—somehow against the stream of the contemporary tendencies—within the optics of Christian anthropology. From this vista, there is no doubt that

<sup>86</sup> Instruction 2005, n. 3; *Ratio Fundamentalis* 2016, n. 200.

<sup>87</sup> Guidelines 2008, n. 5–10.

<sup>88</sup> Obviously, not losing the holistic horizon of truth about the Christian calling and first and foremost about the aim of the formation process of candidates for priesthood. Cf. Gałkowski, “Wiedza psychologiczna,” 53.

<sup>89</sup> Cf. *Ratio Fundamentalis* 2016, n. 147, 191–196.

<sup>90</sup> To clarify, the place of homosexuality in the 1969 DSM-2: group—“Sexual deviations” (301–304), category—“Personality disorders and certain other non-psychotic mental disorders” (302). American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders, Second Edition* (Washington, D.C.: American Psychiatric Publishing, 1968), 302.0: Homosexuality, 44.

homosexuality is an anomaly.<sup>91</sup> Therefore, to spell it out: in the light of Christian personalism (integral anthropology that constitutes a reference point for the legal anthropology criteria)<sup>92</sup> not only transsexualism, but also homosexuality constitutes a personality disorder and remains invariably a psychosexual disorder.

The exposure of the issue of justness of further classification of homosexuality—as well as transsexualism—among mental disorders does not erase the obvious differences between the two phenomena.<sup>93</sup> As it was earlier emphasized, sexual drive in transsexual people is aimed at same sex people (biological); however, this sex determinism is felt to be heterosexual. In other words, when a transsexual establishes contact with a same sex person, then in reality—since he or she feels that he or she belongs to the opposite sex—he or she is looking for a heterosexual bond. The situation is different in case of a homosexuality—he or she accepts his or her biological sex and only feels sexual drive for the same sex people. Then, what should be highlighted, as long as a transsexualism and homosexuality in the external behavior can be similar, this behavior might have a totally different mental background and within the scope of canon law plane should be treated in a diverse way.

Having arrived at these conclusions, it is possible to move to a glance at the title problem “homosexuality and priesthood” through the prism of the binding canonical acts. Already at the very beginning it should be clearly established that the majority of legal remarks that appeared earlier with reference to transsexuals—people similarly afflicted with psychosexual anomalies—remain timely in their full extent. Even the very number of cases of people with the homosexual problem applying for admission to the seminary (definitely bigger than with the transsexualism syndrome) is a signal to approach in more detail the issues of evaluating the premises; “for” or “against” admitting a candidate, “for” or “against” admitting a candidate to holy orders. Especially, due to the post-conciliar standpoint of the church<sup>94</sup> (sealed by means of the guidelines of the

<sup>91</sup> Giuseppe Versaldi, “Implicazioni psicologiche dell’Istruzione *In continuità* del 4 novembre 2005.” *Periodica de re canonica* 95 (2006): 455.

<sup>92</sup> John Paul II, Address to the Tribunal of the Roman Rota (January 25, 1988). See also: Nikolaus Schöch, “Criteri per una determinazione giuridica della personalità ‘anormale,’” in *L’incapacità di assumere gli oneri essenziali del matrimonio (can. 1095 n. 3)*, (Studi Giuridici, 48), Città del Vaticano: LEV, 1998, 159–186.

<sup>93</sup> Cf. Navarrete, “Transexualismus et ordo canonicus,” 110.

<sup>94</sup> “At the present time there are those who, basing themselves on observations in the psychological order, have begun to judge indulgently, and even to excuse completely, homosexual relations between certain people. This they do in opposition to the constant teaching of the Magisterium and to the moral sense of the Christian people. A distinction is drawn, and it seems with some reason, between homosexuals whose tendency comes from a false education, from a lack of normal sexual development, from habit, from bad example, or from other similar causes, and *is transitory or at least not incurable*; and homosexuals who are definitively such

2005 Instruction), which suggests that it is possible to ordain a person who managed to deal with his less troublesome problem of a homosexual nature.<sup>95</sup>

Examining a specific case of a candidate afflicted with only a transitory problem of “homosexual tendencies” (according to the words of the Instruction)<sup>96</sup> and the answer to the question whether these tendencies and the immaturity connected with them were clearly overcome by the candidate (“at least three years before ordination to the diaconate”<sup>97</sup>) has to require significant deliberation and reliability on the side of all people that accompany the formation process with the diocesan bishop, who makes the final decision. These are sufficient reasons to understand the necessity to introduce, in the shape of premises, to the process of reaching the said decision not only anthropological and legal criteria, but also—and in an equal scope!—ecclesiological and legal criteria.

Priesthood is first of all a gift from God for the church, only later a gift for the called person. Indeed, on the one hand, it is not possible not to appreciate the fact that this sacrament in the personal dimension performs a crucial transformation in the ontological sphere of a baptized man (*bonum personae*).<sup>98</sup> On the other hand, it is worth to explicitly notice that what comes to the foreground is the truth that the sacramental character immanently carries key dimensions of realizing *salus animarum suprema lex*<sup>99</sup>: Christological, ecclesiastical, pastoral, and obviously legal (*bonum commune*).<sup>100</sup> The word of the Instruction from 2005 reflects this interrelation really well: “A vocation is a gift of divine grace, received through the Church, in the Church and for the service of the Church.”<sup>101</sup>

Taking into consideration the mentioned gift for a called man, it is the very church legislator who issues the clear indication, which concerns admittance to novitiate, which is related with the title matter: “Should the necessity arise,

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because of *some kind of innate instinct or a pathological constitution judged to be incurable.*” Sacred Congregation for the Doctrine of the Faith, “*Persona Humana*. Declaration on Certain Questions Concerning Sexual Ethics,” (December 29, 1975), accessed December 28, 2017, [http://www.vatican.va/roman\\_curia/congregations/cfaith/documents/rc\\_con\\_cfaith\\_doc\\_19751229\\_persona-humana\\_en.html](http://www.vatican.va/roman_curia/congregations/cfaith/documents/rc_con_cfaith_doc_19751229_persona-humana_en.html).

<sup>95</sup> On the margin let us notice that a different criterion is specified by the doctrine with reference to the capability of a person to enter into matrimony, namely the degree of sexual deviation intensity. Cf. Navarrete, “Transexualismus et ordo canonicus,” 110–111.

<sup>96</sup> Instruction 2005, n. 2.

<sup>97</sup> Instruction 2005, n. 2; *Ratio Fundamentalis* 2016, n. 200.

<sup>98</sup> CIC, can. 1024.

<sup>99</sup> Cf. CIC, can. 1752.

<sup>100</sup> Andrzej Pastwa, “The Law of the Church—The Law of Freedom,” in *Religious Freedom Today, Ecumeny and Law* 4 (2016): 110–119.

<sup>101</sup> Instruction 2005, n. 3. What emphasizes this truth even more comprehensively is the code norm: “By divine institution, the sacrament of orders establishes some among the Christian faithful as sacred ministers through an indelible character which marks them. They are consecrated and designated, each according to his grade, to nourish the people of God, fulfilling in the person of Christ the Head the functions of teaching, sanctifying, and governing.” CIC, can. 1008.

health, character and maturity can be examined also with the help of experts, observing can. 220.”<sup>102</sup> In connection with it—as the specialist in this subject matter Gianfranco Ghirlanda rightly notices—what absolutely should be included in the canon law diagnosis of the issue of homosexuality and priesthood is the context of elementary law norm: protection of own intimacy. “No one is permitted to harm illegitimately the good reputation which a person possesses, nor to injure the right of any person to protect his or her own privacy.”<sup>103</sup> Even if this clause is not present in the previously mentioned can. 241 (on admitting to seminary), nor in can. 1051, no. 1 (on the verification of virtues required from a candidate for the holy orders), it does not change the fact that—as the Italian canonist emphasizes<sup>104</sup>—in admitting/not admitting to seminary (and holy orders as well) of a man with homosexual inclination it is not possible to avoid the meaning of personal individual good protected in can. 220. However, according to the rules of exercising subjective laws included in can. 223 § 1, this individual good should be in agreement with: firstly, the common good of the church, secondly, the rights of others, and finally own duties towards other people.<sup>105</sup>

In turn, it means that in a reliable analysis of calling to priesthood and in the objective context in verifying the *abilitas et capacitas* of a candidate to enter a seminary or receive the holy orders, we should not disregard the three elementary canon law criteria:

1. *The common good of the church*—connects the anthropological dimension with the Christological and ecclesiological one and as such implies performing of pastoral service only (!) by a capable person: one who has a transparent sexual identity and sufficient affective maturity, as well as proper interpersonal relations with men and women.
2. *The rights of others*—in the discussed context, right of church communities and individual followers to have ministers capable of performing services of ministers of God’s mysteries (according to the norm of can. 276, n. 1<sup>106</sup>).
3. Among the *own duties* of a candidate what comes to the foreground is the duty concerning a candidate’s full cooperation within the project of seminary formation, realized in the essential cooperation with seminary tutors.<sup>107</sup>

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<sup>102</sup> CIC, can. 642.

<sup>103</sup> CIC, can. 220.

<sup>104</sup> Ghirlanda, “Aspetti canonici,” 431–435.

<sup>105</sup> CIC, can. 223 § 1: “In exercising their rights, the Christian faithful, both as individuals and gathered together in associations, must take into account the common good of the Church, the rights of others, and their own duties toward others.”

<sup>106</sup> CIC, can. 276 § 1: “In leading their lives, clerics are bound in a special way to pursue holiness since, having been consecrated to God by a new title in the reception of orders, they are dispensers of the mysteries of God in the service of His people.”

<sup>107</sup> PDV, n. 69; *Ratio Fundamentalis* 2016, n. 139; cf. Ghirlanda, “Aspetti canonici,” 436.

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Andrzej Pastwa

La transsexualité et l'homosexualité face à la prêtrise  
Remarques juridico-canoniques concernant les normes  
*Ratio Fundamentalis Institutionis Sacerdotalis*

Résumé

La réflexion scientifique, inspirée de la proclamation du nouveau *Ratio Fundamentalis*, est focalisée autour des questions : 1) admission/ refus d'admettre au séminaire, permission/refus de conférer l'ordination à une personne transsexuelle, 2) admission/ refus d'admettre au séminaire, permission/refus de conférer l'ordination à une personne homosexuelle. Il y a deux objectifs qui accompagnent l'analyse approfondie de ces questions. Premièrement, ce qui est crucial pour l'obtention des résultats crédibles de recherches, c'est l'affirmation des thèses de l'anthropologie adéquate qui exige que la transsexualité et l'homosexualité soient traitées comme les troubles de nature psychosexuelle. Deuxièmement, bien que le contexte plus proche des études indique le fond doctrinal décrit séparément pour chacun des phénomènes ci-mentionnés sous forme de

principes et de directives anthropologico-éthiques et théologico-ecclesiologiques inclus dans de nombreux textes du Magistère de l'Église, c'est surtout l'Instruction de la Congrégation pour l'Éducation catholique, document de sources datant de 2005, qui représente une valeur cognitive inestimable aussi bien par rapport à la transsexualité que l'homosexualité.

Mots-clés: transsexualité, homosexualité, prêtrise, anthropologie adéquate, normes canoniques CIC/1983, *Ratio Fundamentalis Institutionis Sacerdotalis*

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Transsessualità, omosessualità e sacerdozio  
Osservazioni giuridico-canoniche riguardanti le norme  
*Ratio Fundamentalis Institutionis Sacerdotalis*

Sommario

La riflessione accademica ispirata dalla pubblicazione della nuova *Ratio Fundamentalis*, è focalizzata intorno alla questione: (1) dell'accettazione/non accettazione al seminario, ammissione/non ammissione all'ordinazione di una persona transessuale, (2) accettazione/non accettazione al seminario, ammissione/non ammissione all'ordinazione di una persona omosessuale. Due premesse accompagnano l'esplorazione dettagliata di tali problematiche. Primo, è fondamentale per l'acquisizione di risultati attendibili della ricerca l'approvazione delle tesi dell'antropologia adeguata che impone di considerare la transessualità e l'omosessualità sotto il comune denominatore dei disturbi psicosessuali. Secondo, benché il contesto più prossimo agli studi definisca lo sfondo dottrinale tracciato separatamente per ciascuno dei fenomeni menzionati sotto forma di principi e linee guida antropologico-etici e teologico-ecclesiologici, contenuti nelle fonti più numerose del Magistero della Chiesa, è soprattutto un documento sorgente a presentare un inestimabile valore cognitivo, sia con riferimento alla transessualità, sia con riferimento all'omosessualità: l'Istruzione della Congregazione per l'Educazione Cattolica del 2005.

Parole chiave: transessualità, omosessualità, sacerdozio, antropologia adeguata, *norme canoniche CIC/1983, Ratio Fundamentalis Institutionis Sacerdotalis*





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# *Ratio Fundamentalis:* The Role of Specialists in Formation for Priesthood Reflection on Legal Issues

**Abstract:** In point 145 of *Ratio Fundamentalis Institutionis Sacerdotalis*, published on December 6, 2016, the ecclesiastical legislator states that various specialists may be invited to contribute to the formation of future priests, and in paragraph 176 of this document, it points out the need to introduce into the seminary subjects whose knowledge is required primarily because of the specific needs of the future pastoral service performed in the specific context of time and place. This article, by analyzing the two fundamental contexts in which priests perform their ministry, that is, the reality of parishes and schools, indicates those legal regulations whose knowledge may be helpful in the future pastoral work of candidates for priesthood. The article discusses the issues of personal data protection, the legal character of pastoral ministry and basic civil law issues related to the administration of church property, as well as the issue of responsibility and criminal law protection of the teacher-catechist.

**Keywords:** *Ratio Fundamentalis*, pastoral ministry, formation for priesthood, catechization, personal data protection

## Introduction

In *Ratio Fundamentalis Institutionis Sacerdotalis*,<sup>1</sup> a document on the formation of candidates for priesthood in seminaries, published on December 6, 2016, the church legislator emphasizes, among other things, the role of lay people and specialists in the process of formation of alumni. Section 145 of this document states that “different professionals may be invited to contribute to the formation of future priests, for example in the fields of medicine, pedagogy, arts, environmental issues, administration and use of the media.”

The phrase “for example” used in the above quote indicates that the area of knowledge helpful in the process of development of future priests is not set in stone, and, therefore, the circle of specialists referred to in this text is not exhaustive. One of such areas of knowledge, not mentioned directly but obviously helpful in the matter, is psychology, which is demonstrated by the “Recommendations Concerning the Use of Psychology in Admission and Formation of Candidates for Priesthood” published on October 30, 2008 by the Congregation for Catholic Education.<sup>2</sup> However, psychology is not the only area which is mentioned—indirectly—in this regulation. In Section 176 of *Ratio Fundamentalis*, the ecclesiastical legislator points out that it is necessary to introduce into the seminary formation such subjects whose knowledge is required, first of all, because of the specific needs of the future pastoral ministry performed in a specific context of time and place. Among such subjects *Ratio Fundamentalis* mentions, for example, the issue of administration of goods, stating in Section 180 that the seminarians should receive thorough formation concerning the administration of goods in order to do so in accordance with the requirements of the canon law and with appropriate competence, although, as noted in this point, such formation should also include basic elements of civil law, with attention paid to the parish priest’s specific duties.

Therefore, taking into account these assumptions and requirements regarding the formation of future priests, as well as the fact that Section 7 of the document under consideration of the ecclesiastical legislator emphasizes that candidates for priesthood must be properly prepared to “face the challenges of our time,” it is impossible not to ask the question whether this formation should also include elements of secular law. In other words, do seminarians in contemporary Poland need to know the secular law? By analyzing the two fundamental

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<sup>1</sup> Congregation for the Clergy, “Vocation for Priesthood. *Ratio Fundamentalis Institutionis Sacerdotalis*,” *L’Osservatore Romano*, The Vatican, December 8, 2016. Henceforth as *Ratio Fundamentalis*.

<sup>2</sup> For more on the role of psychology in formation to priesthood, see: Tomasz Gałkowski, “Wiedza psychologiczna w formacji kandydatów do kapłaństwa,” *Prawo Kanoniczne* 1–2 (2010): 41–59.

contexts in which priests carry out their ministry, that is, in the reality of the parish and of the school, this article attempts to answer this question.

## Legal Aspects of the Activities of a Parish

Entries in birth records kept at parishes provide valuable information on the social and legal status of the people mentioned in them. Because of the high credibility of parish birth records, data contained in them are the object of interest of not only the individuals mentioned in them or members of their families, but also other entities, such as courts of general jurisdiction in civil cases of acquisitive prescription. Courts increasingly often demand that parish priests provide them with information from their parish records concerning specific individuals, while at the same time instructing them that a refusal to provide such information is punishable under the law (Art. 251 of the Code of Civil Procedure<sup>3</sup>). In the context of such requests, it is worth knowing that the refusal to provide the requested information in such a case is not due to the parish priest's ill will, but rather to the fact that such a request is not supported by the applicable laws, in either the civil or canon law.

Even if the principle of independence and autonomy of the church and the state, stipulated in Art. 5 of the Concordat between the Holy See and the Republic of Poland of July 23, 1993<sup>4</sup> and Art. 2 of the Act on the Relations between the State and the Catholic Church,<sup>5</sup> is disregarded, it must be pointed out that then there are no regulations in the civil procedure that would obligate the Catholic Church to provide information about the faithful, including their PESEL numbers, marital status, the number of children or grandchildren. Pursuant to the Personal Data Protection Act of August 29, 1997,<sup>6</sup> providing such information without the consent of the person concerned is unacceptable on principle. Sensitive personal data, in particular information about one's religious beliefs, is processed in accordance with Art. 27.2.4 of the said Act, when it is necessary for the performance of the statutory obligations of the church, associations, foundations, and other non-profit religious organizations or institutions, provided that the data processed concern only members of such organizations or institutions or individuals who are in permanent contact with them in connection with their activities and that full guarantee of the protection of such personal data is provided.

<sup>3</sup> Code of Civil Procedure of November 17, 1964 (Journal of Laws of 2016, item 1822).

<sup>4</sup> Journal of Laws of 1998, No. 51, item 318.

<sup>5</sup> Journal of Laws of 1989, No. 29, item 154.

<sup>6</sup> Journal of Laws of 2016, item 922.

What is important in this respect, pursuant to Article 26 (2) of the aforementioned Act, processing of data for a purpose other than the one for which they were collected is permissible if it does not violate the rights or freedoms of the data subject and if it is carried out for the purposes of scientific, didactic, historical or statistical research, while observing the provisions of Articles 23 and 25 of this Act. Incidentally, it must be noted that—pursuant to Canon 486 § 2 of the Canon Law of 1983<sup>7</sup>—only a person concerned (or their representatives) can obtain an authentic transcript or copy of the document with their data.

While still on the issue of the personal data protection, it must be noted that this act is mentioned as the legal basis for deleting the personal data of people who want to withdraw from the Church from church registers. Such a request also has no legal basis because the information in church records is archived under regulations other than the Personal Data Protection Act, namely, from the norms of the Church law. In Canon 535 of CCL, the ecclesiastical legislator expressly indicates the need for keeping information on the church's activities permanently and for safeguarding it properly. The fact of withdrawing from the church is recorded in the book of baptism. However, it must be added that whenever the register contains a wrong address, name or telephone number, the data controller, for example, the parish priest, is obliged to correct them (Art. 35.1 of the Personal Data Protection Act), as well as to provide missing data.<sup>8</sup> It is noteworthy that the parish priest must not provide data on couples who intend to get married to third-party service providers, that is, photographers, wedding dress salons or flower shops. The parish priest may not share the data obtained in order to give the sacrament for other purposes with third parties. According to Art. 36, the data controller is obliged to protect the data against unauthorized access, access by an unauthorized person or processing in violation of the Act.<sup>9</sup>

Another issue which is closely connected with the pastoral ministry in the parish is the issue which can be reduced to the question whether such ministry performed by the clergy has typical features of employment as understood by the Polish law. According to the Labor Code of June 26, 1974,<sup>10</sup> the inherent characteristics of an employment relationship include the fact that an employee undertakes to perform a specific type of work for the employer and to submit to the employer (with respect to the time, place, method of employment) and the employer to employ the employee in return for remuneration (Art. 22 § 1

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<sup>7</sup> *Codex Iuris Canonici. Auctoritate Ioannis Pauli PP. II promulgatus. Code of Canon Law Translation into Polish authorised by the Polish Episcopate* (Pallottinum, 1984). Henceforth as CCL.

