



Sovereign Family





WYDAWNICTWO UNIWERSYTETU ŚLĄSKIEGO KATOWICE 2014

Ecumeny and Law Vol. 2

Sovereign Family

Wydawnictwo Uniwersytetu Śląskiego • Katowice 2014

Editor-in-chief Andrzej Pastwa

Deputy editor-in-chief Józef Budniak

Secretaries Kinga Karsten, Marek Rembierz

Head of ecumeny department Zdzisław Kijas

Head of law department Piotr Kroczek

Scientific board

Head Cyril Vasil' (archbishop, Roma)

Members

Leszek Adamowicz (Lublin), František Čitbaj (Prešov), Andrzej Czaja (bishop, Opole), Pavol Dancák (Prešov), Alojzy Drożdż (Katowice), Nicolae V. Dură (Constanța), Ginter Dzierżon (Warszawa), Tomasz Gałkowski (Warszawa), Zygfryd Glaeser (Opole), Wojciech Góralski (Warszawa), Wojciech Hanc (Warszawa), Marcin Hintz (bishop, Warszawa), Janusz Kowal (Roma), Krzysztof Krzemiński (Toruń), Damián Němec (Olomouc), Urszula Nowicka (Warszawa), Theodosie Petrescu (archbishop, Constanța), Marek Petro (Prešov), Wilhelm Rees (Innsbruck), Gerda Riedl (Augsburg), Peter Šturák (Prešov), Peter Szabó (Budapest), Jerzy Szymik (Katowice), Marek Jerzy Uglorz (Warszawa)

Statistical editor Wojciech Świątkiewicz

English language editors Michelle Adamowski, Sławomir Szkredka

> French language editor Dorota Śliwa

> Italian language editor Agnieszka Gatti

The publication is also available online at:

Baza Czasopism Humanistycznych i Społecznych www.bazhum.pl

Central and Eastern European Online Library www.ceeol.com

Table of contents

Part One Ecumenical Theological Thought

WOJCIECH ŚWIĄTKIEWICZ The Value-Oriented Meaning of the Family and Its Contemporary Trans- formations	9
MARIAN MACHINEK The Charter of the Rights of the Family and the Yogyakarta Principles. Two Worlds	33
Раvol Dancák Reflection on the Family at the Beginning of the 21st Century	49
Józef Budniak Pastoral Counselling of Multi-Religious Families Based on Examples from Bielsko-Żywiec Diocese	61
MARCIN SKŁADANOWSKI The Cultural, National and Religious Identity of the Inhabitants of the Polish-Belarusian Borderland: Historical Experiences as a Factor in Shap- ing the Contemporary Podlasie Region	75

Part Two Ecumenical Juridical Thought

WOJCIECH GÓRALSKI Family as a Sovereign Institution	91
Томаяz Gałkowski The Charter of the Rights of the Family in the Context of Theology of Law	105

NICOLAE DURĂ, TEODOSIE PETRESCU Institution of the Family according to the Teaching of the Orthodox Church	115
PIOTR KROCZEK The Rights of the Family in the Vision of the Evangelical Church	131
Damián Němec Pastoral Vision of the Rights of the Family in the Catholic Church	145
LUCJAN ŚWITO Legal Protection of the Institutional Value of Marriage	157
ANDRZEJ PASTWA The Right to Found a Family and the Right to Parenthood. Remarks on Articles 2 and 3 of the Charter of the Rights of the Family	171
URSZULA NOWICKA The Right to Freedom of Spouse Choice and Religious Upbringing of Chil- dren (CRF, Articles 2 and 7)	193
ELŻBIETA SZCZOT The Right to Work and Family Wage. Some Reflections on Article 10 of the Charter of the Rights of the Family from the Polish Perspective	205
МаŁGORZATA ТОМКІЕWICZ Protection of the Family in the Family Policy of the State: Legal, Social and Economic Aspects	227
Cătălina Mititelu, Bogdan Chiriluță The Christian Family in the Light of the Nomocanonical Legislation Printed in Romanian Language in the 17th Century	247
FRANTIŠEK ČITBAJ Civil Effects of Entering Into Canonical Marriage according to Laws of the Slovak Republic	269
LESZEK ADAMOWICZ Law and Pastoral Care: Reflections of Three Popes	287