<sup>8</sup> Personal Data Protection in the Activities of the Catholic Church in Poland. Instruction prepared by the Inspector General for Personal Data Protection and by the Secretariat for the Polish Episcopate, [http://www.giodo.gov.pl/data/filemanager\\_pl/wsp\\_krajowa/KEP.pdf](http://www.giodo.gov.pl/data/filemanager_pl/wsp_krajowa/KEP.pdf), accessed October 20, 2017.

<sup>9</sup> Personal Data Protection in the Activities of the Catholic Church in Poland.

<sup>10</sup> Journal of Laws of 2016, item 1666. Henceforth as LC.

of LC). The Labor Code provides only for performance of work in return for remuneration.<sup>11</sup> And the work must be performed in person, that is, an employee cannot have their duty fulfilled by another person. The absence of the absolute obligation to perform work in person excludes the qualification of a legal relation as a contract of labor.<sup>12</sup> A contract of labor can be concluded and conditions of work and pay can be agreed upon only if there is consensus of both parties concerning the matter. And this relation can be terminated—in principle—on the basis of the freedom of entering into and terminating agreements.

The activities performed by a parish priest and a vicar in a parish do not have the features specific to normal work relationships.<sup>13</sup> First of all, they cannot be regarded as having an “employer” who—for the work they do in the parish—pays them an agreed “salary.” Although the parish priest and vicar are ordered by the bishop’s decree to work in a certain parish, it is not the bishop who pays them for their pastoral ministry. They also do not receive any remuneration from the parish (understood as a legal person), but they are living off the voluntary donations of the faithful and are therefore “financed” by an entity which has no connection with their “employment.” It is obvious that neither the bishop nor any ecclesiastical legal entity (parish) makes parishioners pay the salary of their priests and that this issue is not subject to any regulation between the bishop and the faithful living in a parish.<sup>14</sup>

Priests working in the parish undoubtedly submit to the authority of their bishop; however, it is not the work in the parish that is the basis for such submission, but it results from the fact of being ordained and its legal basis is defined in the Code of Canon Law (the obligation to obey the bishop is stipulated in canon 273 of CCL, and the consequences of failure to comply with this requirement are penalised by canon 1371 n. 2 of CCL). By the way, it should be noted that priests are subordinate to the bishop even when they cease to perform any function in the parish.<sup>15</sup>

The pastoral ministry of priests performing the functions of parish priests and vicars, analyzed on a broad level of obligation relationships, contains features so specific that it cannot be placed in any type of contract. This specificity seems to be clearly perceived by the Polish legislator, emphasizing its distinctiveness in the key legal and social areas, that is, insurance and tax matters. Therefore, the thesis has been rightly proposed in the doctrine that the ministry

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<sup>11</sup> See: Andrzej Marian Świątkowski, *Kodeks pracy. Komentarz* (Warszawa: C. H. Beck, 2006), 96.

<sup>12</sup> See: The Verdict of the Supreme Court of October 28, 1998, Judicial Decisions of the Supreme Court 1999 vol. 4, item 775.

<sup>13</sup> Lucjan Świto, “Charakter prawny posługi duszpasterskiej proboszczów i wikariuszy w parafiach rzymskokatolickich w świetle prawa polskiego.” *Seminare* 27 (2010): 43.

<sup>14</sup> Świto, “Charakter prawny posługi duszpasterskiej proboszczów,” 43.

<sup>15</sup> Świto, “Charakter prawny posługi duszpasterskiej proboszczów,” 44.

of the clergy, as seen through the lay law, should be regarded as *contractus in-nominatus* (an unnamed contract).<sup>16</sup>

In regard to the issue brought up in the Introduction concerning the management of church assets, it is also stressed in the theology of worldly goods discussed in the teachings of Vatican II that the church's worldly goods have a clearly defined purpose: they should provide "a space necessary for the autonomy"<sup>17</sup> and for pursuing the objectives of the church. The church must use them, according to the diversity of times and conditions, as a means of carrying out the mission specific to the church,<sup>18</sup> and use them to "worship God with dignity, to ensure the proper support of the clergy, as well as to carry out the works of the holy apostolate or charity, especially for the needy."<sup>19</sup>

In the Catholic Church, the principles concerning the administration of church's property are defined by the norms of the CCL and, in relation to institutes of consecrated life, monastic law and *ius proprium*,<sup>20</sup> while—which is worth stressing—the canon law provides for clear restrictions regarding the administration of church's property, which are contained primarily in the provisions concerning alienation. According to canons 1291 and 638 § 3 of CCL, for an act of alienation to be valid, a consent of a competent entity must be obtained. The problem is that the alienation regulations, concerning the requirement to obtain consent from competent entities for the alienation activities to be valid, do not have their direct counterpart in the Polish law. Such restrictions, which are regarded as restrictions in the representation of ecclesiastical entities, are not provided for *expressis verbis* in civil law. The commonly binding regulations do not contain provisions which would make the civil-law effectiveness of actions performed by church legal persons dependent on their canon-law effectiveness, and there is no norm which would require the approval of the competent ecclesiastical authority to trade in church property. Therefore, whether the internal norms binding within the organizational structure of the Catholic Church may influence the validity of legal acts related to the management of church property under Polish law is a controversial issue for both practitioners and theorists of law. When analyzing the subject matter in question in regard to the effect in the civil law order caused by a legal act concerning the trade in church property

<sup>16</sup> Świto, "Charakter prawny posługi duszpasterskiej proboszczów," 49–50.

<sup>17</sup> The Second Vatican Council, Pastoral Constitution *Gaudium et Spes*, n. 69, in *Sobór Watykański II. Konstytucje. Dekrety. Deklaracje* (Poznań: Pallottinum, 1968).

<sup>18</sup> The Second Vatican Council, Pastoral Constitution *Gaudium et Spes*, n. 76.

<sup>19</sup> The Second Vatican Council, Pastoral Constitution *Gaudium et Spes*, n. 17.

<sup>20</sup> Monastic law is the name of the law applicable to institutes of consecrated life, which by tradition is separated from the canon law (cann. 573–730 CIC), but which is its integral part. Elio Gambari, *Życie zakonne po Soborze Watykańskim II* (Kraków: Wydawnictwo oo. Karmelitów Bosych, 1999), 76–92; Julian Kałowski, "Konstytucje i inne zbiory prawne instytutów życia konsekrowanego według Kodeksu Prawa Kanonicznego z 1983 r.," *Prawo Kanoniczne* 3–4 (1989): 21–41.

performed in violation of the canon law, the Supreme Court reached conclusions that were totally contradictory; however, the Supreme Court's position has been consistent for years, that when assessing the validity of such an action, the norms of the internal law of the Church must be taken into account.<sup>21</sup>

## Legal Protection and Liability of a Teacher-Catechist

According to Art. 63 of the Teacher's Charter of January 26, 1982,<sup>22</sup> during and in connection with performing their professional duties, teachers enjoy the same protection as other public officials. However, teachers (including priests-catechists) often fail to respond to violence at school, including violence to which they fall victim themselves, because they do not feel competent to take action against people who behave aggressively and do not have the right discernment (apart from obvious situations) as to whether or not a given behavior is a violation of the law.<sup>23</sup> They also do not know exactly what is the essence of the protection that the public officials are entitled to, what is its scope, or even what this term means. It should be emphasized here that although the terms "public official" and "person performing a public function" may in the common understanding be regarded as synonymous, they are not understood as such by the criminal law. Each public official performs a public function; however, not every person performing a public function is a public official. Enjoying "the same" protection as a public official is not tantamount to "being" one and it does not imply such a status,<sup>24</sup> which has been clearly established in the judicature<sup>25</sup> and in the doctrine.<sup>26</sup>

<sup>21</sup> For more see: Małgorzata Tomkiewicz, *Obrót majątkiem kościoła rzymskokatolickiego w Polsce* (Olsztyn: SQL, 2013), 131–213.

<sup>22</sup> Journal of Laws of 2017, item 1189.

<sup>23</sup> For more see: Irena Srokosz, "Nauczyciel wobec agresji uczniowskiej w ocenie studentów kierunków pedagogicznych i nauczycieli," *Przegląd Naukowo-Metodyczny. Edukacja dla Bezpieczeństwa* 1 (2008): 40–47; Aleksandra Kinga Nowakowska, "Zachowania nauczycieli wobec agresji w szkole i ich przyczyny," in *Agresja w szkole, spojrzenie wieloaspektowe*, edited by Andrzej Rejzner (Warszawa: Wyższa Szkoła Pedagogiczna TWP, 2004), 163–165.

<sup>24</sup> Piotr Duksa and Małgorzata Tomkiewicz, "Nauczyciel funkcjonariuszem publicznym? Zakres ochrony i odpowiedzialności nauczycieli w polskim prawie karnym," *Studia Warmińskie* 48 (2011): 228.

<sup>25</sup> This position was taken by the Supreme Court in the sentence on 27.11.2000 in the case WKN 27/00 (OSNKW 2001 r., z. 3–4, poz. 21) and in the decision of 8.12.2004 in the case IV KK 126/04 (OSNKW 2005 r., z. 1, poz. 9).

<sup>26</sup> See: Robert Zawłocki, Comment on Art. 115 § 19, *Kodeks Karny. Komentarz*, edited by Michał Królikowski and Robert Zawłocki (Warszawa: C. H. Beck, 2010), 987; Jarosław Majewski,

Teachers (with a few exceptions, which include teachers working in government administration or in disciplinary bodies) are not public officials; however, all those performing teaching duties (educational and caring duties) perform public functions. They carry out public activities, and their rights and obligations in the scope of such activities are defined and recognized by law. The thesis that performing teaching duties is a “public activity” in the sense indicated above fully corresponds to the definition that the public service is “[...] an—in a sense—institutionalized activity, whose aim is to carry out public duties (i.e., those relating to the general public) and which exerts, or at least has the potential to exert, an effect in the public sphere.”<sup>27</sup> The implementation of the process of education in its broad sense, both in public and non-public institutions, is clearly the fulfillment of one of the constitutional tasks of the state<sup>28</sup> and is based on provisions of such acts as the System of Education Act<sup>29</sup> of September 7, 1991 and the Higher Education Act.<sup>30</sup>

The protection afforded to public officials means that the following provisions apply to teachers: on the violation of the personal inviolability of a public official (Article 222 § 1 of the Criminal Code),<sup>31</sup> assaulting a public official (Article 223 of the Criminal Code),<sup>32</sup> forcing to undertake or to abstain from a legal action (Article 224 § 1 and 2 of the Criminal Code)<sup>33</sup> and insulting a public official (Article 226 § 1 of the Criminal Code).<sup>34</sup> In addition to the protection which is reserved for public officials, teachers also enjoy those forms of protection which are available to the general public, for example, they can defend their

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Comment on Art. 119 § 13, *Kodeks Karny. Komentarz*, edited by Andrzej Zoll (Warszawa: Wolters Kluwer, 2010), 1216; Marek Mozgawa, Comment on Art. 115 § 13, *Kodeks Karny. Praktyczny komentarz*, edited by Marek Mozgawa (Warszawa: Wolters Kluwer, 2010), 245.

<sup>27</sup> Majewski, *Kodeks*, 1242.

<sup>28</sup> Art. 70 of the Constitution of the Republic of Poland of April 2, 1997.

<sup>29</sup> Journal of Laws of 2004, item 2572.

<sup>30</sup> This thesis was applied to academic teachers by the Supreme Court in its ruling of 25.06.2004 in the case ref. no. VKK 74/04.

<sup>31</sup> The Act of June 6, 1997, Journal of Laws of 1997, item 1137. Henceforth as CC (Criminal Code), 222 § 1: “Whoever violates the personal inviolability of a public official, or a person called upon to assist him, or in connection with the performance of official duties shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 3 years.”

<sup>32</sup> “Whoever, acting jointly and in co-operation with other persons, or using a firearm, knife or other similarly dangerous item or forceful means, commits an active assault on a public functionary or a person called upon to assist him, during or in connection with the performance of official duties shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years.”

<sup>33</sup> “Whoever, by using violence or an unlawful threat, affects the official acts of a government authority, other public authority or local government shall be subject to the penalty of deprivation of liberty for up to 3 years.”

<sup>34</sup> “Whoever insults a public official or a person called upon to assist him, in the course of and in connection with the performance of official duties shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to one year.”

good name against defamation (art. 212 § 1 and 2 of the Criminal Code).<sup>35</sup> This protection “during or in connection with the performance of official duties” is not limited only to teacher-pupil relationships. Teachers are protected both if their personal interests and rights were violated by students and if others, such as parents, were involved.<sup>36</sup>

The statement that teachers are subject to legal protection to which public officials are entitled is apparently one understandable on the linguistic level and obvious. However, on closer examination, this definition raises fundamental questions of interpretation. The wording of Article 63 of the Teacher’s Charter means that the protection provided for public officials is afforded to those teachers to whom the provisions of the Teacher’s Charter apply in their entirety and to those to whom the Act applies partly. It should be noted that the applicability of the provisions of the Teacher’s Charter to teachers employed at schools and other educational institutions run by churches and other religious associations is subject to separate regulations. With respect to the Catholic Church, such a standard is contained in Article 21 (2) of the Act on the Relations between the State and the Catholic Church in Poland of May 17, 1989,<sup>37</sup> which states that teachers and educators employed at schools and other educational institutions, as well as nursing and caring institutions run by ecclesiastical legal persons, and also lay teachers in lower seminaries, shall be subject to the rights and obligations established for teachers and educators employed at state-run schools and other educational and caring institutions.<sup>38</sup> However, such a principle does not

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<sup>35</sup> “Whoever imputes to another person, a group of persons, an institution or organisational unit not having the status of a legal person, such conduct, or characteristics that may discredit them in the face of public opinion or result in a loss of confidence necessary for a given position, occupation or type to activity shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to one year. If the perpetrator commits the act specified in § 1 through the mass media, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years” (art. 212 § 2 CC).

<sup>36</sup> Duksa and Tomkiewicz, *Nauczyciel*, 232–234.

<sup>37</sup> Journal of Laws of 1989, item 154.

<sup>38</sup> Similar regulations to the one presented here are also in the acts applicable to other churches: Art. 14.2 of the Act on Relations between the State and the Pentacostal Church in Poland of 20.02.1997 (Journal of Laws of 1997, No. 41, item 254); Art. 11.2 of the Act on Relations between the State and the Old-Catholic Mariavite Church in Poland of 20.02.1997 (Journal of Laws of 1997, No. 41, item 253); Art. 11.2 of the Act on Relations between the State and the Catholic Mariavite Church in Poland of 20.02.1997 (Journal of Laws of 1997, No. 41, item 252); Art. 11.2 of the Act on Relations between the State and the Polish Catholic Church in Poland of 30.06.1995 (Journal of Laws of 1995, No. 97, item 482); Art. 13.2 of the Act on Relations between the State and the Seventh-day Adventist Church of 30.06.1995 (Journal of Laws of 1995, No. 97, item 481); Art. 13.2 of the Act on Relations between the State and the Baptist Union of Poland of 30.06.1995 (Journal of Laws of 1995, No. 97, item 480); Art. 14.2 of the Act on Relations between the State and the Evangelical Methodist Church in Poland of 30.06.1995 (Journal of Laws of 1995, No. 97, item 479); Art. 17 of the Act on Relations between the State and the

seem to apply to teachers and educators employed at non-public kindergartens, non-public institutions operating under regulations on the educational system and non-public institutions operating under the regulations on social welfare, run by church legal entities.<sup>39</sup>

Therefore, this leads one to the conclusion that not everybody performing the profession of a teacher enjoys the protection provided for in Art. 63 of the Teacher's Charter, only those to whom the Charter is applicable, directly and indirectly, and to whom it guarantees such protection. Excluded from such protection provided for in Art. 63 of the Teacher's Charter are groups of teachers to whom the Teacher's Charter does not apply, that is, teachers employed at non-public schools, which do not have the same rights as public schools.<sup>40</sup>

When it comes to the criminal responsibility of teachers, it must be said that it is broader than that of an average citizen because teachers perform public functions. They also bear criminal responsibility in connection with offences committed when performing their public duties, that is, they can be guilty of venality (art. 228 § 1–4 of PC),<sup>41</sup> exceeding their authority (art. 231 § 1–2 of PC),<sup>42</sup> disclosing an official secret (art. 266 § 2 of PC),<sup>43</sup> attestation of an untruth

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Evangelical Church of the Augsburg Confession in Poland (Journal of Laws of 1994, No. 73, item 323); Art. 17 of the Act on Relations between the State and the Polish Autocephalous Orthodox Church of 4.07.1991 (Journal of Laws of 1991, No. 66, item 287).

<sup>39</sup> According to the Regulation of the Minister of Education and Sport of November 19, 2002 on detailed scope of authority and responsibilities of teachers and tutors employed at non-public kindergartens and non-public facilities run by church legal entities (Journal of Laws of 2002, No. 204, item 1722) issued under Art. 21.2 of the Act on the Relations between the State and the Roman Catholic Church in the Republic of Poland, certain provisions of the Teacher's Charter apply to this group, but these provisions do not include Art. 63 of the Act.

<sup>40</sup> Duksa and Tomkiewicz, *Nauczyciel*, 234–235.

<sup>41</sup> “Whoever, in connection with the performance of a public function accepts a material or personal benefit or a promise thereof, or demands such a benefit shall be subject to the penalty of deprivation of liberty for a term of between 6 months and 8 years. Whoever, in connection with the performance of a public function accepts a material or personal benefit or a promise thereof for an act which is a violation of law shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years” (art. 228 § 3 of PC). The penalty specified above shall also be imposed on anyone who, in connection with his official capacity, makes the performance of his official duties conditional upon receiving a material benefit (art. 228 § 4 of PC).

<sup>42</sup> “A public official who, exceeding his authority, or not performing his duty, acts to the detriment of a public or individual interest, shall be subject to the penalty of deprivation of liberty for up to 3 years. If the perpetrator commits the act specified above with the purpose of obtaining a material or personal benefit, he shall be subject to the penalty of deprivation of liberty for a term of between 1 and 10 years” (art. 231 § 2 of PC).

<sup>43</sup> “A public official who discloses to an unauthorised person information which is a business secret or information which he has obtained in connection with the performance of his official duties and whose disclosure may endanger the legally protected interest, shall be subject to the penalty of deprivation of liberty for up to 3 years.”

(art. 271 § 1 and 3 of PC)<sup>44</sup> and sexual abuse of a minor, including abusing their trust, or of the relation of dependence (art. 199 § 1–3 of PC).<sup>45</sup>

In the latter aspect of responsibility, it should be noted that over recent years the Church has taken a whole series of multifaceted remedial measures aimed at both combating paedophilia and protecting its victims, while clearly declaring its willingness to cooperate with the secular authorities in prosecuting this type of crime. The need to take appropriate measures to prevent sexual exploitation of minors has also been recognised during the education and formation of future priests. *Ratio Fundamentalis* discusses this issue in the subchapter entitled “Protecting Minors and Assisting Victims” which is part of Chapter VIII (letter d). In Section 202 of the Act, the ecclesiastical legislator clearly states that “[...] both the initial and permanent formative syllabus should include specific classes, seminars and courses on protecting minors. Appropriate information should be provided, including possible abuse and violence, such as trafficking in minors, child labour and sexual exploitation of minors as well as adult and vulnerable people.”

Point 19 of the “Guidelines for the Preliminary Canonical Investigation in the Case of the Clergy Being Accused of Deeds against the Sixth Commandment with a Minor under the Age of Eighteen” of the Polish Episcopate of 2017 also emphasized that in order to prevent the abuses referred to in this document, it is necessary to take care of the proper formation of clergy and candidates for priesthood, in accordance with the principles contained in Annex III, entitled “Principles of Formation and Prevention.” Article 3 of the Annex states explicitly that candidates for the priesthood or monastic life should be given the necessary knowledge of responsibility, in the church and state, for crimes against the sixth Commandment, in particular those committed with minors. Importantly, this document also indicates that, during the formative period, alumni should also acquire the necessary knowledge of valid procedures in the common law and by-laws with regard to contact with victims of sexual abuse committed by clergy.<sup>46</sup>

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<sup>44</sup> “A public official or other person authorised to issue a document, who certifies an untruth therein, with regard to a circumstance having a legal significance shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years. If the perpetrator commits the act specified above in order to gain material or personal benefit, he shall be subject to the penalty of deprivation of liberty for a term of between 6 months and 8 years” (art. 271 § 3 of PC).

<sup>45</sup> “Whoever, abusing a relationship of dependence or by taking advantage of a critical situation, subjects another person to sexual intercourse or makes him/her submit to another sexual act or to perform such an act shall be subject to the penalty of deprivation of liberty for up to 3 years. If the act referred to in § 1 was committed to the detriment of a minor, the perpetrator shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years” (art. 199 § 2 of PC). The punishment referred to in § 2 shall be imposed on anyone who subjects a minor to sexual intercourse or makes him/her submit to another sexual act, by abusing trust or in return for a material or personal benefit or a promise of such benefit.

<sup>46</sup> This text was adopted during the 366th Plenary Session of the Conference of the Polish Episcopate, which was held in Warsaw on October 7–8, 2014.

The need for introducing knowledge in the seminary formation in the area of the aforementioned secular law is also emphasized in another annex to those “Guidelines,” namely, the document entitled “Prevention of Sexual Abuses against Children and Youth and Persons with Disabilities in the Pastoral and Educational Work of the Church in Poland.” In Article 5.1, the ecclesiastical legislator once again pointed out that prevention requires, among other things, appropriate formation of priests and those preparing for the priesthood, and in Article 15.6 it was made clear that effective prevention of sexual abuse requires that responsible personnel at all levels of responsibility be adequately trained in knowledge of criminal offences, including current civil and ecclesiastical legislation and related procedures. In order to reinforce the importance and relevance of this obligation, point 17 even stated that the implementation of the training courses listed in point 15 should be monitored at the national level and at the level of coordinators of individual ecclesiastical organizational units.<sup>47</sup>

## Conclusion

The current *Ratio Fundamentalis* does not mention secular law either as a theological and philosophical subject or as a subject directly serving the priesthood. Even in the current principles of priesthood formation in Poland, such a subject was not included in the curriculum of seminaries.<sup>48</sup> However, it does not result from the above regulations that there are no reasons in the current legal situation to introduce such a subject or formal grounds which could legitimize such a change. Knowledge of the elementary norms of law regarding the current problems that a priest may encounter in his ministry in a parish or school, such as personal data protection, administration of church property or criminal responsibility in the teaching process, seems to be helpful in this ministry.

Publication of a new *Ratio Fundamentalis* implies the development by Conferences of Bishops of new *Ratio* at national levels which, in turn, provides an opportunity for a new look at *Ordo Studiorum*, that is, a list of subjects provided for in the intellectual formation at every formative stage, taking into account the formative tradition and country-specific ministerial needs.

<sup>47</sup> This text was adopted during the 365th Plenary Session of the Conference of the Polish Episcopate, which was held in Warsaw on June 10–11, 2014.

<sup>48</sup> This formation was defined in *Ratio Institutionis Sacerdotalis pro Polonia. Zasady formacji kapłańskiej w Polsce* and *Ratio Studiorum. Program studiów w wyższych seminariach duchownych w Polsce*—published together as: *Ratio Institutionis Sacerdotalis pro Polonia. Zasady formacji kapłańskiej w Polsce*, Biblioteka Niedzieli, tom 78 (Częstochowa: Kuria Metropolitalna w Częstochowie, 1999).

It is not a question of educating specialists in law during the period of priesthood formation, but—while making due allowance—of giving the clerics appropriate knowledge in this field too.

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Małgorzata Tomkiewicz

*Ratio Fundamentalis*: rôle des spécialistes et des personnes séculières  
dans la formation à la prêtrise.  
Réflexion sur les questions juridiques

Résumé

Dans le point 145 de *Ratio Fundamentalis Institutionis Sacerdotalis*, publié le 6 décembre 2016, le législateur d'Église constate que différents spécialistes peuvent être invités à apporter leur contribution à la formation de futurs prêtres, et, dans le point 176 du même document, il indique la nécessité d'introduire dans la formation de séminaire de telles matières dont la connaissance est requise avant tout en raison des besoins spécifiques de la future activité pastorale, réalisée dans un contexte concret du temps et du lieu. Cet article – à l'aide de l'analyse de deux contextes fondamentaux dans lesquels les prêtres réalisent leur service, c'est-à-dire la réalité de la paroisse et de l'école – indique ces réglementations juridiques dont la connaissance peut être utile dans le futur travail pastoral des candidats à la prêtrise. Dans l'article, on aborde la problématique de la protection des données personnelles, du caractère juridique de l'activité pastorale ainsi que des problèmes essentiels de nature civile et juridique liés à la gestion des biens appartenant à l'Église, mais aussi la question de la responsabilité et la protection pénale et juridique de l'enseignant-catéchète.

Mots-clés: *Ratio Fundamentalis*, activité pastorale, formation à la prêtrise, catéchisation, protection des données personnelles

Małgorzata Tomkiewicz

*Ratio Fundamentalis*: il ruolo degli specialisti e delle persone laiche  
nella formazione al sacerdozio.  
Riflessione su questioni giuridiche

Sommario

Nel punto 145 della *Ratio Fundamentalis Institutionis Sacerdotalis*, pubblicata il 6 dicembre 2016, il legislatore ecclesiastico afferma che vari specialisti possono essere invitati a contribuire alla formazione dei futuri sacerdoti mentre nel punto 176 di tale documento indica la necessità di inserimento nella formazione seminaristica di materie la cui conoscenza è richiesta soprattutto dalle esigenze specifiche del futuro ministero pastorale, da esercitarsi in un contesto concreto e in un'epoca precisa. Tale articolo, attraverso l'analisi di due contesti essenziali nei quali i sacerdoti realizzano il proprio ministero ossia nella realtà della parrocchia e della scuola, indica le norme giuridiche la cui conoscenza può essere utile nella futura attività pastorale dei candidati al sacerdozio. Nell'articolo vengono sollevati la problematica della protezione dei dati personali, della natura giuridica del ministero pastorale ed i problemi fondamentali giuridici legati al diritto civile relativi alla gestione dei beni ecclesiastici ed inoltre la problematica della responsabilità e della tutela giuridica penale dell'insegnante-catechista.

Parole chiave: *Ratio Fundamentalis*, ministero pastorale, formazione al sacerdozio, catechesi, protezione dei dati personali



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# Church Schools and Religious Instruction in the Czech and Slovak Republics

**Abstract:** This paper gives a clear view of the historical development of church schools, faculties of theology, and religious education in the territory of the present Czech Republic and the Slovak Republic. The comparison of developments in both countries makes it possible to see far more clearly not only the present situation, but also the historical tradition in these three areas, where there have been alternate periods of divergent development and the same development in these lands. This makes it possible to see not only the present in a brighter light, but also the tendency of future development, especially reflected strongly in the relationship between religious teaching in schools and catechesis.

**Keywords:** religious freedom, churches and religious societies, schools, church schools, faculties of theology, religious education, catechesis, bishops' conferences

## Introduction

It is beautiful that unexpected things happen in life. During the 4th International Conference on Philosophy and Canon Law, held in Prešov in November 2017, my task was to present an overview lecture on the situation of church schools and on religious instruction in the Czech Republic. However, a planned lecture on the same topic regarding the Slovak Republic did not take place, and I was therefore asked to prepare a written contribution presenting the situation in both countries.

This, in my view, has proved to be a very lucky solution. It has led me not only to expand my own horizons, but also to learn how the history of the situation in this area has coincided or differed in these two territories.

I have therefore included in my contribution more on the historical development: on the one hand, because the current situation is never sufficiently understandable without knowledge of the past, but above all, it has shown the alternation of periods of different and of consistent development. Thus, in the period of the great Austrian monarchy, joined by the personal union with the Kingdom of Hungary, were the attempts for partial unification despite existing differences, then a period of considerable diversification followed after the Austro-Hungarian settlement of 1867. The nascence of the Czechoslovak Republic at the end of 1918 led to the beginning of the period of unification of two different legal and factual situations—this effort, however, was interrupted in the period of World War II in 1939–1945. The renewal of the Czechoslovak state brought a time of re-unification, especially since 1948, when the Communist regime took over the leadership of the state; its hegemonic power was slightly weakened at the time of the Prague Spring in 1968, during which the two-state federalization of the state was realized (the Czech Socialist Republic and the Slovak Socialist Republic), but this has almost never been manifested in the issues we are examining. The period of diversification took place again by splitting the Czechoslovak federation into two separate states in 1993. This historical line will intersect with all the chapters of this paper.

The first chapter is devoted to the theme of church schools, not only Catholic ones. Similarly, the second chapter deals fully with the theological faculties of all churches and ecclesial societies. The third chapter is devoted to the widespread question of religious instruction, in public, private, and church schools; the paper is then concluded with a brief look at the strategy of bishops' conferences in both countries.

## Church Schools

The status of church schools in the Czech lands and Slovakia has undergone quite significant changes. The same common situation was only during the majority of the time of the Czechoslovak state, and in other periods the situation was different—this is true for the present time.

## Church Schools in 1918–1938

After the establishment of the Czechoslovak Republic in the year 1918, the existing legal order of Austria-Hungary was retained in Czechoslovakia, namely, in the Czech lands the Austrian system and in Slovakia—the Hungarian one.<sup>1</sup>

Church schools were considered as private, some of them having the “right of the public,” that is, their reports were acknowledged by the state, while others were without this prerogative. The new state endeavored to ensure that as many schools as possible met the stricter conditions of the law, and, since 1919, private schools have been allowed to be established only with the “right of the public.”<sup>2</sup>

Subsequent Czechoslovak legislation led to the unification of the legal status of church schools. On the other hand, there were large differences between the Czech lands and Slovakia regarding the number and importance of church schools. In the Czech lands, private schools, however, were only a rather small minority, being mostly church schools, largely established and led by Catholic religious congregations established in the 19th century.<sup>3</sup> In Slovakia, one large change is to be considered: shortly before 1914, the prevalent majority of schools, that is, more than 90%, were Hungarian (only about 2% were Slovak schools, all of them church schools), and there were no Slovak secondary schools or high schools. In the interwar period, education was led predominantly in the Slovak language and the majority of primary and secondary schools were ecclesiastical ones, but many secondary church schools became state schools in this period, especially due to financial reasons. In 1938, the majority of secondary schools in Slovakia were state schools.<sup>4</sup>

On the other hand, there was no tradition of church universities and other high schools in Austria-Hungary since the abolition of the Jesuits in the 18th century; therefore, they were not founded after the establishment of Czechoslovakia.

## World War II and Its Consequences

In the period of World War II and until 1948, the evolution of Czech and Slovak schools was very different.

There were many limitations in the Protectorate of Bohemia and Moravia: liquidation of Czech high schools in 1939, germanization of Czech schools, and

<sup>1</sup> Act No. 11/1918 Coll., on the establishment of the independent Czechoslovak state, Art. 2.

<sup>2</sup> Act No. 189/1919 Coll., on national schools and on private institutions of instruction and education, § 11.

<sup>3</sup> Zábaj Horák, *Církyve a české školství* [Churches and Czech Schools] (Praha: Grada, 2011), 28–33.

<sup>4</sup> Peter Orendáč, *Špecifická práca učiteľa v cirkevnej škole* [Specifics of Teacher's Work in Church Schools] (Bratislava: Metodicko-pedagogické centrum, 2015), 11.

the abolishment of many Czech schools, including the church ones. In the Slovak State, on the contrary, new schools were established, above all Catholic schools, which were preferred among church schools.<sup>5</sup>

After World War II, the political situation changed in Czechoslovakia, and there was a period of limited democracy. Within the post-war retaliation, all German and Hungarian schools were abolished in Czechoslovakia. Church schools were re-established, but only in the Czech lands. On the contrary, all church schools in Slovakia (1,800 basic schools and 88 secondary and higher schools) were abolished in May 1945 and their property was nationalized in August 1945.<sup>6</sup>

## Liquidation of the Remaining Church Schools by the Communist Regime until 1950

Immediately after the Communist Party took power in February 1948, the state commissioners were deployed to church schools in Czech lands. Of great significance was Act No. 95/1948 Coll., on the basic regulation of unified schools, effective from September 1, 1948, whose § 4 expressly stipulated that all schools are state-owned, while leaving the possibility of laying down exceptions by a special law; but such laws were never issued.

All church schools were closed until the end of 1950. This evolution was aided by the violent abolition of male monasteries in the spring of 1950 and the great part of women's monasteries in the autumn of 1950 (without legal basis) connected with the liquidation of their schools.<sup>7</sup>

By such steps, the legal and practical situation of church schools was unified in the Czech lands and in Slovakia. This situation remained for a long period, until 1990.

## Re-establishment of Church Schools in 1990–1992

The renewal of church education took place in 1990, first by preparatory work, then by the inception of teaching in September 1990. A great amount of work was carried out by the Headquarters of Christian Schools in Prague from January to June 1990, which, in cooperation with ecclesiastical authorities, provided

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<sup>5</sup> Horák, *Církev a české školství*, 43–46.

<sup>6</sup> Regulation of Slovak National Council No. 34/1945 Coll., on the nationalization of schools in Slovakia, Regulation of Slovak National Council No. 47/1945 Coll., on the nationalization of property of nationalized schools in Slovakia. See also: Horák, *Církev a české školství*, 47–49; Orendáč, *Špecifická práce učitele v církevní škole*, 11.

<sup>7</sup> Horák, *Církev a české školství*, 50–53.

expert opinions and legislative proposals to the state authorities. The result of this effort was Act No. 171/1990 Coll., on the novelization of the School Act. These changes were confirmed by an amendment to the Czechoslovak Constitution and by another amendment to the School Act, both in 1990.

Subsequently, they were embedded in the Charter of Fundamental Rights and Freedoms No. 23/1991 Coll. and in Act No. 308/1991 Coll., on the freedom of religious belief and on the status of churches and religious communities, both adopted in 1991. The legislative process was completed by an Ordinance of the Ministry of Education, Youth and Sports and of the Ministry of Health No. 452/1991 Coll., on the establishment and activities of church schools and of schools of religious societies.<sup>8</sup>

## Recent Evolution of Church Schools in the Czech Republic since 1993

After the split of Czechoslovakia and the establishment of two independent states, the Czech Republic and the Slovak Republic, on January 1, 1993, the school legislation of both states began to become more and more distinct from each other.

### *Higher Professional Schools since 1995*

In the Czech Republic, the school system was supplemented by higher professional schools, specializing in post-secondary studies, in 1995. These schools grant the title of DiS (certified specialist) to their graduates. According to the legislation of a new Act No. 111/1998 Coll., on high schools, they can realize their studies together with a high school on the basis of a contract—therefore, the graduates obtain the title of Bc. according the system of Bologna.

### *Private High Schools since 1998*

The abovementioned Higher Education Act of 1998 introduced the possibility of setting up private higher education institutions, including church ones. These schools are to be financed by themselves, especially through tuition, but the Ministry of Education, Youth and Sports can sign a grant agreement with singular private high schools on the co-financing of the school.

The only church university was the International Baptist Theological Seminary of the European Baptist Federation, which was located in Prague in 2002, but it moved to Amsterdam in the summer of 2016.<sup>9</sup>

<sup>8</sup> Horák, *Církev a české školství*, 58–61. 65–71; Orendáč, *Špecifická práce učitelů v církevní škole*, 11.

<sup>9</sup> Horák, *Církev a české školství*, 221; IBTS Centre Amsterdam, *About*, <http://www.ibts.eu/about/>, accessed August 13, 2016.

### *New Act on Churches and Religious Societies of 2002*

In January 2002, the new Act No. 3/2002 Coll., on churches and religious societies, was promulgated. On the one hand, it allowed the registration of other churches and religious societies by reducing the required census from the original 10,000 persons to just 300 persons, but, on the other hand, it instituted the special rights of churches and religious societies, including the right to establish church schools. This right was left to the churches and religious societies that had exercised it (i.e., they established church schools) by the transitional provisions of the act. Up to now, registered churches and religious societies that did not exercise this right on the day of the law's entry into force in January 2002 could apply for this right and were, as a rule, granted them. This has led to such an unclear situation that the ministry itself has been forced to place on its website a table of data indicating which special rights have been granted to individual registered churches and religious societies.

Newly registered churches and religious societies (since 2002) may request the granting of special rights after very strict conditions have been met, which has led to the fact that the exercise of special rights has been granted to none of them.

### *New Education Act of 2004*

A school reform was carried out in 2004, replacing the frequently amended laws dating from the 1980s. This is primarily Act No. 561/2004 Coll., the Education Act, and Act No. 563/2004 Coll., on pedagogic employees. Most of the provisions of these laws entered into force on January 1, 2005.

The founding of schools is quite widely regulated in § 8 of Act No. 561/2004 Coll. There are a number of authorized persons: the state itself (through ministries), regions, municipalities, and municipal associations (public schools), registered churches and religious societies with the right to establish schools (church schools), other legal entities or private individuals (private schools). All schools must fulfill the conditions set out in this act (uniform minimum) and must be registered in the School Register (§ 7).<sup>10</sup>

The financing of schools is dealt with in § 160 of Act No. 561/2004 Coll. Ecclesiastical schools receive from the state budget funds for personnel costs of staff, increased amounts for the teaching of pupils with disabilities, and teaching facilitations. They do not receive funding for activities directly related to the development of schools and the quality of education, other than necessary non-investment expenditures related to the operation of schools and school facilities, and for investment expenditures—these costs must be paid by the school itself or by its founder. Although, according to § 123 par. 1, ecclesiastical schools can provide education for a fee, most church schools do not.<sup>11</sup>

<sup>10</sup> Horák, *Církev a české školství*, 85–86.

<sup>11</sup> Horák, *Církev a české školství*, 112–113.

The question of the co-financing of church (and private) schools from the state budget was reopened after the elections to the Chamber of Deputies of the Parliament of the Czech Republic held in autumn 2017 and continues to be a hot political topic.

## Recent Evolution of Church Schools in the Slovak Republic since 1993

### *Contractual Regulation of School Issues*

School issues are regulated in the Slovak Republic—unlike the Czech Republic—by treaties, both by international agreements with the Holy See and by national treaties with registered churches and religious societies. Although the state guarantees the right to conclude treaties with the state for all registered churches and religious societies, the so-called mirror model of two treaties has been enforced: international agreements with the Holy See for the Roman Catholic Church and Greek Catholic Church (which form one Catholic Church from the viewpoint of the Catholic Church and of canon law) and very similar agreements with other registered churches and religious societies.

General stipulations are found in the Basic Agreement between the Slovak Republic and the Holy See of 2000<sup>12</sup> and the Agreement between the Slovak Republic and registered churches and religious societies of 2002,<sup>13</sup> whose Article 13 guarantees the right to establish and manage schools (including high schools) and school facilities for all registered churches and religious societies in accordance with the Slovak legal order.

More specific stipulations are included in two partial agreements from 2004: the first with the Holy See on Catholic education and schools,<sup>14</sup> and the second with registered churches and religious societies on religious education and schools.<sup>15</sup> The agreements regulate the establishment of schools and school facilities, the manner of their subordination to state and church authorities, the appointment of a director, any exception to the obligation to implement educational programs contrary to ecclesiastical doctrine, and the commitment to cooperate in shaping school legislation.