Part Three

Reviews

Intelektualne i duchowe dziedzictwo Cyryla i Metodego. Historia i aktualność tradycji cyrylo-metodiańskiej. Eds. Józef BUDNIAK, Andrzej KASPEREK. Pol- ska Akademia Nauk. Studio NOA. Katowice 2014, 198 pp. – HELENA	
Hrehova	303
Urszula Nowicka: Stwierdzenie stanu wolnego wiernych prawosławnych na forum kościoła. Warszawa 2012, 424 pp.— Edward Górecki	309
JUAN JOSE PEREZ-SOBA: Amore: introduzione a un mistero. Amore umano, 13. Cantagalli Siena 2012, 430 pp. — Alojzy Drożdż	313

Beziehung leben zwischen Ideal und Wirklichkeit. Eds. W. KRIEGER, B. SIEBERER. Edition Kirchen — Zeit — Geschichte. Linz 2010, 198 pp. — IRENEUSZ CELARY	317
Тадеияz Dzidek: <i>Funkcje sztuki w teologii</i> . Wydawnictwo WAM. Kraków 2013, 170 pp. — Jerzy Szymik	321
LEONARDO PARIS: Sulla libertà. Prospettive di teologia trinitaria tra neuroscienze e filosofia. Città Nuova. Roma 401 pp. — MICHAŁ DROŻDŻ	327
Constans et perpetua voluntas. Pocta Petrovi Blahovi k 75. narodeninám Eds. Peter Mach, Matej Pekarik and Vojtech Vladár. Trnavská univer- zita v Trnave, Právnická fakulta, Trnava 2014, pp. 763 — Stanislav Přibyl	335
Notes on Contributors	341

Notes on Contributors

LESZEK STANISŁAW ADAMOWICZ, Professor KUL, head of the Department of Law of the Eastern Catholic Churches at the Faculty of Law, Canon Law and Administration at the John Paul II Catholic University of Lublin (KUL). Born in 1960 in Zamość, since 1984 he has been a priest of the Archdiocese of Lublin. He studied at KUL (theology and canon law) and the papal universities in Rome; since 1990 he has been an academic teacher at Catholic University, since 2004 head of the department, associate professor since 2005, since 2011 head of Institute of Canon Law. Since the academic year 2005-2006 visiting professor at the Pontifical Oriental Institute in Rome. His major occupation is the Eastern Catholic Church Law and the law of non-Catholic communities. The translator into Polish of the Code of Canons of the Eastern Churches, a member of the Polish Bishops' Conference Team for Dialogue with Greek-Catholic Church in Ukraine and consultant of the Legal Council of Polish Bishops' Conference, a member of the Polish Canon Law Society, Polish Society of the Ecclesiastical Law and International Society of Eastern Canon Law.

Józef BUDNIAK, Professor, PhD, University of Silesia in Katowice, Faculty of Theology, and Institute of Missiology and Ecumenical Theology and Faculty of Ethnology and Sciences of Education; commission chairman for ecumenism in the diocese of Bielsko-Żywiec; former Deputy Dean for Foreign Exchange in the Faculty of Ethnology and Sciences of Education at the University of Silesia; in the years 1992—2000, president of International Ecumenical Fellowship; former chairman for Polish-Czech and Polish-Slovak Relationships Commission affiliated to Polish Academy of Science, Katowice branch; chairman of the Society of Theologians of Ecumenism. His total work includes 134 academic and popular academic works, among them: 102 academic papers, 5 books and 27 popular academic publications. He participated in Polish and foreign academic conferences giving 119 lectures. Moreover, he was an editor or co-editor of 12 multi-author works. He was also a referee of 32 books and academic papers. Finally, he organized 17 academic conferences and 1 international ecumenical congress.