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<sup>12</sup> Agreement No. 326/2001 Coll. of Acts, Basic Agreement between the Slovak Republic and the Holy See.

<sup>13</sup> Agreement No. 250/2002 Coll. of Acts, Agreement between the Slovak Republic and registered churches and religious communities.

<sup>14</sup> Agreement No. 394/2004 Coll. of Acts, Agreement between the Slovak Republic and the Holy See on Catholic education and schools.

<sup>15</sup> Agreement No. 395/2004 Coll. of Acts, Agreement between the Slovak Republic and registered churches and religious societies on religious education and schools.

Last but not least, these agreements contain a stipulation that church schools will be funded in the same way as other schools.<sup>16</sup>

## Slovak Legal Regulation of Church Primary and Secondary Schools

The establishment of church schools and church school facilities is governed by Act No. 596/2003 Coll., on state administration in education and school self-government, especially in § 19. The establishment of a school or school facility must be preceded by its inclusion in the network of schools and school facilities that is recorded by the state. This act also defines the relationship between the founder of a school (i.e., a church and a religious society or its legal person) and the state administration, regional and local self-government, school self-government and school management.

The financing of church schools is regulated by Act No. 597/2003 Coll., on the financing of primary schools, secondary schools, and school facilities, especially in § 6. Financing is not automatic: a contribution to funding must be requested and documented by those documents required by law. For funding, the same parameters apply as for public schools.

Legislation in this area was supplemented by Act No. 245/2008 Coll., the Education Act, which replaced the frequently amended Czechoslovak Education Act of 1984, stipulated still in the period of communist totalitarianism. Particular mention is made of the equivalence of education in ecclesiastical schools with education in public schools (§ 3), and in § 160 there is emphasized the obligation of church schools to observe the state regulations with the minor modifications stipulated in the same section: they do not oblige the provisions on the minimum number of pupils in the class (§ 29 para. 8) and on the return of tuition fees in language schools (§ 53 para. 9), and only adequately oblige the provisions on educational counseling and prevention (§§ 130 to 136) and on school facilities (§ 137).<sup>17</sup>

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<sup>16</sup> Damián Němec, *Concordat Agreements between the Holy See and the Post-Communist Countries (1990–2010)*. Law and Religious Studies 8 (Leuven–Paris–Walpole, MA: Peeters, 2012), 73, 221–223.

<sup>17</sup> Orendáč, *Špecifická práca učiteľa v cirkevnej škole*, 12–13.

## Faculties of Theology

### Faculties of Theology in 1918–1938

The Austro-Hungarian tradition continued with the usual incorporation of faculties of theology into state universities in Czechoslovakia, without exception. However, the situation in the Czech lands and Slovakia differed greatly in this respect.

Two Catholic theological faculties existed in Prague from 1891: a Czech one and a German one. The nationalist trend resulted in the division of Charles University into two national universities in 1920: the Czech Charles University and the German *Deutsche Universität in Prag*; both had their Catholic faculty of theology. Another Catholic faculty of theology was in Olomouc, since 1919 called the Cyrillo-Methodius Faculty of Theology. Since there was no university in Olomouc at that time, this faculty was a separate college. The theological academies existed in other Czech and Moravian dioceses throughout the inter-war period. Some religious orders had their own philosophical, theological, or philosophical-theological schools, usually at a high professional level.

In Slovakia, there were only diocesan seminars and schools of religious orders for the Catholic Church. The Catholic Faculty of Theology in Bratislava was established by law in 1919, but since the Holy See granted its approval only in 1935, teaching began only in 1936.<sup>18</sup>

The provision of theology for other churches was far less. For the Evangelical Church of Czech Brethren (founded at the end of 1918 by the unification of Czech evangelical communities, which were mostly reformed, but a minority were Lutheran), the Czechoslovak Evangelical Faculty of Theology was founded in Prague in 1919. At this faculty, candidates studied to be clergy of the Czechoslovak Church (founded in January 1920 by Catholic priests). This faculty had the status of a separate college, for efforts of integrating it into the Czech Charles University were not successful.

In Bratislava, there was a private High School of Theology for the Evangelical Church of Augsburg Confession, which was promoted to a separate public faculty in 1934 changing its name to the Czechoslovak State Evangelical Faculty of Theology in Bratislava. For other churches there were church academies or courses of theology.<sup>19</sup>

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<sup>18</sup> Vojtěch Novotný, *Katolická teologická fakulta 1939–1990* [Catholic Faculty of Theology 1939–1990] (Praha: Karolinum, 2007), 43–50.

<sup>19</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 58–59.

## Consequences of World War II and the Years Following until 1948

The Czech Catholic Faculty of Theology in Prague and the Faculty of Theology in Olomouc were closed during the closure of the Czech universities in the Protectorate of Bohemia and Moravia in November 1939, and therefore both archbishops, in Prague and in Olomouc, quickly set up theological academies within diocesan seminaries. The associate professors and professors of former faculties of theology were not allowed to teach, so teaching in diocesan seminaries was carried out by teachers from religious orders. However, students were gradually called to undertake forced labor, usually in Germany, and therefore these academies faced great difficulties.

The German Catholic Faculty of Theology in Prague continued its activity, but in a limited way, because only the empire's citizens, namely the Sudeten, and not those from the Protectorate of Bohemia and Moravia, were able to study there. Imperial citizens were gradually called into the army, so even here study was related to great difficulties.<sup>20</sup>

The Catholic Faculty of Theology in Bratislava continued its activities during World War II. The existing Czechoslovak State Evangelical Faculty of Theology in Bratislava was (for understandable reasons) renamed the Slovak Evangelical Faculty of Theology in 1939.

After World War II, the activities of the Czech faculties of theology were restored in the autumn of 1945, but the activity of the German theological faculty was finished (together with the activity of the entire German University in Prague) in May 1945, and the university was officially abolished in October 1945. The Faculty of Theology in Olomouc was incorporated into the Palacký University in Olomouc, which was restored in 1946.<sup>21</sup>

The faculties of theology in Bratislava, both the Catholic and the Evangelical, continued their activities after World War II.<sup>22</sup>

## State-ordered Changes to Theological Studies during the Communist Regime 1948–1989

The first intervention in the life of the faculties of theology was the establishment of the National Front Action Committees as early as 1948. These committees were to examine the political reliability of the individual teachers. At the faculties of

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<sup>20</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 44.

<sup>21</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 44–46.

<sup>22</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 47, 59.

theology, they initially acted in a restraining manner because they were largely made up of the teachers themselves. Therefore, stronger intervention took place in April 1949: the decision was to carry out state examinations of the teaching staff at faculties of theology through inspection commissions and introducing the teaching of “social doctrines” for which “reliable priests” were chosen.<sup>23</sup>

The adoption of two anti-Church laws in October 1949 was of great importance for further development: Act No. 217/1949 Coll., on the establishment of a State Office for Church Affairs, and Act No. 218/1949 Coll., on the economic indemnity of churches and religious societies by the State. These laws centralized all the thus far fragmented state agenda for churches and religious societies, and all existing laws of state ecclesiastical law were abolished. The faculties of theology also belonged under the authority of the new office, and no more under the Ministry of Education, Sciences, and the Arts.

During the 1950s, the situation changed radically. First, all male monasteries were closed in April 1950 (and without legal basis!) and in the same month, the so-called Prešov-Synod of the Greek Catholic Church, which voted for the return of Greek Catholics to the womb of Orthodoxy (but was summoned and directed by the Communists contrary to canon law), and theological studies at the Greek-Catholic seminary in Prešov also disappeared. In May 1950, Act No. 58/1950 Coll., the Higher Education Act, was issued which reallocated faculties of theology from universities and thus affirmed their submission only to the State Office for Church Affairs. The transferred faculties thus became de jure separate universities.<sup>24</sup>

State interventions in theological education were completed by Government Decree No. 112/1950 Coll., on faculties of theology, which radically reorganized theological studies:

- All theological academies of dioceses, religious orders and smaller churches were abolished.
- The study of Catholic theology was concentrated in two faculties: in Prague and in Bratislava; the Faculty of Theology in Olomouc was abolished.
- The former Hussite Czechoslovak Evangelical Faculty of Theology in Prague was divided into two separate faculties: the Comenius Evangelical Theological Faculty in Prague (designed for the Evangelical Churches) and Hus’s Czechoslovak Theological Faculty in Prague (intended for the Czechoslovak Church).
- Evangelical theological study in Slovakia was concentrated in a single theological faculty called the Slovak Evangelical Theological Faculty in Bratislava.

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<sup>23</sup> The teaching of “social sciences” was ordered in theological schools of dioceses and of religious orders too. Novotný, *Katolická teologická fakulta 1939–1990*, 67–76.

<sup>24</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 80–90.

— Orthodox theological studies were centralized in the newly established faculty, bearing the name Orthodox Theological Faculty in Prague. The organizational difficulties led to the opening of the study of Orthodox theology in the autumn of 1950 in Prešov, where it remains to this day.

The State Office for Church Affairs (and after its abolition in 1956 the Ministry of Culture) issued further detailed regulations for faculties of theology (organizational rules, study and examination rules, scholarship rules, etc.). The priest seminars existing at these faculties were viewed from the point of view of the state as student hostels.<sup>25</sup>

During the following years there were two important factual changes: the Sts Cyril and Methodius Faculty of Theology in Prague was moved to Litoměřice in 1953, where it was possible to undergo the more effective supervision of students, and its branch in Olomouc was established during the so-called Prague Spring, but it functioned only in 1968–1974.<sup>26</sup>

## Actual Organization of Faculties of Theology since 1990

### *Revival of the Faculties of Theology in 1990*

The first fundamental legal step was the adjustment of the legal status of the faculties of theology, which should have led to not only the correction of the injustices of the communist regime in excluding the faculties of theology from universities in 1950, but also the necessary modification of the study of theology. The changes were made by Act No. 163/1990 Coll., on faculties of theology, in May 1990.

This Act meant for the Catholic Church not only the incorporation of two existing faculties into universities, that is, Charles University in Prague and Comenius University in Bratislava, but also the restoration of the Faculty of Theology in Olomouc, once again incorporated into Palacký University, and the establishment of a new Greek Catholic Faculty of Theology in Prešov, incorporated into the Pavol Jozef Šafárik University in Košice. All of these faculties had the status of ecclesiastical faculties according to canon law (then the apostolic constitution *Sapientia Christiana* of 1979).

The two previously predominantly evangelical theological faculties were preserved and incorporated into Charles University in Prague and the Comenius University in Bratislava. The former Hussite Theological Faculty in Prague, designated primarily for the Czechoslovak Hussite Church, was incorporated into Charles University in Prague. The Orthodox Theological Faculty in Prague,

<sup>25</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 109–113.

<sup>26</sup> Novotný, *Katolická teologická fakulta 1939–1990*, 158–162, 239–266.

headquartered in Prešov, was incorporated into Pavol Jozef Šafárik University in Košice. In this way, there were again several theological faculties at one university: three at Charles University in Prague (Catholic, Evangelical, and Hussite), two at Comenius University in Bratislava (Catholic and Evangelical), and two at Pavol Jozef Šafárik University in Košice (Greek-Catholic and Orthodox).

Catholic Theological Faculty in Bratislava was given a specific form because its branches (workplaces) became Roman Catholic diocesan priest seminaries in Slovakia.

### *Further Development of Theological Faculties in the Czech Republic*

The further development of the studies of theology in the Czech Republic was never surprising, although it was sometimes stormy.

The Bishop of České Budějovice (later Archbishop of Prague and Cardinal) Miloslav Vlk initiated the foundation of the Faculty of Theology at the University of South Bohemia in České Budějovice, which was realized in 1991. This faculty does not have the canonical status of a church faculty but of a diocesan institute of theology, and therefore academic titles granted by it are not canonical ones. Since its inception, this faculty has been strongly associated with the activity of the Salesians.

In the second half of the 1990s the tension between the dean of the Catholic Faculty of Theology in Prague Prof. Václav Wolf and the Chancellor of the Faculty, Archbishop of Prague Miloslav Vlk came to light more and more. The tension culminated in 2000, when the Chancellor did not confirm the re-election of Prof. Václav Wolf to the position of the dean of the faculty (inter alia, because of its contradiction with the new Act No. 111/1998 Coll., the Higher Education Act), and since 2001 the rector of Charles University has had limited the powers regarding the faculty bodies (including the administration of the faculty by the administrator), which ended in January 2003 by the ordinary election of the dean of the faculty.

There has also been a widening and subsequent reorganization of studies in theology in Slovakia.

At first, in 1991, the work of the Theological Institute of St. Alois of the Society of Jesus (Jesuits) in Slovakia was renewed. This institute was intended as a center of theological studies especially for religious, which was only partially realized. In autumn 1994, this institute was incorporated into Trnava University as its faculty of theology, remaining in Bratislava (where there are thus two Catholic faculties of theology, each of which is incorporated into another university). The dislocated workplace of this faculty is the East-West Spirituality Center of Michal Lacko, headquartered in Košice and led by the Jesuits. This faculty has the status of church faculty according to canon law.

In 1997, University of Pavol Jozef Šafárik in Košice was divided into two universities by Act No. 361/1996 Coll., on the division of Pavel Jozef Šafárik

University in Košice: one university remained in Košice and retained its original name and a new university was founded in Prešov and thus named Prešov University in Prešov. The two existing faculties of theology in Prešov, the Greek Catholic and the Orthodox, have become part of the newly founded University in Prešov.

In May 2000, the Catholic University in Ružomberok was established by Act No. 167/2000 Coll. of Acts, on the establishment of the Catholic University in Ružomberok. Initially, it had only two faculties: of education and of arts. The existing theological study in Košice, being a dislocated workplace of the Catholic Faculty of Theology at Comenius University in Bratislava, was promoted to a faculty of theology and incorporated in the Catholic University in 2003. In addition to the priest seminary in Košice, the Theological Institute in Spišská Kapitula belonged to the university, being since 1990 a dislocated workplace of the Catholic Faculty of Theology at the Comenius University in Bratislava, together with the priest seminary there, and also three specialized institutes—of ecumenism, of liturgy sciences, and of church history. This university was first established as a non-state university and its founder was the Conference of Bishops of Slovakia, then it was transformed into a public university with a confessional character by the new Act No. 131/2002 Coll., the Higher Education Act, and therefore its operation is mainly financed by the state budget. From the viewpoint of canon law, its church founder continues to be the Conference of Bishops of Slovakia, the university has the canonical status of a Catholic university, and its faculty of theology has the status of a church faculty.

## Religious Instruction in Schools

The situation of religious instruction in schools was not too different between the Czech lands and Slovakia in history, unlike the status of church schools. The differences occurred after the split of Czechoslovakia on January 1, 1993.

### Religious Instruction in Schools in 1918–1948

The Austro-Hungarian tradition manifested itself also in the case of religious instruction in schools. Basic school laws were issued in both parts shortly after the Austro-Hungarian settlement (1868 in Hungary, 1869 in Austria). Nevertheless, the basic legal regulation of religious instruction was identical: religious instruction is a compulsory subject and is taught confessionally. Pupils are required to take part in it according to the state's registered confessional status

(taking into account the laws on religious and confessional mixed marriages); this rule concerned pupils belonging to recognized churches in the case of public schools, and other churches and religious societies could teach religion in their schools and school facilities. The differences between Austria and Hungary were in the modalities of this instruction, especially in the number of hours of teaching.<sup>27</sup>

The legal situation was unified by the issue of the so-called Small Education Act No. 226/1922 Coll., which amends the laws on general and civic schools. In this Act, religious instruction is designated as the first compulsory subject (§ 2), with the absence of pupils without religion and of pupils of unrecognized religions (§ 3). Exemption from religious instruction was regulated in detail in § 8 of Government Decree No. 64/1925 Coll.; this right applies to parents or legal guardians of pupils.<sup>28</sup>

The religious instruction at secondary schools was similarly regulated by the Decree of the Minister of Education and of National Enlightenment No. 42854 of 1919.<sup>29</sup>

This legal situation has not been changed in principle either during or after World War II. A major change was the setting of higher requirements for qualification of teachers after the war. The Decree of the President of the Republic No. 132/1945 Coll., on the education of teachers, stipulated that teachers of all schools and degrees should have a university degree of studies of at least six semesters (three years), while religious teachers should be educated at a faculty of theology or of education.<sup>30</sup>

## Limitation of Religious Education in 1948–1989

The first restrictions on religious instruction came shortly after the Communist Party took power in February 1948. They were based on Act No. 95/1948 Coll., on the basic regulation of unified schools, and on the subsequent Government Decree No. 196/1948 Coll. Religious instruction has remained a compulsory subject, but its time extension has been reduced, and it has been avoided that non-religious children take part in the religious instruction as an optional subject.

The change for teachers of religion occurred as a result of the adoption of Act No. 218/1949 Coll., on the economic indemnity of churches and religious

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<sup>27</sup> Horák, *Církev a české školství*, 121–124; Soňa Gabzdilová, *Školský systém na Slovensku v medzivojnovnej Československej republike (1918–1938)* [The School System in Slovakia in the Inter-war Czechoslovak Republic (1918–1938)] (Košice: Univerzita Pavla Jozefa Šafárika, 2014), 8–9.

<sup>28</sup> Horák, *Církev a české školství*, 127–129.

<sup>29</sup> Horák, *Církev a české školství*, 129.

<sup>30</sup> Horák, *Církev a české školství*, 131–136.

societies by the state, and its implementing regulations. Clergymen had a duty to teach religious instruction gratis in schools of first and second grade (i.e., today's elementary school). The instructions of the State Office for Church Affairs of 1950 then entrusted the supervision of religious instruction to school principals, school inspectors and district church secretaries; only the overseeing of the content of teaching remained the responsibility of churches. However, it can be said that religious instruction existed more or less up to 1952.

The fundamental limitation was introduced in 1952 and 1953. The Decree of the Ministry of Education, Science and the Arts of June 1952 stipulated that parents be required to register a child for religious instruction by September 8, and that attendance in religious education was voluntary and optional. In September 1952, the State Office for Religious Affairs issued its rules for the formation of circuits for religious instruction. In the following year of 1953, the new School Act No. 31/1953 Coll., on the education system and teacher education, was adopted, which repealed the existing school regulations. This law does not speak of the teaching of religion at all, which shows the political intention of eliminating this teaching. Further continuation of religious instruction was laid down in subordinate norms that gradually reduced the scope of religious instruction and tightened the conditions for student enrolment. The clear sign was that since 1953/1954 religious instruction ceased to be listed on the school certificate. Subsequently, the state registration of religious affiliation was cancelled in 1954.

These measures, coupled with ideological pressure, led to a marked reduction in the number of pupils receiving religious instruction. The exception was the years 1968–1970 (when even milder guidelines for teaching religion were issued), but with the onset of normalization (in fact re-stalinization) since 1971, there has been a notable decline in the number of pupils in religious instruction, especially in the Czech lands.<sup>31</sup>

## The Renewal of Religious Instruction in Czechoslovakia in 1990–1992

The specificity of Czechoslovakia—in comparison with other socialist countries, for example, with Poland—was the retention of religious instruction in schools, but, on the other hand, the prohibition of it in churches and parish houses. This retention has ceased to be applied since the beginning of 1990.

The basis for extending religious instruction in schools was by amending the existing regulations. A fundamental change was made by Act No. 171/1990

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<sup>31</sup> Horák, *Církev a české školství*, 136–161.

Coll., which amended the previous Education Act of 1984.<sup>32</sup> This amendment allowed religious instruction throughout the period of attendance to elementary school as well as during secondary school education. The details were then set out in an instruction issued by the Minister of Education, Youth, and Sports of August 1990 and by the Decree of the Federal Ministry of Labour and Social Affairs No. 571/1990 Coll., on the remuneration of religious teachers, of November 1990.

Religious instruction became a very strong basis in the Constitutional Act No. 23/1991 Coll., the Charter of Fundamental Rights and Freedoms. This instruction is guaranteed in state schools (in today's Czech and Slovak terminology in public schools) through Article 16 par. 3 stipulating that the details are to be determined by law. This constitutional guarantee is still a part of the legal order of the Czech Republic and of the Slovak Republic. The right to religious instruction was also guaranteed by the provisions of § 5 par. 1 of Act No. 308/1991 Coll., on the freedom of religious belief and the status of churches and religious societies, to all registered churches and religious societies upon fulfillment of the conditions stipulated by the legal regulations. The same law stipulated in § 7 par. 3 that religious teachers are established by churches and religious societies, according to their internal regulations.<sup>33</sup>

## The Actual Situation of Religious Instruction in the Czech Republic

### *Legal Basis in Czech Law*

After the breakup of Czechoslovakia and the establishment of the independent Czech Republic on January 1, 1993, only the new instructions of the Ministry of Education, Youth, and Sports on the teaching of religion in public schools were initially issued. The contents of these guidelines were discussed with the Czech Bishops' Conference and the Ecumenical Council of Churches in the Czech Republic prior to their publication. The first instruction was issued in April 1998, which differed from the previous order of 1990 by expressly allowing the inter-confessional teaching of religion if at least two registered churches and religious societies had agreed to it in writing. Another instruction was issued in June 2003 and did not change the legal situation. Religious instruction was an optional subject at primary schools, and an optional subject, a special interest group or a lecturing activity at secondary schools.<sup>34</sup>

<sup>32</sup> Act No. 171/1990 Coll., amending and supplementing the Act No. 29/1984 Coll., on the system of basic and secondary schools (Education Act).

<sup>33</sup> Horák, *Církev a české školství*, 162–169.

<sup>34</sup> Horák, *Církev a české školství*, 169–171.

The newly promulgated Act No. 3/2002 Coll., on churches and religious societies, brought one fundamental change: the right to teach religion in public schools ceased to be the law of all registered churches and religious societies but became a special right that could be granted to a singular church or religious society. In the case of hitherto registered churches and religious societies, this right was granted on the basis of transitional provisions of the law if this right had been exercised in a specific church or religious society; if it had not yet been exercised, it was possible to ask for the exercise of this right. However, this led to such an unclear situation that the ministry had to publish a list of registered churches and religious societies on its website stating which specific rights they could exercise.

### *Religious Instruction in Public Schools*

The holding of religious instruction in public schools is also one of the special rights of churches and religious societies according to Act No. 3/2002 Coll. Of course, not all of them have any interest (or capacity) in having this religious instruction in schools; some of them are deliberately limited to teaching in the inner-church areas.<sup>35</sup>

Religious instruction, being a facultative subject, is held back until after compulsory education and thus usually at very unfavourable times of the day. Classes are denominational and the curriculum is determined by churches and religious societies.

According to the new Education Act No. 561/2004 Coll., the school study program of each individual school can provide that religious education either continues to take place as an optional subject or even in the form of a working group in the context of "leisure activities." The school study program must comply with the State Framework Program (as defined by the Ministry) and has to be approved by the school council, which includes the parents. That is why activity within school councils is an important field of lay activities.

If religious instruction takes place as a facultative course, the training of the teachers must comply with the requirements of the state, and in addition to theological and pedagogical competencies they need the authorization of the church and religious society.<sup>36</sup> These teachers have the same status as the teachers of other subjects; they are paid by the school. In the case of religious instruction as a "leisure activity," according to the law, the director of the school decides which teacher or educator (irrespective of his education) is assigned to fulfill it; this person is paid by the school.

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<sup>35</sup> Zábaj Horák, "Bildung und Erziehung," in *Recht und Religion in Mittel- und Osteuropa, Band 2: Tschechien*, edited by Richard Potz et al. (Wien: WUV Universitätsverlag, 2004), 82–84.

<sup>36</sup> Act No. 563/2004 Coll., on pedagogic employees.

### *Religious Instruction in Private Schools*

At private schools, the conduct of religious education is entirely the responsibility of the founder of the school or of the management of the school. Religious instruction is usually a compulsory subject at church schools. Since, in many cases, only a small minority of students is baptised, the teaching is usually shared: religious instruction for the baptized, religious studies for the other students.<sup>37</sup> Here, too, it is to be considered that the religious instruction in a school should play only an additional role besides proper catechesis.

## The Actual Situation of Religious Education in the Slovak Republic

### *The Contractual Basis*

As we said above, school issues are regulated in the Slovak Republic by treaties, both by international agreements with the Holy See and by intra-national treaties with registered churches and religious societies. General stipulations are found in the Basic Agreement between the Slovak Republic and the Holy See of 2000<sup>38</sup> and the Agreement between the Slovak Republic and registered churches and religious societies of 2002,<sup>39</sup> where Article 13 paragraphs 6–9 guarantees the right to realize religious instruction in all schools that are included in the state network of schools (i.e., in public schools, private schools, and church schools).

More specific stipulations are included in two partial agreements from 2004: the first with the Holy See on Catholic education and schools,<sup>40</sup> and the second with registered churches and religious societies on religious education and schools.<sup>41</sup> The second article of these agreements defines religious education as one of the compulsory elective courses in elementary schools and secondary schools in accordance with the conditions laid down by the legal order of the Slovak Republic.

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<sup>37</sup> Horák, "Bildung und Erziehung," 82–84.

<sup>38</sup> Agreement No. 326/2001 Coll. of Acts, Basic Agreement between the Slovak Republic and the Holy See.

<sup>39</sup> Agreement No. 250/2002 Coll. of Acts, Agreement between the Slovak Republic and registered churches and religious communities.

<sup>40</sup> Agreement No. 394/2004 Coll. of Acts, Agreement between the Slovak Republic and the Holy See on Catholic education and schools.

<sup>41</sup> Agreement No. 395/2004 Coll. of Acts, Agreement between the Slovak Republic and registered churches and religious societies on religious education and schools.

### *Legal Basis in the Slovak Legal Acts*

The abovementioned agreements are followed by national legislation, in particular two laws: Act No. 245/2008 Coll., the Education Act, and Act No. 317/2009 Coll., on teaching staff and professional staff.

The Education Act No. 245/2008 Coll. of Acts in its § 15 contains detailed regulation of religious instruction. This instruction is a compulsory elective subject, alternative to ethics, and is taught at all primary and secondary schools except for elementary art schools; in nurseries it may take the form of teaching of instruction or of religion. The only difference is that public schools have an obligation to provide religious instruction, while private schools have a legal opportunity to provide this lesson, but not an obligation. The instruction itself is provided by a registered church and religious society; the teacher must have a church's authorization.

Requirements for teachers of religious instruction or of religion are specified in § 5 of Act No. 317/2009 Coll., on teaching staff and professional staff. According to this provision, a teacher must meet the usual requirements of a pedagogue (in detail specified in §§ 7 to 8a) and hence he needs authorization from a particular church and religious society (which is in line with the third article of the aforementioned partial contracts with the Holy See and with other churches).

Curricula are approved by the church and religious society, and textbooks are provided by the school in the same way as textbooks for other general subjects (according to the abovementioned partial contracts with the Holy See, Article II, pars. 5 and 6, and with other churches, Article 2, pars. 5 and 6), which are therefore covered by public funds. State inspection is carried out by persons deputed by Chief Inspector of the School in agreement with the related church or religious society. The inspection of classes is carried out by persons charged by the church or religious society (second article of the aforementioned partial agreements with the Holy See and with other churches, pars. 7 and 8).

## Strategy of the Conferences of Bishops

The strategies of conferences of bishops are very similar in both the Czech Republic and the Slovak Republic.

### *Strategy of the Czech Bishops' Conference*

In the Czech Republic, the initial strong interest in religious instruction after 1990 has in any case largely evaporated since the year 2000. Religious instruction has practically disappeared from secondary schools, and the number of pupils in primary schools has also fallen sharply. This circumstance led the churches and reli-

gious societies to rethink their strategies. Thus, in 2011–2014, the Catholic Church realized a program to develop a new strategy for religious instruction.

The result of this effort is the official document of the Episcopal Conference entitled “Documentary on Catechesis and Religious Education in the Czech Republic” issued in 2015. In its third section, Catechesis and Religious Education Instruction, it puts the catechesis of adults first, then it deals with the education of children and youth: first, for preschool children, then for children of school age, and for youth. The document stipulates for the catechesis of school-age children that the parish (No. 60) is the principal place of catechesis in collaboration with parents, while religious instruction in schools has a complementary role directed to the transfer of knowledge (No. 61); both of these aspects are more interconnected in church schools (No. 63).

### *Strategy of the Conference of Bishops of Slovakia*

This strategy does not have the form of an officially valid document of the Bishops’ Conference in Slovakia. The author of the actual strategy is the National Pedagogical and Catechistic Center, which is a non-profit legal entity established by the Conference of Bishops of Slovakia, and its content is clear from the website of this Center.

This strategy, however, corresponds exactly to what has been officially published by the Conference of Bishops of Slovakia: Pastoral Plan of the Catholic Church in Slovakia 2007–2013. The connection between catechetical activity in Christian communities (especially in parishes) and religious instruction in schools is described in the same sense (No. 22).

The strategy in the Slovak Republic is based on very similar reasons as in the Czech Republic. There is also a declining number of pupils and students in religious instruction in schools, despite much more favorable legislation. However, the fundamental reason is the distinction between catechesis and religious instruction. Catechesis is held in the Christian community (parishes and other forms) and aims at formation towards life attitudes—the object of catechesis is faith. Religious instruction in schools has as a primary task which is the transfer of knowledge and understanding—the subject of school education is religion.

## Conclusion

The view of the historical development of church schools, of faculties of theology, and of religious instruction in the lands of the present Czech Republic and the Slovak Republic makes it possible to see far more distinctively not only the

present but also the historical tradition in these three areas. Thereafter, it is possible to consider the alternation of the periods of different development and of the same evolution in these territories.

The difference in the situation of church schools, especially in the first half of the 20th century, is very strong, which has its impact on the present, although it does not lead to such strong differences as in the past. In both countries, church schools are a minority reality, but in Slovakia, there are more church schools, and their status is more stable and stronger due to the contractual basis in the concordat agreements with the Holy See and in the intra-national treaties with other churches and religious societies.

An even greater imbalance existed between Slovakia and the Czech Republic in the field of faculties of theology during the interwar period: while their number was quite considerable in the Czech lands and the position was stable, the first faculty of theology was established in Slovakia just before World War II. The period of communist totalitarianism led to a severe reduction in the higher education of the Catholic Church (among others through the violent abolition of the Greek-Catholic Church) and the greater development of theological faculties for non-Catholic churches. After 1990, there was a period of stabilization, which included a slight increase in the number of faculties of theology, both by the restoration of the faculty of theology in Olomouc and by the establishment of the Greek Catholic Faculty of Theology in Prešov and of the Catholic University in Ružomberok.

The situation of religious instruction in schools was very similar to the previous two areas throughout the period. Since the split of the Czechoslovak Federation in 1993, there has been a different development in the legal status of religious instruction, which is a facultative subject in public schools in the Czech Republic, while in Slovakia it is a compulsory elective course. In both countries, there is a tendency against the development of religious instruction in public schools and the drop in the number of elementary school pupils and secondary school students participating in this instruction also. This is why in both countries the care of the conferences of bishops and the specialized bodies set up by them has developed a very similar strategy of catechetical and school education. Thus emphasis is placed on catechesis in the Christian community along with the complementary role of religious instruction in schools, regardless of the fact that the specific situation of church schools where the elements of faith formation and religious instruction are more interconnected (but not entirely).

This makes it possible to see not only the present in a brighter light, but also the tendency of future development, especially reflected strongly in the case of the relationship between religious instruction in schools and catechesis.

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Damián Němec

### L'éducation religieuse et l'enseignement de la religion en Tchéquie et en Slovaquie

#### Résumé

Le présent article décrit le *développement historique* de l'éducation religieuse, des facultés théologiques et de l'enseignement religieux sur le territoire de la République tchèque et République slovaque actuelles. La comparaison du développement de la situation sur les deux territoires permet de mieux apercevoir non seulement le temps présent, mais aussi la tradition historique sur ces trois régions. Cela étant, on regarde de plus près non seulement le moment présent, mais on peut également apercevoir les tendances du développement ultérieur, surtout dans le cas de la relation entre l'enseignement de la religion à l'école et la catéchèse.

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Mots-clés: liberté religieuse, églises et organisations religieuses, écoles, écoles religieuses, facultés théologiques, éducation religieuse, catéchèse, conférences épiscopales

Damián Němec

## Il sistema d'istruzione ecclesiastico e l'insegnamento della religione nella Repubblica Ceca e Slovacca

### Sommario

Il presente articolo offre un quadro storico chiaro dello sviluppo del sistema d'istruzione ecclesiastico, delle facoltà teologiche e dell'istruzione religiosa sul territorio delle attuali Repubblica Ceca e Repubblica Slovacca. Il confronto dello sviluppo della situazione in entrambi i territori permette di scorgere molto meglio non solo il presente, ma anche la tradizione storica in questi tre ambiti. Nel contempo abbiamo una visione non solo del presente, ma possiamo anche scorgere le tendenze del futuro sviluppo, specie nel caso del rapporto tra l'insegnamento della religione nelle scuole e la catechesi.

Parole chiave: libertà religiosa, chiese e organizzazioni religiose, scuole, scuole ecclesiastiche, facoltà teologiche, educazione religiosa, catechesi, conferenze episcopali





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# Catholic Schools in Poland

**Abstract:** The Catholic education is an element of the Catholic Church's mission in the world. It is well regulated by canon law. The Catholic scholar reflection on the Catholic education contains many publications and it keeps growing. The aim of the article is to give general knowledge about the Catholic schools in the context of Poland and Polish law which gives general frames for the Catholic schools. As a conclusion, although, the Catholic educational institutions have wide legal possibilities to be founded and developed, they unfortunately constitute very insignificant proportion of the schools in Poland.

**Keywords:** Catholic education, Poland, Polish law, canon law, educational system

## Introduction

The Catholic education is an important element of the Church's activity in the world.<sup>1</sup> No wonder that it is a subject of a great numerous of pastoral and social enunciations of the Magisterium. It is also well regulated by canon law.

The scholar reflection on the Catholic education has been discussed in many publications. The authors usually do not ignore the fact that Catholic education exists in certain legal frameworks created by state law. Due to the diversity or variety of state legal solutions regulating education in general, the issue of the Catholic education should be explored for each state separately.

This article describes the Catholic education in the Republic of Poland and, simultaneously, takes into account Polish and Church's legal regulations. The aim

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<sup>1</sup> In this article I make references mainly to the following paper: Piotr Kroczek, "Katolicka oferta edukacyjna w Polsce: optyka prawno-kanoniczna," *Theologos. Theological Revue of Greek Catholic Theological Faculty* 19 (1) (2017): 276–288.

of this article is to present the issue of the Catholic schools in Poland for those who want to get acquainted with the subject and would like to compare the situation of the Catholic schools in the perspective of different countries.

## Sources of Law Concerning Catholic Schools

There are two sources of legal regulation for the Catholic schools in the Republic of Poland: state law and canon law. The first group of regulations includes the following laws:

- a. The Constitution of the Republic of Poland of 1997,<sup>2</sup>
- b. Act of September 7, 1991 on the Education System,<sup>3</sup>
- c. Act of January 26, 1982 Teacher's Charter,<sup>4</sup>
- d. Act of April 15, 2011 on the Educational Information System.<sup>5</sup>
- e. Act of December 16, 2016 on Educational Law.<sup>6</sup>

The above laws are the foundations for the educational law, while the executive acts are an important element of this law. They are issued by the Minister of National Education. In addition, the schools are regulated by internal or endogenous normative acts, which are provided mainly by the Act of September 7, 1991 on the educational system. These include, among others: (1) the statute of the school, (2) the school's educational program, (3) the school's prophylaxis program. Schools legislative bodies are entitled and sometimes obliged by the cited law to enact regulations such as, for example: (1) regulations of student self-government, (2) regulations of the parents' council, (3) regulations of the Board of Teachers, and (4) regulations of the school council. In general, it can be said that the number and scope of state normative sources for schools is very large, and the regulation is very detailed and often changed, and it is thus difficult to handle in practice and to apply them correctly.

The second group of regulations are the church laws and doctrinal enunciations which have normative elements.

1. Code of Canon Law of 1983.<sup>7</sup>

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<sup>2</sup> Journal of Laws of 1997, No. 78, item 483, as amended.

<sup>3</sup> Consolidated text: Journal of Laws of 2015, item 2156, as amended. Henceforth as A.E.S.

<sup>4</sup> Consolidated text: Journal of Laws of 2014, item 191, as amended.

<sup>5</sup> Consolidated text: Journal of Laws of 2015, item 45, as amended.

<sup>6</sup> Consolidated text: Journal of Laws of 2019, item 1148, as amended.

<sup>7</sup> *Codex Iuris Canonici*, auctoritate Ioannis Pauli PP. II promulgatus, January 25, 1983, AAS 75 (1983), pars II, pp. 1–301. Henceforth as CIC.

2. Declaration of the Second Vatican Council on Christian education *Gravissimum Educationis*.<sup>8</sup>
3. Documents issued by the Congregation for Catholic Education (*Congregatio de Institutione Catholica (de Studiorum Institutis)*) such as, for example:
  - a. The Catholic school, March 19, 1977.
  - b. The religious dimension of education in a Catholic school: guidelines for reflection and renewal, April 7, 1988.
  - c. The Catholic school on the threshold of the third millennium, December 28, 1997.
  - d. Educating together in Catholic schools. A shared mission between consecrated persons and the lay faithful, September 8, 2007.
  - e. Educating to intercultural dialogue in Catholic schools. Living in harmony for a civilization of love, October 28, 2013.

There are some other Church's documents which are quasi-legal instruments. They do not have any legally binding force (soft law). They are as follows:

- a. Catechetical Directory of the Catholic Church in Poland, 2011, published by the Polish Bishops' Conference.
- b. School and University in the Life of the Church and Nation—the document of the Second Polish Plenary Synod (1991–1999).

The important normative role for Catholic schools may also be played by particular laws issued by the diocesan bishops who act as the particular (diocesan) legislators.

The common element for these two groups of legal is, of course, Concordat from 1993.<sup>9</sup> Due to the fact that it is a convention between the Holy See and the Republic of Poland, it belongs to both legal systems (i.e., the Polish and Church one).

## Relation of the State and Church Legal Regulations Concerning Catholic Schools

As far as the relations between the state and the Catholic regulations regarding Catholic schools are concerned, it should be noted that Catholic schools in Poland are established on the basis of Article 14, § 1 of the Concordat—"The Catholic

<sup>8</sup> Sacrosanctum Concilium Oecumenicum Vaticanum II, "Declaratio *Gravissimum Educationis* de Educatione Christiana, 28 October 1965," *Acta Apostolicae Sedis* 58 (1966): 728–739. Henceforth as AAS.

<sup>9</sup> Concordat between the Holy See and the Republic of Poland, signed in Warsaw on July 28, 1993. (Journal of Laws of 1998, No. 51, item 318).

Church shall have the right to establish and run institutes for the education and bringing-up of children, including preschools and schools of every kind, in accordance with the provisions of Canon Law and according to the principles laid down by the respective civil laws” (cf. Article 70(3) of the Constitution of the Republic of Poland of 1997). This means that Catholic schools do not form a separate and fully alternative division in the education system, but they operate on the basis of the state system, that is, “[...] according to the principles laid down by the respective civil laws.” State legislation provides a framework for the structure and scope of the Catholic schools by establishing the system of schools for the whole education in Poland, for example, the division into primary schools and secondary schools. This fulfillment of the framework defined by state law is also visible in the content taught in Catholic schools. The Concordat states that “in the implementation of the minimum curriculum of compulsory subjects and in the issuance of official forms, these schools are subject to Polish law” (Article 14(2) of the Concordat).