IRENEUSZ CELARY, Professor UŚ, born in 1964, presbyter of the Archdiocese of Katowice, pastoral and liturgical theologian. Doctorate in 1998 (the Pontifical Academy of Theology), habilitation in 2004 (UO), associate professor — 2010 (University of Silesia). From 2004 assistant professor, from 2010 Associate Professor in the Faculty of Pastoral Theology and History of Priesthood at the University of Silesia in Katowice. From 2010 to 2012 he was a scholar of the University of Vienna. He is an author and editor of books: *Pastoralne wskazania dotyczące liturgii sakramentalnej*, Katowice 1998; *Obrzędowość świecka jako wyzwanie dla życia duszpastersko-liturgicznego*, Katowice 1999; *Kult Matki Bożej Nieustającej Pomocy w Archidiecezji Katowickiej*, Katowice 2000; *Rezurekcyjny wymiar nowej ewangelizacji i "główne" miejsca jej urzeczywistniania*, Opole 2004; *Duszpasterstwo rodzin w Polskiej Misji Katolickiej w Wiedniu w latach* 1981—2010, Wiedeń 2013; and above 90 scholarly articles on pastoral and liturgical theology.

BOGDAN FLORIN CHIRILUȚĂ, PhD, born in 1982, is a lecturer at the Faculty of Orthodox Theology of Ovidius University of Constanța (Romania). He graduated and obtained Bachelor Degree and Master Degree from the Faculty of Theology. Since 2011 he holds a PhD in Theology, specialization Biblical Theology.

FRANTIŠEK ČITBAJ, Associate Professor, PhD, was born on 22 January 1957 in Prešov. He is a Greek-Catholic priest who works as a docent at the Greek Catholic Theological Faculty of Prešov University. He is a member of the Slovak Presidency of Canon Law and also works as an ecclesiastical judge. His interests are mediation and dealing with voluntary settlements. His theological studies took place at the Roman Catholic Theological Faculty, University of Komenský in Bratislava (MA in 1996), and his legal education was obtained at the Faculty of Law, Canon Law and Administration at the John Paul II Catholic University of Lublin (Master's degree in 1998, *cum summa laudis*; JCDr. degree in 2005, and PhD in 2007). In 2011 he was granted habilitation at the Greek-Catholic Theological Faculty of Prešov University, based on a thesis entitled *General Institutions*

of Marriage in a New Law of the Latin Church and the Law of the Eastern Catholic Churches. For many years he worked in the field of pastoral practice. From 1999 to 2009 he had been working as a judicial vicar for Bishop Mons. Milan Chautur, CSsR Košice Eparchial Bishop. Temporarily served as a judicial vicar of the Archbishop of Presov Mons. John Babjak, SJ. In his teaching and research activities he is dealing with the Law of the Eastern Catholic Churches, the Roman Law, confessional law and issues of Catholic ecumenism.

PAVOL DANCÁK, Professor, PhD, was born on 4 May 1965 in Bardejov (Slovakia). He graduated from the study of theology at the Cyril and Methodius Roman Catholic Theological Faculty in Bratislava in 1988 and in the same year he received the priest's ordination. He worked as a parish priest and in 1996 he was appointed as a censor in beatification of Bishop Paul Peter Gojdič, and later also in the process of beatification of Bishop ThDr. Vasil Hopko. In 1995 he began to study philosophy at the Philosophical Faculty of Papal Theological Academy in Cracow. In 2001, under supervision of Professor dr hab. Karol Tarnowski, he defended postgraduate degree based on a dissertation The Issue of Education in Teaching of John Paul II. On 27 April 2005, he habilitated in the history of philosophy with a book Historical and philosophical reflections of paideia in works of Karol Wojtyla, at the Faculty of Arts, University of Prešov in Prešov and on 29 January 2011 he was appointed a History of Philosophy Professor. On 1 August 2002 he was employed as vice-dean for Development and External Relations Greek Catholic Theological Faculty of University of Prešov in Prešov, and currently he is the head of Department of Philosophy and Religion. He is a member of the Scientific Council of GTF UP in Prešov and the Scientific Council of the University of Health and Social Work St. Elizabeth in Bratislava.

NICOLAE V. DURĂ, Professor, JD, was born in 1945 in Romania. He obtained his Bachelor's and Master's degrees in Theology in the Theological Institute of University Rank in Bucharest; followed by PhD in Canon Law (1981) at the same university after completing his PhD studies and research in the field of Canon Law in Ethiopia; doctoral and postdoctoral studies and research in France (Catholic Institute and Sorbonne University in Paris) and in Greece (Aristotelian University of Thessaloniki). In 1997 he obtained a degree of Doctor in Canon Law at the Pontifical University of Toulouse (France), and in 2002 — Doctor Honoris Causa granted by the Humanist Sciences, University of Ostrog (Ukraine); 2010 — Doctor Honoris Causa — University St. Kliment Ohridski of Sofia (Bulgaria). ALOJZY DROŻDŻ, Professor, PhD, born in 1950 in Nowy Sącz, Poland. He graduated from Tarnów Seminary in 1974. He received his PhD in Theology from the John Paul II Catholic University of Lublin in 1982. In 1985 he received PhD in Moral Theology and Ethics from Lateran University (Accademia Alfonsiana) in Rome. During the years 1985—2008 he worked as a visiting professor in the Institute of Theology in Lviv and Tuchów. In 2008 he received professor's title. Since 2004 he has been the Head of The Department of Moral Theology and Spirituality, Faculty of Theology, at the University of Silesia in Katowice. Prof. Alojzy Drożdż is the author of over 50 papers and over 200 articles on moral theology and ethics.

MICHAŁ DROŻDŻ, Professor UPJPII, professor of philosophy, media theory, social communication and theology of media; associate professor of humanities in philosophy of cognition (cognitive science) and social communication (he completed postdoctoral dissertation in philosophy of cognition (cognitive science) and social communication); born in 1958 in Nowy Sacz; Director of the Institute of Journalism and Social Communication of the Pontifical University of John Paul II in Cracow; Head of the Media and Social Communication of the Pontifical University of John Paul II in Cracow; his areas of academic interest include: axiology of the media and social communication, media philosophy, media ethics, philosophical aspects of media theory, theory of information and relations of John Paul II with the media, philosophy of science and philosophy of nature, ethics and philosophy of cognition (cognitive science). Author of numerous articles and several books on philosophy of science, media philosophy, media theory and media ethics, including: Faktizität und Möglichkeit (Facticity and possibility, 2001); Osoba i media. Personalistyczny paradygmat etyki mediów (The person and the media. The personalist paradigm of media ethics, 2004), Logos i ethos mediów. Dyskurs paradygmatyczny filozofii mediów (Logos and ethos of the media. Paradigmatic discourse of media philosophy, 2005), Media. Teorie i fikcje (The media. Theories and fictions, 2006), Etyczne orientacje w mediosferze (Ethical orientations in mediasphere, 2006), Radio plus Dobra Nowina (Good News Radio Plus, 2007), Internet światem człowieka (The Internet as the world of the man, 2009), Media światem człowieka (The media as the world of the man, 2009), Prawda w mediach — między ideałem a iluzją (The truth in the media — between the ideal and illusion, 2010), Wolność w mediach — miedzy poprawnością a odpowiedzialnością (Freedom in the media — between correctness and responsibility, 2010), Nie lękajcie się: Jan Paweł II a media (Do not be afraid: John Paul II and the media, with A. Baczyński, 2011), Dobro w mediach - ze światła do cienia (Good in the media – from light to shadow, with

A. Baczyński, 2012), Odpowiedzialność w mediach — od przypadku do celu (Responsibilty in the media — from case to aim, with A. Baczyński, 2012). Member of the Board of the Polish Communication Association and Chairman of the Section "Axiology of communication" of the Polish Communication Association (PCA), Deputy Chairman of the Polish Association of Media and Journalism Education, member of the Association of Polish Journalists and the Catholic Association of Journalists, regular member of several Polish and foreign scientific societies.