Summing up this point of the reflection, it can be said that canon law may put some normative content into the framework established by Polish law.

## Entities That May Establish Catholic Schools

Catholic schools are established by organizational and administrative units having the legal personality by virtue of the Act of May 17, 1989 on the relationship between the state and the Catholic Church in the Republic of Poland.<sup>10</sup> These are most often: dioceses, parishes, religious institutes, associations of apostolic life. Of course, the faithful (the Catholics) affiliated to associations or foundations can also found the schools. These legal persons fall into the category of “other legal persons” to which the Polish legislator allows establishing and operating the schools (Article 5(2)2 of A.E.S.). Catholics acting as the individuals, as natural persons, may also establish and run schools (Article 5(2)3 of A.E.S.).

## Legal Requirements for the Catholic Schools

The Catholic schools are, as a rule, institutions defined as “non-public institutions,” that is, in this case “non-public schools” (Article 5(1) of A.E.S.). A non-

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<sup>10</sup> Consolidated text of the Journal of Laws of 2013, item 1169.

public school may be authorized as operating as a public school. Application for the authorization is obligatory in the case of a primary school, and it is given if a school meets certain conditions. The conditions in question are listed in Article 7(3) of the Act of September 7, 1991 on the Education System. For example, a non-public school must: (1) implement curricula that take into account the ministerial core curriculum, (2) provide educational activities no less than the total dimension of compulsory education, as defined in the framework curriculum of a given type of public school, (3) apply statutory rules for classifying and promoting students and conducting tests and exams, (4) maintain documentation of the curriculum established for public schools, and (5) employ teachers for the compulsory educational activities with qualifications as defined by law.

In principle, all norms of educational law apply to non-public schools, with the exception of regulations related to school districts (Article 20e of A.E.S.). Public and non-public schools acting as public ones benefit from a budgetary grant (Articles 80 and 90 of A.E.S.), and their teachers, educators, other employees, and pupils have the same rights and obligations as analogous persons in schools and public institutions (see Article 14(3) of the Concordat).

## Specificity of the Catholic Schools

In order to show the specificity of a Catholic school in comparison to other education institutions of this type, it is necessary to discuss this issue from: (1) the formal point of view, (2) the functional point of view, and (3) the formal and functional point of view.<sup>11</sup>

As concerns the formal point of view, the Catholic schools, colleges, and other educational institutions are directed by a competent ecclesiastical public juridical persons or have been recognized as Catholic by the ecclesiastical authority through a written document. No school, even if in reality it is a Catholic one, can be called a “Catholic school” (*schola catholica*) without the consent of the competent ecclesiastical authority (can. 803 of CIC).

From the functional point of view, that is, the activity of a Catholic school, the key issue is the obligation of such institutions to develop a vision of the world from the Catholic perspective among children and young people and to rekindle in them the enthusiasm for apostolic activity (AA<sup>12</sup> no. 30).<sup>13</sup> In such

<sup>11</sup> For more, see: KroczeK, “Katolicka oferta edukacyjna w Polsce,” 282–283.

<sup>12</sup> Sacrosanctum Concilium Oecumenicum Vaticanum II, Decretum Apostolicam actuositatem de apostolatu laicorum, November 15, 1965, AAS 58 (1966): 837–864.

<sup>13</sup> II Plenary Synod (1991–1999) (Poznań: Pallottinum, 2001), Document 3, no. 1n.

institutions, teaching and upbringing are to be based on the principles of Catholic moral doctrine and Catholic anthropology. Lecturers are to be characterized by a healthy science and the integrity of life.<sup>14</sup>

Also, the pedagogical programs of the Catholic school must consist special elements characteristic for the Catholic institutions. Their essence is the integration of evangelization and education.<sup>15</sup> This means that the evangelizing function of the school is manifested in the concept of the whole educational program in education and training. The ethos of the Catholic school includes the formation of a community in the school environment based on subjectivity, cooperation, and responsibility of pupils, teachers, and parents.<sup>16</sup>

As regards the formal and functional point of view, the specificity of the Catholic schools can be seen, both from the formal and functional points of view, in supervision over them. On the one hand, Polish state law provides pedagogical supervision by a superintendent (Article 31(1)1) of A.E.S.). On the other hand, supervision over the schools is exercised by the competent church authority in the diocese, that is, mainly by a diocesan bishop, who is to direct and supervise the Catholic schools (can. 804 § 1 of CIC), and he has the right to control all the Catholic educational institutions during episcopal visitation.

## Parents in the Catholic Schools

Polish state law provides a certain role for the pupils' parents in the activity of the public schools. All schools, without exception, are obliged to take the necessary actions in order to create optimal conditions for the implementation of didactic, educational and caring activities and other statutory activities, and to achieve the goals they are to cooperate with the parents (Article 21a (1) and (2)4) of A.E.S.).

In Polish law, the special body of the parents is provided. They are to be gathered in the Parents' Councils. This is an obligatory body (Article 53 of A.E.S.). However, the legislator does not require the same in the case of the non-public schools, the Catholic schools included. Still, there are no legal obstacles

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<sup>14</sup> Henryk Szloch, "Program wychowawczy Stowarzyszenia Przyjaciół Szkół Katolickich jako próba odpowiedzi na nauczanie Magisterium Kościoła dotyczące wychowania chrześcijańskiego w szkole katolickiej," *Warszawskie Studia Pastoralne* 15 (2012): 207–208.

<sup>15</sup> Adam Maj, "Integracja ewangelizacji i edukacji podstawą tożsamości szkoły katolickiej." In *Ewangelizacja a edukacja w trzecim tysiącleciu*, edited by Andrzej Kryński (Częstochowa: Educator, 2002), 89–109.

<sup>16</sup> Adam Maj, "Szkoła katolicka w polskim systemie szkolnictwa," *Pedagogika Christiana* 19 (1) (2007): 129.

for the schools in question to have the Parents' Councils. They can operate according to the Act of the Education System or according to other regulations, and they can fulfill different tasks.

Church law also determines the role of parents in the schools. The parents are to work closely with the teachers to whom they entrust the teaching of their children, and teachers are to collaborate closely with the parents and willingly listen to them. Associations or meetings of parents in the schools are to be set up and held in high esteem (can. 796 § 2 of CIC).<sup>17</sup>

## Conclusion

In conclusion, it should be emphasized that Polish law makes it possible to establish and run Catholic schools by many subjects. The Catholic schools have the opportunity to build their unique character and Catholic specificity mainly on the level of internal regulations. It can be said that freedom of religion in this specific area is well guaranteed by Polish law.

In this legal situation, it is surprising that Catholic schools in Poland constitute a very small percentage of schools and they educate a fairly small group of pupils. In the school year 2016/2017, there were a total of 13,514 primary schools in Poland.<sup>18</sup> Among them, only 198 were Catholic.<sup>19</sup>

It can be said, however, that Catholic institutions aspire to educate the future elites of Poland. They have means to do this, which can be seen in the rankings where these schools are high.<sup>20</sup> Based on these results one can say that Catholic schools place themselves among best schools in Poland.<sup>21</sup> Finally, it is necessary

<sup>17</sup> On the subject of parents' cooperation with Catholic schools, see: Arkadiusz Domaszek, "Wpływ rodziców na wychowawczą i ewangelizacyjną rolę szkoły katolickiej," in *Finis Legis Christus. Księga pamiątkowa dedykowana księdzu profesorowi Wojciechowi Góralskiemu z okazji siedemdziesiątej rocznicy urodzin*, edited by Józef Wroceński and Jan Krajczyński, vol. 2 (Warszawa: Wydawnictwo Naukowe UKSW, 2009), 305–320.

<sup>18</sup> Central Statistical Office, *Education in 2016/2017 School Year* (Warszawa: Wydawnictwo GUS, 2017), 127.

<sup>19</sup> Rada Szkół Katolickich, *Informator adresowy Szkół Katolickich w Polsce. Stan na rok szkolny 2016/2017*, passim.

<sup>20</sup> See: Primary School Ranking: *Spoleczne i katolickie najlepsze*, <http://serwisy.gazeta.prawna.pl/edukacja/artykuly/880830,ranking-szkol-podstawowych-spoleczne-i-katolickie-najlepsze.html>, accessed April 25, 2019. Ranking of Primary Schools Warsaw 2002–2015, <http://www.nauka.com.pl/szkoly.htm>; Ranking of Warsaw Junior High Schools 2012–2014, <http://www.nauka.com.pl/gimnazja.htm>, accessed April 25, 2019.

<sup>21</sup> *Nota bene* is it the same in the USA. It must be noticed that 44 are Catholic schools out of the 49 American private schools received this year's special National Blue Ribbon flags

to rephrase the postulate that there should be more of such well-functioning Catholic educational institutions in Poland.

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Piotr Kroczek

## Enseignement catholique en Pologne

### Résumé

L'enseignement catholique est l'élément de la mission de l'Église catholique dans le monde. Cette activité est bien réglementée par le droit canonique. Aussi à la réflexion scientifique catholique sur l'éducation catholique est-il consacré un grand nombre de publications, et cette réflexion est continûment élargie. L'objectif du présent article est de transmettre le savoir général sur les écoles catholiques dans le contexte de la Pologne et du droit polonais qui donne les cadres généraux pour les écoles catholiques. En conclusion, on peut constater que les établissements *éducatifs* catholiques, bien qu'ils aient de vastes possibilités juridiques d'être créés et développés, ils constituent un faible pourcentage d'écoles en Pologne.

Mots-clés : enseignement catholique, Pologne, droit polonais, droit canonique, système éducatif

Piotr Kroczek

## Il sistema d'istruzione cattolico in Polonia

### Sommario

Il sistema d'istruzione cattolico è un elemento della missione della Chiesa cattolica nel mondo. Tale attività è ben regolamentata dal diritto canonico. Anche la riflessione cattolica accademica sull'istruzione cattolica comprende molte pubblicazioni e viene approfondita continuamente. Lo scopo del presente articolo è quello di trasmettere la conoscenza generale sulle scuole cattoliche nel contesto della Polonia e del diritto polacco offrendo un quadro di riferimento generale per le scuole cattoliche. Riassumendo è possibile affermare che gli istituti d'istruzione cattolici, malgrado abbiano ampie possibilità giuridiche di creazione e di sviluppo, costituiscono tuttavia una percentuale molto esigua tra le scuole polacche.

Parole chiave: sistema d'istruzione cattolico, Polonia, diritto polacco, diritto canonico, sistema d'istruzione

Part Three

# Reviews





Daniel J. Mahoney,  
*The Idol of Our Age: How the Religion  
of Humanity Subverts Christianity*, 163 pp.  
New York—London:  
Encounter Books, 2018

Daniel Mahoney has written a small but valuable book concerning a cultural movement that can easily insinuate itself into Christianity and into Catholic thinking. He calls it the secular religion of humanity or humanitarianism. It is not a new phenomenon but traces back at least to the 19th century, particularly as exemplified in the work of Auguste Comte. Henri DeLubac, Christopher Dawson, and Etienne Gilson also criticized Comte and his religion of humanity. Mahoney takes his inspiration for the book from the philosopher Aurel Kolnai. Kolnai, a Hungarian born Jew who converted to Catholicism under the influence of Gilbert Keith Chesterton, wrote a number of important essays on political ideology. As he watched the growth of communism to the east and the rise of Nazism within the Austrian-Hungarian region, he was also alarmed by the ideological growth of utopian type thinking within western liberal democracies that implicitly endorsed a totalitarian principle. The humanitarian attitude was one of them, as he explained in his article “The Humanitarian versus the Religious Attitude” (published in the American journal *The Thomist* in 1944). Mahoney and his colleague Pierre Manent published many of these essays in 1999 under the title of *Privilege and Liberty and Other Essays in Political Philosophy* (Lexington Books). Manent has also written on the religion of humanity, and he provides a very brief but incisive account of it in the Forward to *The Idol of Our Age*. Manent and Mahoney both show how illuminating it is to trace many

of the problems and disorders of our age to the ideology of a religion of humanity. Attacks on national borders in the name of cosmopolitanism, the “right” to abortion, pacifism, absolute denunciation of capital punishment, transgenderism, renewed demands for greater socialized economy gather an inner coherence and justification in the light of a humanitarian religion. In this book, Mahoney explains the principles of the humanitarian ethos, why it is at odds with Christianity, and how it is not at all beneficial for the temporal and political order itself but rather tends towards totalitarian rule and the destruction of a human life. In the first chapter, he provides a general overview of the fundamental theme and draws upon the writings of Pope Benedict XVI. In the following two chapters, he discusses the thought of two important 19th-century thinkers who identified the problem of the religion of humanity. In chapter two, Mahoney discusses the great American convert Orestes Brownson (1803–1876) who used the term “religion of humanity” to describe the American utopian and transcendentalist version of progressive ideology; in chapter three, Mahoney discusses the great Russian philosopher and mystic Vladimir Soloviev (1853–1900) who criticized Tolstoy’s reduction of the Gospel to a humanitarian, pacifistic philosophy. His book *War, Progress and the End of History* is a brilliant prognostication of the humanitarian falsification of the good that can be nothing else than the seduction of the anti-Christ. In chapter four, Mahoney turns to the work of Aurel Kolnai (1900–1973) for an analysis of his essay “The Humanitarian versus the Religious Attitude,” which is included in this volume as an appendix. Kolnai combines a phenomenological method with a classical philosophical approach to outline the essential differences and opposition between the two attitudes point by point. In the next chapter, Mahoney again turns to a great Russian writer, Aleksander Solzhenitsyn, whose massive and magisterial work *The Red Wheel* provides a profound account of the actual unfolding of the Bolshevik revolution and its fearful annihilation of the human in the name of the religion of humanity. In this chapter, Mahoney focusses upon Solzhenitsyn’s critique of Tolstoy and his betrayal of the Russian nation. The inability of the followers of Tolstoy to fathom the malevolence of Lenin and to fight courageously for authentic reform contributed much to the Soviet victory. A tepid version of Christianity expressed as social humanitarianism proved much too weak for the test of the time.

Chapter six is devoted to “Pope Francis’s Humanitarian Version of Catholic Social Teaching.” It is no doubt the most controversial and yet perhaps the most important chapter of the book. Mahoney claims that “his admirers, and the pope himself sometimes, confuse Christian charity with secular humanitarianism.” The charge against his admirers is not difficult to make, but it is much more difficult to make against Pope Francis. In his Forward, Pierre Manent describes Francis as “half humanitarian and thoroughly blind to the multiple ways in which humanitarian secular religion subverts authentic Christianity” (p. 3). Mahoney’s criticism of Pope Francis is that he tends to give a selective, often “one-sided

progressivist reading of Catholic social teaching” (p. 112). He emphasizes those parts of Catholic social teaching that are “uncontroversial with the left-liberal elites.” So we see the phenomenon of a “secular ultra-montanism” displayed among some who endorse his positions on the environment, capital punishment, a world without borders, the pacific nature of Islam, and the preferential option for the poor. He expresses “sentiments of particular respect” for Fidel Castro and says little about the historic and on-going brutality and environmental devastation of totalitarian regimes, saving his extreme scorn for capitalism and nationalism. But to avert the temptation of the religion of humanity and its utopian folly, the church “needs to relearn the language of humane national loyalty, a language that cannot be confused with the kind of toxic and pagan nationalism that abhors the Christian proposition and genuine human universality” (p. 104). Mahoney acknowledges the many strong points of the teaching of Pope Francis, particularly when he builds on the work of his predecessors. He is not accused of being an outright or full blown advocate of the religion of humanity because he does make frequent reference to the transcendent origin and goal of human beings. However, his “ill-disciplined and off the cuff remarks” frequently fail to provide a reference to the Christian distinctive; his sympathies with the radical left and his invective against the capitalist West align him precisely with the progressive humanitarians; and his teachings on mercy often appear to equate it with humanitarian compassion. Mahoney calls for an effort to be truly faithful to the “hermeneutics of continuity” and a deeper appreciation of the achievements of John Paul II and Benedict XVI who did provide an intellectual clarity and moral rigor to show the distinctiveness and attraction for authentic Catholic wisdom in opposition to the secular humanitarianism, the “idol of our age.”

In the subsequent chapter, Mahoney turns to the thought of Jürgen Habermas and the post-political temptation in order to display the real drift of the cosmopolitan, leftwing radical critics of nationalism, capitalism, and traditional morality. Habermas seeks the disappearance of the “fiction” of nations, the embrace of pacifism, and he urges a more vigorous enforcement and implementation of human rights as “the 10 commandments of the new world faith.” He celebrates the revolutions of 1789 and 1986. His is a full blown and self-confessed religion of humanity. Mahoney asks whether rights, shorn of a transcendent origin and purpose for human beings, are enough to give human and political life meaning? Can the church and its leaders give an account of their hope and clearly and persuasively distinguish the message of the gospel from the hopes of the secularist religion?

Mahoney’s concluding chapter is entitled “Reason, Conscience, and the Return to Truth.” Mahoney is right to highlight the importance of a full and accurate teaching on the structure and role of conscience—“conscience is at the very heart of civilization worthy of the name” (p. 121). Using Benedict’s notion of conscience as a “listening heart” (cf. 1 Kings 3:9), Mahoney briefly looks

back at Solzhenitsyn, Benedict XVI and John Paul II in order emphasize the crisis of truth and the nihilism that undergirds the agenda of the modern left and the vagaries of the religion of humanity. Nietzsche, we may say, outflanks Marx as the father of the age. The denial of the reality of the inner sanctuary where a man stands alone before God and must answer to him about good and evil deeds fueled the fury of both sides of the totalitarian temptation, and the Western liberal efforts to defend individual freedom and limited government founder of their own domesticated forms of nihilism. “The totalitarian lie radicalized the subjectivism and relativism at the heart of liberal modernity” (p. 124). This rejection of objective moral standards and the very idea of a stable human nature, or the truth about the good, obviates the call of conscience and loses the real source of human dignity and responsibility. This is one of the main points made by Kolnai in his essay. Conscience requires a transcendent referent but so does imagination itself, the motivation for genuine and demanding self-sacrifice, and the very enjoyment of life (pp. 149, 150). Life must have a meaning, and a meaning beyond present enjoyment or present failure. But the irreligious man lives in the moment (p. 148). Kolnai provocatively states that “what is most characteristic of the full-fledged irreligious mind is not its disbelief in the immortality of the soul, but its loss of desire for immortality” (p. 149). Death itself must be ignored or banished from thought so that the “moment with its more or less elaborately subserved needs is set up as a substitute for eternity” (p. 149). Humanitarianism takes man as such as the measure of everything, but man is understood through its felt needs and their urgencies. Kolnai states: “the humanitarian attitude takes its departure from ‘human needs’ in a comprehensive sense of the word: what ‘men’ desire and what they ‘fear.’” Excluding a transcendent order and end, the humanitarian attitude must finally appeal to the “immanent sovereignty of human needs” (p. 134). On the other hand, the religious attitude by definition contains a reference to a “higher” power underlying a “cosmic” reality (p. 130). Kolnai explains that “higher” indicates “an order of reality qualitatively distinct from the natural order of things.” The term transcendent or supernatural could be substituted for “higher” (pp. 130–131). This aspect of Kolnai’s thought could bolster Mahoney’s arguments and concerns about Pope Francis and the issues he emphasizes. For surely an environmentalism designed to “save the planet” resonates deeply with the humanitarian attitude, if indeed this planet is all that we have, and if the equal needs of others to enjoy it are thwarted by the consumption patterns of others. But this could mean saving the planet for the ongoing “present” enjoyment for human beings. So too, demands for greater distribution of goods, the banishment of capital punishment, the presumptive hope to banish war all take on a certain tone when set with the humanitarian attitude. But if there is a transcendent good and a transcendent standard of good (and prohibition of certain intrinsic evils such as murder), then a much different tonality and emphasis

would be derived in the treatment of these issues. Thus Kolnai wisely concludes his article with a concern that resonates very deeply with the later writings of Popes John Paul II and Pope emeritus Benedict XVI—the greatest need of human beings is to find their place in the cosmic order (meaning), and to participate in the divine life. All the rest is secondary and not quite as urgent as the humanitarians declaim. I will end this review of Mahoney’s book on the *Idol of Our Age: How the Religion of Humanity Subverts Christianity* with Kolnai’s own wise and judicious conclusion: “By refusing his allegiance to Him Who Is, man has set himself at war with Being as such, and condemned himself to seek satisfaction in the dissolution and reduction of all substantiality and nobility. By emancipating the image from its exemplar, the privileged creature from its sovereign Creator, he has virtually destroyed his very humanity. He will recover his humanity as soon as he truly and integrally reasserts the greatest and most vital need, ignored and maimed and stifled by humanitarianism: the need for a meaning of his life which points decisively and majestically beyond the range of his needs” (pp. 151–152). In other words, the title of this book is too modest and conveys a somewhat parochial perspective. It should be subtitled: how the religion of humanity subverts humanity.