Tomasz GAŁKOWSKI CP, Professor UKSW, born in 1967, he graduated from the Pontifical Faculty of Thelogy "Bobolanum": SJ in Warsaw. In the years 1991—1995 he studied canon law at the Pontifical Gregorian University in Rome, where on the basis of the dissertation "Il *quid ius* nellà realta umana e nella Chiesa" he received his doctoral degree. He was awarded with the Bellarmin's Prize for his publication (*Analecta Gregoriana* 269, Roma 1996). In 2007, he received a postdoctoral degree at the Faculty of Canon Law of the University of Card. St. Wyszyński in Warsaw. His monograph "Right-Duty. Priority and interdependence in the law orders: Canonical and the secular society" was awarded with the Prize of the Rector of the University. He is an author of about 70 scientific publications. His scientific interests include issues related to the *ratio legis* of the canonical norms and issues of common law and canon law. Currently he is a professor and director of the chair of the Theory of Canon Law at this University.

WOJCIECH GÓRALSKI, Professor, PhD, born in 1939 in Poznań, priest of the diocese of Płock, studied canon law at the John Paul II Catholic University of Lublin (KUL) (1961-1965) and at the Roman Rota in Rome (1967-1969). In the years 1977-1996 he was the head of the Department of Matrimonial and Family Church Law at KUL and he has been the head of a corresponding department at the Warsaw Theological Academy (now Cardinal Stefan Wyszyński University in Warsaw) since 1996; he was the Dean of the department in the years 1996-1999, and the vicerector of the university in the years 1999-2002. In the years 1970-2012 he was the professor of the Canon Law at Major Seminary in Płock (WSD Wyższe Seminarium Duchowne w Płocku) (in the years 1984-1986 also the vice-rector of the academy), in years 1984–1999 he was a consultor to the Law Council of Polish Episcopal Conference, in years 1996-2012 a member of the Central Commission for Scientific Degrees and Titles, and in 1993 one of the negotiators of the Concordat. Founder (1990) and editor of the Jus Matrimoniale annual, judge of the Ecclesiastical Court in Płock, Vice-President of the Polish Canonists Association, member of the Committee of Legal Sciences of the Polish Academy of Sciences (PAN). He has published over a thousand scientific papers and popular science works.

EDWARD GÓRECKI, Professor, PhD, born in 1930 in Stonawa, Cieszyn Silesia (Czech Republic); presbyter; academic teacher, theologist, canonist. He studied at the Papal Theological Department in Wrocław (Poland) and Catholic University in Lublin (1967); doctorate (1972), post-doctoral degree (1990), professor (1995). A former chairman of the Faculty of Canon Law at the Papal Theological Department in Wrocław, and former lecturer of the Theological Department at the Palacký University in Olomouc (Czech Republic). Author of numerous publications in three languages: Polish, Czech and German. He participated in several congresses and symposiums in Poland and abroad.

HELENA HREHOVA, Professor, PhD, is a graduate of history and Slovak language and literature at the P.J. Safarik University in Košice. She had emigrated to Italy in 1986, where she studied philosophy and theology at the Pontifical University of St. Thomas Aquinas (Angelicum) and then licentiate and doctoral studies at the Pontifical Gregorian University in Rome, where she earned a doctorate in 1995. In 1999, she obtained habilitation at the Palacký University in Olomouc and in 2004 she was appointed a professor of theology by the President of Czech Republic Vaclav Klaus. She has been lecturing at the Faculty of Philosophy and Arts at the Trnava University since 1996. She is the Head of the Department of Ethics and Moral Philosophy and the author of numerous monographs, university textbooks, chapters in monographs and over 150 articles and studies home and abroad. From her publications can be mentioned: Pohlad do dejín etických systémov (1998), Ruská ortodoxná morálna teológia v perspektíve "od obrazu k podobe" (2001), Kresťanské cnosti vo východnej spiritualite a duchovnej literatúre (2002), Etika — sociálne vzťahy — spoločnosť (2005), Rozvážnosť a voľba podľa sv. Tomáša Akvinského (2006), Morálna filozofia Jacquesa Maritaina. Reflexie o etike a morálke (2006), Etická rozprava o cnosti a dobrokráse. Aretologicko-filokalistické reminiscencie (2009). Fenomén krásy v slovanskom myslení (2011), Etika a kultúra (2012), Základy morálnej teológie v dejinnom kontexte I. (2012), Základy morálnej teológie v dejinnom kontexte II. (2014). She has been a permanent member of the Accreditation Commission for the field of human sciences at the Ministry of Education, Science, Research and Sport of the Slovak Republic since 2003. In addition to the Faculty of Philosophy and Arts at the Trnava University she has also lectured at the Faculty of Theology at the Trnava University, at the Faculty of Theology Palacký University in Olomouc and currently at the Masarvk University in Brno. In the centre of her scientific