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David C. Schindler, *Freedom from Reality  
The Diabolical Character of Modern Liberty*,  
456 pp. Notre Dame, IN:  
University of Notre Dame Press, 2017

In a recent November *New York Times* Op-ed, Andrea Long Chu acutely details an eye-opening account of what we could call “a new type of liberty.” Chu is genetically male, and has sought to medically “transition” to a woman. Chu describes the depths of pain that this involves, notably the increased physical exhaustion, depression, anxiety, and increase of suicidal thoughts. And yet, with all that being said, Chu is rather emphatic about the transition:

I still want this, all of it. I want the tears; I want the pain. Transition doesn’t have to make me happy for me to want it. Left to their own devices, people will rarely pursue what makes them feel good in the long term. *Desire and happiness are independent agents.* (emphasis added)

What is worth considering in Chu’s conclusion is a startling revelation. For Chu, happiness is not the aim of her decision to begin the gender transition. Rather, more emphasis is placed upon the detachment of happiness *from desire*. The paradigm for one’s choosing become the desire or choice that I make, regardless of its metaphysical and moral content.

It is at this point that we can come to a consideration of D. C. Schindler’s newest book, *Freedom from Reality: The Diabolical Character of Modern Liberty*. Schindler’s book is aptly focused upon a kind of liberty that is witnessed in the personal example of Andrea Chu. For Schindler, there is a rather common account of freedom in the contemporary world that he calls “diabolical.”

For Schindler, it is more often the case to only have a *description of freedom* without a deep and substantive account of *what* it is. There is an “ontological emptiness” (p. 361) that is characteristic of modern liberty. As such, this predominant notion of freedom is not something which can deepen, but only something that ought to be protected. The *diabolical* nature of modern liberty is the

effort to clear space, to excise as radically as possible whatever is given a priori, *precisely* in order that the individual might have the power to make choices, to determine himself, to acquire property and pursue his own happiness, to have *his* own voice in political matters [...]. The very condition of this power is the elimination of a truly ontological good [...]. Goodness can be retained only as a moral obligation, which comes to expression in the form of empty laws and neutral procedures. (p. 360)

In Schindler’s picture, the essence of modern freedom is revealed here, wherein power becomes dissevered from actuality. Tracing an initial lineage that can be found in the work of John Locke, a typically modern account of freedom contends that goodness is not already present in nature and things, something that makes an “a priori claim on my will” (p. 91). Rather, nature is “little more than nothing.” Such an anti-teleological conception of nature is present in the moral sphere as well. Goodness is not something we are inclined towards by our nature; rather, my acting is simply the result of a brute force that is foisted out into the world. My willed action is what puts meaning into the world and things. Understood in this way, what comes to predominate is an ontological inversion that places appearances over-and-above reality, which Schindler argues can be witnessed in modernity’s normative belief that property is reducible to money, while human relationships are transformed into contracts and rights, and become merely the sign of social cohesion. “In short,” according to Schindler,

[...] the more fully freedom is exercised in this way, the more deeply one is driven into an isolation from both the world and other people (not to mention oneself), which is coincident with an abject vulnerability to being swallowed up impotently into these relations. (p. 125)

Schindler’s judgment of modern liberty, even in its social and political expression, is reminiscent of Tocqueville’s concern that the democratic soul may tend to understand itself as “greater than kings and less than men.” This is one of the great achievements of Schindler’s book, namely, that his acute analysis gives philosophical muster to Tocqueville’s social description of modern freedom. This condition of freedom can be a sort of exaltation, where we *appear* as “all-powerful technician” and yet become transformed into “the helpless product” (p. 275).

As we begin to experience an increase in liberty, disconnected from an already existing order of nature, it can make us unhinged or unbound. As limits

are gradually transgressed and overcome, we are at first thrilled. Yet overtime, this experience of freedom leaves us exhausted. The more we become inundated by appearances, separated from the actuality of goodness, from the concreteness of real things and people, the more our existential agitation grows. The “delinking” of happiness from desire as separate “agents” is simply a different way of saying that we are “greater than kings and less than men.”

With this diagnosis in mind, the architectonic aim and prescription of Schindler’s book comes to light. In contrast to a diabolical conception of freedom, there is “the need to recover a fundamentally ontological conception of freedom, one that is rooted, at its core, in goodness” (p. 359). Goodness is not an abstract entity, but a wellspring: “[...] a metaphysical reality, an actuality that is fruitfully present to all things as their ultimate source and destination.” The *symbolical* notion of freedom is a completeness, a fullness of being that begins from an awareness of *what* freedom is, and *why* it exists. In attempting an initial thrust to overcome the Kantian heteronomous/autonomous modern lens, Schindler advises a recovery of the metaphysics of Plato and Aristotle, whereby the question of freedom is first and foremost ontological. Schindler wants to provide a philosophical critique of our contemporary understanding of culture and its manifold institutions. To provide a critique of certain contemporary “values” with respect to the moral and political realm leaves an elephant in the room: what is the standard by which such values are worth valuing? Schindler demonstrates that common answers to this question are often quite vacuous and devoid of any substantive defense beyond either the individual or collective will (p. 280ff.)

Schindler’s book certainly places him in the fold of Leo Strauss and the mid-20th century tradition of American scholarship that sought to diagnose what the novelist Walker Percy called the “malaise of modernity.” If what Schindler argues is generally the case, namely, that the typically modern account of liberty is one which leads toward fracturing, isolation, and being dis severed from the real, then what can be done? We could phrase this question differently by wondering, in Straussian terminology, what the *political* import of Schindler’s *philosophical* insights would be? Schindler’s emphasis, which can certainly be missed, is that first principles are not distant entities, but become incarnate, and made manifest in our social and political lives. Aristotle argued in Book II of the *Politics* that metaphysics is not politics, for political philosophy is a practical science. This claim, however, cannot neglect the other side of that coin, which is that every political order, institution, and human activity presupposes a metaphysical worldview. There is some paradigm that all citizens and every society seek to imitate.

The question that Schindler is putting before his readers is the following: *what is the paradigm for being human?* To help answer this question, let us turn briefly to an essay from Schindler that is intimately connected to the thesis

of the book. According to Schindler, *health* is going to be a motif for moving towards the possibility of any real “recovery” of human freedom. Assessing what is considered to be a common notion of health in modernity, Schindler argues that this

notion is a specifically unhealthy notion of health insofar as it considers a single aspect of health precisely without regard to the whole [...] it gives the parts primacy over the whole, rather than the reverse. But if health just is wholeness, then this understanding of health is itself a kind of disease. The very notion of health in the modern world represents a fragmentation or breakdown of wholeness. And in this case the irony becomes a tragic one: this unhealthy understanding of health, insofar as it informs our actions and so also our ordering of society, in a certain sense performs what it represents. The understanding itself fragments. In a word, the reductive notion of health causes disorder, which means that the very energies devoted to the pursuit of this health may turn out to be a profound cause of disease. (“The Healthy and the Holy,” *Communio*, Fall 2014: 549)

With a symptoms-based approach to health, where the part becomes elevated to the whole, the attempt to restore a patient to health encounters a serious obstacle. The application of a healthy remedy that is rooted in a false understanding of health fosters disease. Disease and sickness remain and multiply because the paradigm for health and wholeness is one that is not in accord with our embodied human nature. The actualization of health will always be remote when we look to replace true health with a mere part. As the American political theorist Joshua Mitchell argues, this is a condition where supplements become substitutes.

In a similar vein, Schindler says that modern man struggles to actualize his freedom precisely because it is based upon only a partial account. The lack of a true form of freedom places citizens in an oscillating type of gridlock where

there can be no freedom without external regulation, but the very intrinsic limitlessness of freedom means that there is likewise no principle of constraint for regulation; the law, and the governmental machinery needed to prop it up, can intrude as deeply as deemed necessary into the lives of individuals *precisely in the name of freedom*. (p. 82)

And it is in speaking of health that we could pose a question that Schindler could, perhaps, pursue in greater detail with a further study. In his short treatment on religion (pp. 270–275), Schindler echoes Mark Lilla’s argument in his book *The Stillborn God*. According to Lilla, the angst that seems characteristic of contemporary democratic life can trace its origins to what he calls the “Great Separation.” The severing of politics and religion finds its origins in Thomas Hobbes, and this loss of political theology has been a catalyst for

the demise of the West ever since. While there are clear differences between Lilla and Schindler, both would certainly agree that the almost-complete absence of theology in our accounting of human affairs has led to a state of being unhealthy. What Lilla's *Stillborn God* has overlooked is the fact that the initial severing of politics and religion, and Christianity in particular, finds its source in Augustine. What would be worth exploring for Schindler is the manner in which a healthy conception of the relation between religion and political life, through an Augustinian lens, is possible for modern democratic citizens. While this question falls outside the scope of *Freedom from Reality*, it is a dangling question that seeks to be addressed.

This critical question, of course, should not make one overlook Schindler's achievement. What he has shown in this book recalls Francis Fukuyama's judgment that the end of history will be a sad time. Without philosophy or metaphysics, human life will lose contact with an Ultimate Paradigm that is the source of human goodness. Cut off from the real order of things and the actuality of goodness, we can be tempted to believe that happiness is not our *telos*. Instead, we might settle for being "less than men," making only our desire penultimate. In Schindler's book, we not only discover a first move towards a truer account of freedom. More than this, we get to participate in the very activity of philosophizing.

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*Po co etyka pedagogom?*, ed. Wiktor Sawczuk,  
378 pp. Toruń:  
Wydawnictwo Adam Marszałek, 2007

The book *Po co etyka pedagogom?* [What Do Educators Need Ethics for?] has been financed by the Rector of the University of Warmia and Mazury, Poland. It consists of three parts. The first part is dedicated to “pedagogy and ethics in the face of new doubts and new openings” (pp. 21–124). Part two presents the issues of “pedagogy and ethics in the face of various perspectives and multitude of outlooks” (pp. 125–265). The third part concentrates the recipients’ attention to the issues of “pedagogy and ethics in the face of the teaching profession” (pp. 267–370). What is missing in this quite an exhaustive analysis are outlooks and voices from the area of ethics and personalistic pedagogy. The particular elements can be found only in a several dozen presented fragments. The entirety of the lectures concentrates around the truth about “the changeable social reality” in which upbringing practice and theory currently are. Wiktor Sawczuk—the editor of the entire book—depicts it in quite a poetical way: “We live in interesting and at the same time complicated times. In many ways we experience the ‘flowing modernity,’ in which it is difficult to avoid ‘benefits.’ What is to some extent possible is to defend ourselves against them. Everyday life, paradoxically, is soaked in one very stable value—relativism—a relative approach to almost everything what is happening in social life and public debate. This situation triggered a clearly visible lack of durable reference points. No wonder then that the contemporary man might feel lost in the omnipresent tangle of meanings, contradictions, determinations, ‘higher’ and ‘lower’ reason, ‘only right’ outlook or too often binding, only in a short-term, interpretation.” Therefore, the authors of the study have to cope with a fundamental problem: what do the educators need ethics for? So, as a matter of fact, they are looking for an answer to weighty questions: “To what extent

adequately, in such a polyphony, or rather depicting it more bluntly—cacophony, educational entities are to/can function?”

It is not a new issue. From the earliest times it is well-known that, without a durable ethics, without durable ethical values, we cannot talk about sensible upbringing. Especially the high ethical, personal, and professional level in the new style must be presented by all educators/teachers as a social group responsible for their pupils and students. It is clearly visible in the third part of the reviewed study.

The entire book is prepared in the style of pragmatic ethics. It is, however, a peculiar proof of a great demand for ethical issues in pedagogy. It is the fruit of the symposium in Olsztyn. The symposium kindled significant interest; over forty scientists from academic centers in Poland—among others, Cracow, Warsaw, Wrocław, Kielce, Bydgoszcz, Katowice, and Rzeszów—participated in it. The primary aim of the symposium was to undertake an academic discussion on the pedagogical ethics in both a theoretical and a practical dimension. It is a pity that ethics and personalistic pedagogy are rarely represented in this chain of issues. However, its necessity appears almost in every statement of the particular representatives. Almost all authors express the opinion that durable ethics is necessary “in times of a dramatic blurring of moral principles and norms. It is especially important for educators. Ethics is, first and foremost, a science about morality that aims at establishing some common features, peculiar assessments and norms of human behavior, which can be morally good or bad. Ethics evaluates social and psychological sources of creation of moral outlook, its social function and a historical development of moral assessment criteria.” It is enough to add the voices about the concern for the integrity of human person. Since what stems from this anthropological assumption is also the Christian teleology (purposefulness), on which every beautiful ethics and humanistic pedagogy is based. It is indirectly confirmed by the very authors who refer to Leszek Kołakowski’s opinion: “The desire to have a moral code is a component part [...] of tendency towards security, [...] escape from decision; it is a desire to live in a world in which all decision have been already made. In its ideal form such a code is to become a set of abstract decisions, substituting a random decision with a specific one, it is to become a condition sufficient for every solution, it is to automatically locate every situation in the world of values, reduce its elements to points on a homogenous universal scale, annihilate the space of doubts and create conditions of certainty. [...] The code includes all indications, owing to which we undoubtedly know under what conditions in every situation we will be free from the feeling of guilt and makes it possible to achieve this freedom through submission to its rules” (cf. Leszek Kołakowski (ed.), “Etyka bez kodeksu,” in *Kultura i fetysze*, 156–157. Warszawa: PWN, 2000). It is enough to add the Christian ethical and pedagogical proposals concerning conciliation and sacramentality in the church.

The reviewed study shows a “multitude” of depictions, since the multitude and diversity of means of perceiving and describing phenomena in the area of education seems to be an essential condition of an honest and reliable discussion. However, we should not forget that in such a discussion it is not enough to pose ethical and educational questions (*nota bene*—very interesting and inspirational in work), but instead it is crucial to look for deep and sensible answers to such questions.

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*Sprawności moralne a przestrzenie pedagogiczne*,  
eds. Iwona Jazukiewicz, Ewa Rojewska, 305 pp.  
Szczecin: Wydawnictwo Naukowe  
Uniwersytetu Szczecińskiego, 2017

From the research point of view, the work *Sprawności moralne a przestrzenie pedagogiczne* [Moral Skills and Pedagogical Space] is very inspiring. The first part of the monograph is a contemplation of moral fitness in the education space. It is initiated by the means of an article written by an educator and psychologist Alina Rynio, entitled “Role Models and Building the Prestige of a Teacher and Educator.” The author assumes that human development and education require models, authorities, and masters. Having explained the title concepts she points towards their place in the process of educating. She shows a pressing necessity to restore the prestige of a teacher and educator, as well as diagnoses the reasons of its deterioration and indicates the possible ways of changing this situation. In the text the reader can find an analysis of the process of education in which teachers and educators who deserve the name of masters hold their proper place. The meaning of authority in an educational work with minors in youth custody centers is submitted to an in-depth analysis by an educator Jacek Parański in a text entitled “Building of the Prestige of an Educator and Moral Inclination in the Experience of a Youth Custody Center.” The author indicates towards the essential for building long-lasting and real educational authority moral inclinations, and also reveals foundations and activities which impede the process of constructing prestige or lead towards its deterioration (p. 11n). The other analyses, presented in the first part, are especially valuable due to the fact that they include authors’ own experiences—connected with building and having prestige among minors submitted to the rehabilitation process. An educator and

psychologist Marta Komorowska-Pudło in her article entitled “The Quality of Upbringing in the Origin Family and the Ability to Love in Young Adults” performs an analysis of the relation between the attachment style in a child as well as the parental attitudes of mothers and fathers that they show towards the child and the level of its ability to love in the adulthood. The analysis of the empirical studies was preceded by a theoretical presentation of the essence of mature love and the process of shaping the ability to love in the family environment. It is because it has a fundamental meaning for the quality of the upbringing process and its effects. Moreover—today, according to the monograph—what is important is the Internet. Currently the Internet has a great many functions in a person’s life. It can be the source of knowledge, entertainment, space of social life, a work tool. It can also be a medium by means of which a person draws hope and strength during the crisis in his or her life. It is exactly this aspect of Aneta Jarzębińska’s article entitled “Hope for Parents of Children with a Lethal Defect” that can be found on an Internet discussion forum. The entries—placed on an Internet forum established in 2008 by the parents of children with the Edwards Syndrome—have been submitted for analysis by the authors. The published material offers much information about manifestation of giving hope in discussions in the forum and explains how parents of children with a lethal defect can become the source of hope.

It is worth to refer in the review to several detailed lectures. Among them it seems crucial to mention such lectures as “Education as a Practice as Defined by Alasdair MacIntyre” by Paweł Kazimierzczak, “Development of Moral Fitness in Homeschooled Children” by Renata Królikiewicz, “A Good Teacher, Who Is He? Questions about Teachers’ Role in Reflections of Educators Teaching in Music Schools” by Damian Labiak, “Optimism in Teacher’s Life and Activity” by Piotr Modzelewski, “Respect as an Element of Attitude towards Nutrition—In Pursuit of Moral Fitness in Nutrition Education” by Agnieszka Buczak, or “Occupational Development Programs for Graduates—An Attempt of Evaluation in the Light of Personalism” by Magdalena Luka.

In the reviewed work it is difficult to separate the pedagogical threads from the ethical ones. It is a methodical consolidation. A detailed analysis of the content makes it possible to say that the entire publication is prepared on the basis of integral anthropology. It is confirmed by the editorial and authorial introduction. What we can find in it, among other things: “It is the man: Tomek—his bone marrow went from Bydgoszcz to the USA and saved the life of a 58-year-old woman; XV edition of *Szlachetna Paczka* (Precious Package) connected almost a million of Poles, and the value of aid passed in the packages amounted to 54 million PLN [...]. It is the man: it is 38 years since the mass suicide of over nine hundred people in the Guyanese hamlet of Jonestown, where the parents gave poison to their children and later took it themselves; the cultural heritage site in Iraq completely destroyed with a pneumatic drill; in

Kazakhstan a hunter smashed up an injured wolf's muzzle just for fun, and in a Greater Poland province someone put a cat on fire." According to the authors all of these constitute the contemporary "pedagogical spaces." There are many existential examples like that in the study. They are, first and foremost, prepared in the area of the contemporary media pedagogy. Hence they confirm the necessity to build good pedagogy today. Iwona Jazukiewicz and Ewa Rojewska—the authors of the entire publication—claim that: "It is the man and it is life, shaped by the man, who is capable of examining it and doing good or bad. The man is responsible for the quality of life, so is morally obliged to develop in rationality and the choice of good and doing good. Such a moral improvement is a relatively stable feature, which can be and should be shaped: since the improvement required both knowledge on morality, as well as willingness to do good towards others and oneself. Lack of a simultaneous shaping of righteousness of both powers—reason and will—leads to a restricted understanding of improvement as knowledge about the good and the bad or its usage for an agile working of vile. Moral fitness, therefore, is of an acquired nature. It is available to everyone, however, this commonness does not really mean that all have the same improvement. It concerns people, who knowingly take up the effort of working on oneself" (p. 8).

What sounds interesting in the reviewed work is the concept of *pedeutology*. It is a concept popularized by Iwona Jazukiewicz (cf. Iwona Jazukiewicz, *Pedeutologiczna teoria cnoty* (Szczecin: Wydawnictwo Naukowe Uniwersytetu Szczecińskiego, 2012) and the previous work of Adolf Szotysek, *Filozofia wychowania* (Toruń: Wydawnictwo Adam Marszałek, 1998)). The author from Szczecin puts forward a currently strong and necessary thesis: "What plays a crucial role in moral improvement is the encounter with other people. These are particular moments of experiencing the value of live, the other person and oneself. The encounter is the foundation for upbringing processes and education, the aim of which is to reveal what is 'obscured': the truth about the world and oneself." We cannot talk about upbringing and education without directing our reasoning towards man, especially in his or her possibility to recognize the truth, doing good or bad, loving or hating. John Paul II in his address to the representatives of UNESCO emphasized that the role of upbringing is to make sure that the man becomes more rather than has more—therefore, through all that he or she has, he or she is able to be a better and a fuller man (John Paul II, *W imię przyszłości kultury. Przemówienie w UNESCO*, Paris, 2 June 1980), *L'Osservatore Romano* (wydanie polskie) no. 6 (1980), 4).

An important conclusion of the reviewed work are the descriptions of building an "optimistic pedagogical space." The person who especially directs our attention towards it is an educator and psychologist Piotr Modzelewski, who in his research on optimism in teachers' life suggests that such an attitude is connected with a high quality of life, protects us against the everyday stress and

beneficially impacts the realization of goals, physical as well as mental health, and is connected with a better professional adaptation. The authors of all studies conducted an analysis of the essence of the phenomenon of optimism, and they present its conceptualization that proved to be useful in pedagogy and ethics.

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*Familiologia XXI wieku. Wyzwania i oczekiwania*,  
ed. Urszula Gruca-Miąsik, 282 pp. Rzeszów:  
Wydawnictwo Uniwersytetu Rzeszowskiego, 2014

Family has been a natural social environment for ages. People live, develop, and shape themselves in the family. Additionally, family is a fundamental space for education. The authors justly assume a methodical principle that today familiology is a study field which spans the enormous areas of pedagogy and ethics. The effectiveness of a good upbringing of a human depends mostly on the family pedagogy. In turn, the good ethical formation of human and his or her moral maturity—as *Familiaris Consortio* shows—depends on good family. The authors of the publication remind us that familiology began to develop strongly at the end of the previous century and at the beginning of the 21st century constitutes one of the resilient branches of social knowledge. Therefore, the title is as follows: *Familiologia XXI wieku. Wyzwania i oczekiwania* [Familiology of the 21st Century. Challenges and Expectations]. We must not forget that it is the healthy family environment that the future and subsequent upbringing of children and teenagers depends on. “Moreover, family constitutes a source of all activities, drives and desires of an individual and society” (pp. 7–8). Owing to that, what is necessary is an awareness of the influence of family on the functioning and comprehensive human development. It is a moral development and along with it comes the entire good upbringing.

While analyzing the content of the monograph, we can see that the authors assume that “the process of globalization contributes to the creation of many successive social transformations, which span, first and foremost, the human and his or her widely understood upbringing” (p. 9ff.). It is also an elementary component part of the family life. It all leads to a “necessity of a constant and flexible adaptation of the family to the new conditions. The contemporary world

puts a lot of challenges to the family and burdens it with a great number of duties and demands. However, it is precisely the family that in the face of changeability constitutes the hope of every society” (p. 8). In the review it should be borne in mind that “our future depends on the present. Therefore, what is greatly crucial is to lean over the topic of family, realize the difficulties, obstacles and show the correct way of development and give it, at the same time, a chance to function properly.” In this functioning the authors see the value of both ethics and personalistic pedagogy.

When it comes to the content—the category of “protection and care” is worth emphasizing. It was probably suggested by Urszula Gruca-Miąsik. Since she believes that what is located in the issues of moral education and upbringing, in general, is “the freedom of choice of caring” for a person. What is suggested here is that without protection and care there is not and cannot be real upbringing. It is the great message of Saint John Bosco, but also earlier John Amos Comenius. It is in the family environment that a person encounters care for the first time. It is something natural and makes it possible to realize stately humanity to the full. Taking care for someone is, first and foremost, a set of moral acts. Therefore, it has the elementary moral value. Owing to this value, the person acquires—on a social forum—a pedagogical value. That is why we can see that in several articles of the reviewed monograph the concept of care is understood as an “expression of care for the other man,” which simultaneously constitutes the expression of authentic educational force towards children, youth, but also adults. The authors point towards the crucial differences in the understanding of the concept of “care.” Looking closer at the existence of moral values in the life of a person gives meaning to the understanding of care as a free choice, which we often forget about. Understanding care as a necessary duty, in turn, boils down to the creation and development of “support and educational institutions.” It is depicted, first and foremost, by social welfare in the European and Western countries.

For the authors of this publication of great importance are also new pedagogical and ethical challenges, which a person has to face in connection with the life function of caring for another person. Therefore, it is also important to look closer at the fundamental differences between “taking care” and “support” offered to others. The authors emphasize that these concepts are very often confused or even wrongly identified with each other. The differences are particularly visible when we analyze the process of a person’s upbringing and “work with a person” in a personalistic way. Familiology helps significantly. The concept of care originates from the Latin word *tura*, which is translated as “concern.” Taking care for someone means showing concern for this person. The authors refer to both the Biblical concept of “concern for one’s neighbor,” as well as the Heideggerian “One *is*, after all, *what* one takes care of” (trans. Staumbach). In turn, A. Stys in the study highlights the connection in ethics

and pedagogy of the “skills and abilities in a constant helping a person, which are also inscribed in the system of education law” (p. 82ff.). The category of concern is thus crucial. For ages the help offered to neighbor resulted from a profound need to provide help, dictates of religion, and with time it became the legal duty of a country. Although the beginnings of social welfare go back to the Middle Ages and a wider connection of this institution with the duties of a country is visible not earlier than in the 19th century, for many centuries, supporting people who have found themselves in a difficult life situation meant no more and no less than a charity work, so also spontaneous, voluntary, and very often accidental. For ages it was the matter of the Church’s charity work. The historical circumstances of social welfare show a slow replacement of “formalized” charity work with an educational and ethical activity. This was really well shown in the study of the background of conditions of a postmodern society.

Although the publication does not exhaust the extensive spectrum of problems connected with the family, difficulties, but also opportunities and rules of its functioning, it can constitute an inspiration for all those to whom the issues related to the family are close. Therefore, a separate part of the contemplation are the fragments concerning parents. One of the articles in the publication touches upon the essence of paternity. We learn from it about the current crisis of paternity, which most often results from a longer absence of a father at home. Particular attention was paid to the meaning and role of a father in the process of upbringing and socializing a child. An important fragment of the study concerns the mistakes the contemporary mothers and fathers make when bringing up a child. A consequence of it is a pressing need to “educate and bring up parents in this field, parents who too often are accused of not being trained in this area.” It all influences completely new “parents–school” relations. However, it is a separate problem, which the authors are planning to discuss in the subsequent publication.

While analyzing the content of the entire study, we can see that the authors show the family as a “destination of human desires.” Bearing that in mind, all the authors unanimously present changes in the understanding of the family and its representation over centuries. They, however, always underline the fundamental meaning of the family, since it constitutes “a necessary life path of every human being, so also his or her calling—within the depiction of a great many scientific fields.” Therefore, the contributors to the reviewed publication also devote close attention to the “motives of human conduct, drives, and desires which lead to starting a family.” By necessity, they also present short descriptions concerning centuries-old social transformations resulting in changes within the scope of the functioning of the family. Additionally, consistently—in every article—they show consequences of upbringing as well as human ethos. Invariably—like a refrain—what keeps surfacing many times (psychologically, sociologically, theologically, and ethically) is a substantiated

conviction that upbringing and morality depend on the physical and spiritual condition of the family. Educational success and building of self-esteem depend on the family environment. It is an extremely crucial topic, which shows what is the influence of the family on social and educational functioning of a child, since it is the family upon which the shaping of an individual's personality and, at the same time, his or her entire life rests. What also depends on the family is shaping of one's image, self-esteem, as well as fulfilling school and subsequently professional duties. The most valuable in the entire monograph seem to be the fragments that suggest that it is in the family that the man "acquires abilities" of setting limits to him/herself, the ability to establish a dialog and the ability to resolve conflicts. That is why the study should be deemed valuable for the contemporary man. The particular addressees of the publication are students of social sciences, especially educators, familiologists, social workers, teachers and form teachers, since it is their actions, support, help, and understanding which the functioning of Polish family will rely on to some extent.

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*Wychowanie w szkole:  
od bezradności ku możliwościom,*  
eds. Radosław Chałupniak,  
Tomasz Michalewski, Ewa Smak, 495 pp.  
Opole: Redakcja Wydawnictw  
Wydziału Teologicznego Uniwersytetu  
Opolskiego, 2014

The publication *Wychowanie w szkole: od bezradności ku możliwościom* [Education at School: From Helplessness to Possibilities] is a fruit of an academic conference entitled *Education at School: From Helplessness to Possibilities*. It took place in Opole on March 29, 2014. The organizers of this meeting were two units of the University of Opole (the Institute of Educational Studies at the Faculty of History and Pedagogy as well as the Department of Catechesis and Pastoral Theology of the Faculty of Theology) with the cooperation of the Board of Education in Opole, Local Education Authority in the city hall in Opole, the Regional In-Service Teacher Training Center in Opole and the Catechistic Department of the Curia in Opole. The fundamental aim of the conference was the exchange of experience connected with a crucial upbringing environment, which, despite various difficulties, school still is. The publication includes forty-five articles. It has been divided into five parts.

The first part concerns the theoretical assumptions connected with school education. The authors, among others, undertake the topic connected with the legal situation, seen from both the European and the Polish point of view. They touch upon issues concerning the contemporary concepts of education, necessities

and possibilities of permanent education or crisis of some educational ideas. They also point towards the elementary tasks and postulates, as well as attempts of evaluating educational influence in the contemporary school. In the second part the attention is drawn to people who have a fundamental impact on the shape of education in school: parents, school principals, form teachers, and educators. From the point of view of theory, as well as pedagogical practice, the study shows not only their duties, but also possibilities, which are inseparably connected with the function they have and their engagement. An obvious continuation of this contemplation is the third part of the publication dedicated to program issues, so the defined aims and content of education, as well as reference to the particular educational stages: elementary school, junior high school and high school. The fourth part of the publication, the most detailed and developed one, to a bigger extent concerns formal issues and presents how the educational process is conducted through specific methods and means, as well as the particular school subjects: Polish, history, religious education, ethics, esthetical and music classes, so-called charter hours, or sexual education. At the end of this part, three very specific examples of the way values are transmitted in work with the student board, school Caritas community and scout teams are presented. The last, fifth part refers to some of the European experiences. Specific elements of education in school in Austria, Great Britain, France, Slovakia and Slovenia are presented. The entirety is showed in such a way that the contemplation might be treated as a peculiar point of reference and comparison to the domestic situation.

What is important in the review is that the book on the education in school was published in a series entitled *Opolska Biblioteka Teologiczna* (Opole Theological Library). That is why we can see in it a really interesting connection of Christian education (and not only religious!) with the integral education of a human being. This theme runs through the entire study. Present in the Christian upbringing, a principle of faithfulness to God and human encourages not only to a deep contemplation regarding the Revelation—who God is and how he seeks humans, but also to a continuous discovering who the contemporary human is—the recipient of the Good News. Still, from the beginning, theology opens itself to anthropology and wider—to philosophy, yet also to disciplines which refer to the contemporary conditions of human life: psychology, pedagogy or sociology. Serving the human being, theology opens itself to the humanities. Nonetheless, this opening of oneself should not remain one-way.

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Konferencja Episkopatu Polski,  
*Podstawa programowa katechezy*  
*Kościła katolickiego w Polsce*, 168 pp.  
Częstochowa: Edycja Świętego Pawła, 2018

In the latest apostolic exhortation entitled *Gaudete et Exsultate*, Pope Francis—describing the spirituality of a catechist—says that “we are challenged to show our commitment in such a way that everything we do has evangelical meaning and identifies us all the more with Jesus Christ” (n. 28). The pope’s understanding of the catechetical mission in the contemporary world can be found in the document entitled *The Core Curriculum of the Catechesis of the Catholic Church in Poland*, approved during the 379th Plenary Assembly of the Polish Conference of the Polish Episcopate on June 8, 2018 in Janów Podlaski.

The reviewed document is the response of the Polish Episcopate to the reform introduced by the Polish Ministry of Education. When in 2015 the project of the reform of the educational system had been announced, the Catholic Church in Poland decided to take steps to prepare *The Core Curriculum of the Catechesis of the Catholic Church in Poland*. It is worth mentioning that the introduced changes resulted in eliminating junior high schools and restoring 8-graded primary schools. The period of studying in high school and high technical school was thus extended. Vocational schools of the first and the second degree were established.

The *New Core Curriculum of General Education* prepared by the Ministry of Education became an inspiration to amend *The Core Curriculum of the Catechesis of the Catholic Church in Poland* in 2010.

The *Latest Core Curriculum of the Catechesis of the Catholic Church in Poland* is the third document of the church of this kind (2001, 2010, 2018).

Its creation was inspired by the social changes taking place in the Polish society. In the opinion of sociologists and psychologists, every five years a new generation of young people comes who shares a changing system of values. It is comforting that the authors of *The Core Curriculum* took into consideration the creation of interpersonal relation, the influence of the communication technology on children and youth, care about family relations and problems with the young in their societies, where liberal influences are exceptionally strong.

The addressees of the reviewed document are first of all the authors of the core curriculum for catechesis. The specific evangelic needs for the educational groups of children and the young point at the need to prepare various core curricula and catechetical textbooks. *The Core Curriculum of the Catechesis of the Catholic Church in Poland* provides sufficient framework to develop the said variety while respecting catechetical unity throughout Poland. The document is also addressed to catechists as it defines requirements that can and should be set for a student attending school religion classes as well as measures to be taken by a catechist.

A very relevant assumption of *The Core Curriculum of the Catechesis of the Catholic Church in Poland* is assuring integrity of religious content on the level of the primary school and high schools.

The document, apart from the used abbreviations and introduced explanations of terminology of *The Core Curriculum of the Catechesis of the Catholic Church*, is composed of five parts (the pre-school, grades I–IV of the primary school, grades V–VIII of the primary school, the high school, the special school), which are similar in their structure. The psychological characteristic of children and youth is shown at the beginning at a specific stage of education. Next *The Core Curriculum of the Catechesis of the Catholic Church* (in the pre-school or the school) involving catechetical aims has been presented—general aims, contents, specific demands and attitudes followed by recommended conditions and the ways to put them into practice. It is worth underlying, which is some kind of novelty, that the authors of *The Core Curriculum of the Catechesis* point out the grounds for showing how the content and specific demands should affect the catechized. The authors emphasize that the attitude is not to be assessed by a school mark. *The New Core Curriculum of the Catechesis* referring to specific stages of school education contains also the synthesis of the content-specific requirements of other school subjects which are supposed to correlate with teaching religion in connection with the school education and a proposition of the cooperation of catechetical societies (families and parishes).

The structure of *The Core Curriculum of the Catechesis of the Catholic Church in Poland* shows the division into the educational stages. The pre-school education is described as “Introduction to Religious Life.” The authors of *The Core Curriculum* have aptly noticed that the processes of Christian upbringing should be characterized by supporting a child’s need to acquire capacity for

religious interpretation of daily events and the world around. These processes should be accompanied by Christian initiation, the fruit of which is meeting Jesus Christ, which also means an unquestionable subordination and trust in Him.

While caring for adequate religious development of the pre-school pupils it is necessary to vary proper methods for didactic work at this stage of the development and care for educational environment of religion education classrooms to fulfill the requirements of the education at the pre-school age. That is why it is necessary to encourage close cooperation between catechists and children's parents.

The first educational stage—for the I–IV grades of the primary school—is “The Catechesis of Initiation into the Sacraments of Penance and Reconciliation and the Eucharist.” This is a cycle aiming to prepare children for the first confession and the Holy Communion and the after-communion stage which introduces the practice of frequent Holy Communion. The New Core Curriculum accurately points out catechetical purposes: preparing for the sacrament of penance and reconciliation and the Eucharist, showing God's love in gifts of life, baptism and faith, as well as being introduced into the mysteries of the liturgical year, and creating the conscience, leading to meeting God in prayer, upbringing to live in a community life in families, schools, parishes and creating eucharistic attitudes as well as the attitude of testimony.

The next part of The New Core Curriculum refers to the V–VIII grades of primary school and is entitled “The Mystagogical Catechesis Introducing to the History of Salvation.” This is a gradual preparation for the sacrament of confirmation. In this case the authors of The Core Curriculum, in specific areas of topics, have rightfully suggested the following: assistance in understanding the essence of the sacrament of confirmation through discovering presence of God and the meaning of faith in man's life in abundance, introduction to the history of salvation and its actualization in the liturgical year and the man's life, deeper understanding of the holy sacraments for the Christian life and further formation of conscience.

In the new educational division, on the third stage—high schools—The Core Curriculum suggests the title “The Catechism of Christian Identity.” This is a cycle whose aim is to provide education that would pave the way for the Christian adulthood by deepening the knowledge of the Bible and the Tradition, as well as by creating the Church identity connected with making effort to prepare the apostolic deeds. On this educational level the authors of The Core Curriculum strongly underline the need of the apology of faith, which means the ability to justify the faith, firstly by students for themselves, then also by becoming an apostle. It will be supported by creating ecclesiastical identity and support in discovering one's Christian vocation.

Moreover, the final part of The Core Curriculum “Let children come to me” (Mk 10,14) has been dedicated to special catechesis. It draws attention to people

with serious or light intellectual disability, people with autism, people with hearing loss or with hearing deficiencies, and people with visual impairment or vision loss.

The reviewed document meets the highest standards of the modern catechetical document of the church. It takes into account the new system of school education and takes into consideration the process of social changes happening in the Polish society. The suggested layout and structure of the document is clear and understandable for its readers. The content, the detailed requirements, and required attitudes are presented in a table form, which emphasized their close connection with the tasks of the catechesis. The reviewed document uses terminology respecting both the school standards, directions of the Catholic Church regarding catechesis, as well as the Polish catechetical tradition. Professionally devised correlation of the religious education and the school education presented in the document is necessary because of the catechetical reasons (a link between life experience and the Christian faith), didactic reasons (easier acquisition of the same content discussed in various aspects during various lessons) and other reasons (showing students the unity of truth and respect for it).

The Project Team working on The New Core Curriculum and all its authors deserve to be praised for their work. They prove that in the Polish Church catechesis is a dynamically developing discipline. I am very happy that catechists are equipped with a new document compatible with The New Core Curriculum of the Catechesis of the Catholic Church in Poland, written in the way expressing compatibility between a religious and school language. The New Core Curriculum will contribute to enthusiasm and eagerness to spread the Good News.

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The publication is indexed in the following databases:

BazHum

Central and Eastern European Online Library (CEEOL)

Index Copernicus

Worldcat

Erih Plus

Copy editor Gabriela Marszołek

Cover design Emilia Dajnowicz

Proofreading Anna Kisiel

Typesetting Alicja Załęcka

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Electronic version is the original one. The journal was previously published in printed form with the ISSN 2450-4955.

The journal is distributed free of charge ISSN 2451-2141.

Published by

**Wydawnictwo Uniwersytetu Śląskiego**  
**ul. Bankowa 12B, 40-007 Katowice**

[www.wydawnictwo.us.edu.pl](http://www.wydawnictwo.us.edu.pl)

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First impression. Printed sheets: 16.5. Publishing sheets: 20.0.

ISSN 2451-2141

9 772451 214800 8 5

About this book