research are: moral theology and moral philosophy, history of ethics, philosophy of Thomism and Neothomism, Russian religious philosophy and personalism. Part of her scientific school are as well ten successful graduates of PhD. studies. Nowadays, she has been leading three PhD students.

PIOTR KROCZEK, Professor UPJPII, born in 1975, is a priest of the Bielsko-Biała Diocese, Poland. In 2001 he obtained MA in theology, in 2003 JCD, and in 2011 habilitation degree in legal science. He lectures at the Institute of Canon Law and at the Faculty of Social Sciences, the Pontifical University of John Paul II in Cracow. He majors in theory of law and marriage law. His last book was tilted entitled "The Art of Legislation: the Principles of Lawgiving in the Church" (2011, written in Polish).

MARIAN MACHINEK, Professor, PhD, born in 1960, a Roman Catholic priest, a member of the Congregation of Missionaries of the Holy Family, professor of moral theology, Chair of Moral Theology and Ethics at the University of Warmia and Mazury in Olsztyn, Poland, President of the Association of Moral Theologians in Poland, editor of *Studia Nauk Teologicznych PAN* (the journal of the Committee on Theological Sciences of the Polish Academy of Sciences in Warsaw). Research topics: bioethics, the binding force of biblical ethics, conscience, moral-theological anthropology, ethics of marriage and family life. His major works include: Życie w dyspozycji człowieka. Wybrane problemy etyczne u początku ludzkiego życia (Olsztyn 2004), Śmierć w dyspozycji człowieka. Wybrane problemy etyczne u kresu ludzkiego życia (Olsztyn 2004), Spór o status ludzkiego embrionu (Olsztyn 2007).

CăTĂLINA MITITELU, Assistant Professor, PhD, born in 1974 in Constanța (Romania), is a lecturer at the Faculty of the Orthodox Theology of Ovidius University of Constanța (Romania). She graduated and obtained Bachelor Degree and Master Degree from the Faculty of History, Faculty of Law and the Faculty of Theology. Since 2012 she holds a PhD in Theology, specialization Canon Law, at the University Ovidius of Constanța (Romania). Currently, she is PhD candidate in Law, specialization Constitutional Law. She published many studies and books on canonical law and nomocanonical law, matrimonial law, constitutional law, history of law, criminal law, etc.

DAMIÁN NĚMEC OP, Associate Professor, PhD, born in 1960 in Boskovice (Czech Republic, Moravia). In the years 1976—1980 he was attending a secondary school for mechanical engineering, and in 1986—1991 he studied theology in Litoměřice and Olomouc (Czech Republic). During the period 1991–2003 he was participating in external studies in Wrocław, Poland: 1996 licentiate in theology, 2003 doctorate in theology, both of them in specialization of canon law. He was a Dominican since 1986, ordained priest in 1991, 1998-2002 provincial of the Province of Bohemia (Czech Republic), 2004–2008 moderator of the center of studies of the Province, since 2008 regent of studies of the Province, member of edition council of the Province, since 2010 member, since 2012 president of the Commission for Liturgy of the Province. Assistant Professor at the Palacký University of Olomouc, teaching canon law and ecclesiastical law at the Faculty of Theology and at the Faculty of Philosophy. Research worker on the Faculty of Law at the University of Trnava (Slovak Republic). Specialist in the area of the law of consecrated life (including a participation on elaborating of several constitutions of some religious institutes) and of the relations State-Churches, especially of the concordats between the Holv See and individual states. Translator of several official documents of the Catholic Church. Translator of liturgical texts of the Catholic Church. Member of the Commission of Particular Law of the Plenary Council of the Catholic Church in the Czech Republic and an expert of the same Council (2002–2005), member of Commission for Preparation of the State of Consecrated Widows in the Czech Republic (2002-2009), since 2012 member of the Council for Health Care of the Czech Bishops' Conference and member of Catholic Association for Health Chaplaincy in the Czech Republic. Member of the Canon Law Society (Prague) and its Institute of Ecclesiastical Law. Member of Consociatio Internationalis Studio Iuris Canonici Promovendo (Roma), Société International de Droit Canonique et de Législations Religieuses Comparées (Paris), International Consortium for Law And Religion Studies [ICLARS] (Milano) and The European Society for History of Law (Brno).

URSZULA NOWICKA, Professor UKSW, born in 1978 in Warsaw, graduate of the Faculty of Canon Law (specialty canonical and civil) of the Cardinal Stefan Wyszyński University in Warsaw (2002). At this faculty she received his doctor's degree in Law Studies, in the field of Canon Law (2006), as well as the postdoctoral degree in Law Studies, in the field of Canon Law (2012). Since 2007 she has been employed as a scholarlydidactic staff member at the Faculty of Canon Law of the Cardinal Stefan Wyszyński University in Warsaw, initially as an assistant professor, and currently she is a professor and director of postgraduate studies Judiciary and administration of the Church and the training course Consensual incapacity for the canonical marriage. Since 2008, she has been working at the Metropolitan Tribunal for the Archdiocese of Warsaw, currently as a defender of the bond. She is a member of Consociatio Internationalis Studio Iuris Canonici Promovendo, Consociatio Iuris Canonici Polonorum, and Francis de Sales Scientific Society. Her scholarly achievements include monographs: *Szafarz sakramentu małżeństwa. Studium historycznoprawne* (2007), *Stwierdzenie stanu wolnego wiernych prawosławnych na forum Kościoła katolickiego* (2012), as well as articles, reviews and reports.

ANDRZEJ PASTWA, Professor UŚ, born 1960, priest in the Archdiocese of Katowice, graduate of the Faculty of Canon and Secular Law of the Catholic University of Lublin (1991). At this faculty he received his doctor's degree in Law Studies, in the field of Canon Law (1995), as well as the postdoctoral degree in Law, in the field of Canon Law-Marriage Law (2008). Since 1992 he has been working at the Metropolitan Tribunal for the Archdiocese of Katowice, currently as a judge. In the period 1999—2001 he was a lecturer at the Higher Silesian Seminary. Since 2001 he has been employed as a scholarly-didactic staff member at the Theological Faculty of the University of Silesia. He is a member of Consociatio Internationalis Studio Iuris Canonici Promovendo, Consociatio Iuris Canonici Polonorum, as well as Commission for Polish-Czech and Polish-Slovak Relations of the Polish Academy of Sciences. His scholarly achievements include, among others, some monographs: Prawne znaczenie miłości małżeńskiej (Katowice 1999), Istotne elementy małżeństwa. W nurcie odnowy personalistycznej (Katowice 2007) as well as "Przymierze miłości małżeńskiej". Jana Pawła II idea małżeństwa kanonicznego (Katowice 2009). Currently, he is a director of the chair of Canon Law at the Theological Faculty of the University of Silesia.

† TEODOSIE PETRESCU, Professor PhD, born in 1955 in Romania, Bachelor degree in Orthodox Theology (1980); PhD in Theology, the thesis entitled: Book of Psalms and its importance in the pastoral and missionary life of the Church (1999); Doctor in Music with the doctoral thesis The Holy Scripture in music and music in the Holy Scripture (2005); auxiliary bishop of the Archdiocese of Bucharest (1994-2001); Archbishop of Tomis (2001—); Teaching Assistant of the Faculty of Theology "Justinian Patriarhul," Bucharest (1986–1994); professor with teaching and research activities (2002-) of the Ovidius University of Constanta; Dean of the Faculty of Orthodox Theology of Ovidius University (2002-2012); Vice Rector — International Relations and Foreign Students of the Ovidius University of Constanta (2012-). Member of scientific and professional associations: member of the Holly Synod of the Romanian Church (1994—); Member in the Senate of the Ovidius University (2002—); Member of the Academy of Romanian Scientists (2003-); Member in the International Consortium for Law and Religion Studies, Faculty of Law, University of Milan (2009). Awards: National Order "Star of Romania," Knight grade (2002).

STANISLAV PŘIBYL, Associate Professor, PhD, is a priest of the Catholic Prague Archdiocese. He was ordained in 1996. He studied at the Law School of Charles University in Prague and the Canon Law Faculty at the Institutum Utriusque Iuris of the Pontifical Lateran University in Rome. His thesis *Ekumenismus a právo* (*Ecumenism and Law*) was published in 2006. In 2011 he received the degree of docent following a successful defense of his study "Tschechisches Staatskirchenrecht nach 1989." He is a judge of the Metropolitan Church Court in Prague, teaches church and civil law at the Theological School of South Bohemian University in České Budějovice. He works also as a researcher at the Institute of Religious Liberty Questions at the Faculty of Law in Trnava. Presently, he serves as a spiritual administrator of the St. Gabriel Church in Prague-Smíchov.

MARCIN SKŁADANOWSKI, PhD, holds a post-doctoral degree and serves as a presbyter in Drohiczyn diocese. A theologian, ecumenist and dogmatist, a Roman Catholic priest. He works as a lecturer at the John Paul II Catholic University in Lublin as well as at the Higher Seminary in Drohiczyn, dealing with the anthropological issues connected with ecumenical dialogue and ethical problems of inter-Christian relations.

ELŻBIETA SZCZOT, PhD, holds a post-doctoral degree, a lawyer, expert in canon law, Chair of the Department of Political Science in the Institute of European Studies at the John Paul II Catholic University of Lublin, associated with this university since 1993. She was awarded a Doctor of Canon Law (JCD) in 1998 and became assistant professor in 2011. Her scientific interests are connected with the rights of the faithful in the Church, sacramental law, family policy, social rights. She is the author of two monographs: *Prawo wiernego do Eucharystii według Kodeksu Prawa Kanonicznego z 1983 roku* (Lublin 2000) and *Ochrona rodziny w prawie Kościoła łacińskiego* (Lublin 2011), and the editor of *Kuria Rzymska i pomniki chrześcijaństwa na szlaku do Wiecznego Miasta* (Lublin 2007), *Bronisław Wenanty Zubert OFM "Pro iure et vita"*. *Wybór Pism* (Lublin 2005). She is also a member of Towarzystwo Naukowe KUL, Consotiatio Internationalis Studio Iuris Canonici Promovendo (Rome). She is married with two children.

JERZY SZYMIK, Professor, PhD, born in 1953 in Pszów in the Upper Silesian region, priest of the Katowice Archdiocese, theologian and poet. Professor of theological sciences, lecturer of dogmatic theology. During 1986—2008 connected with the Catholic University of Lublin where he was, among others, the Head of Christology Chair (1997—2005). Since 2005, he has been working at the Dogmatic Theology Institute at the Faculty of Theology of the University of Silesia, from 2007 onwards — as a full professor. Since 2004 — a member of the Vatican International Theological Commission. Permanently cooperating with *Gość Niedzielny*. Author of more than 50 scientific, poetic and essayistic books (recently, e.g. *Teologia na usługach wiary, bliższa życiu… w 30 lat później*, Lublin 2011; *Chodzi o Boga*, Katowice 2012; *Theologia benedicta*, vol. I—II, Katowice 2010—2012; *Poezja i teologia*, vol. I—II, Katowice 2009—2013; *Hilasterion*, Katowice 2014; *Teologia i my*, Katowice 2014). Supervisor of 20 doctoral dissertations, 181 Master's degree theses. He specialises in christology, methodology of theology, theology of culture, theology of J. Ratzinger/Benedict XVI. He lives in Katowice and Pszów.

WOJCIECH KRZYSZTOF ŚWIĄTKIEWICZ, Professor, PhD, full professor of sociology at the University of Silesia, Katowice and at the Constantine the Philosopher University, Nitra. Director of the Institute of Sociology. His main fields of scientific researches are sociology of family, sociology of religion and sociology of culture. In recent years he published for example: Rodzina w sercu Europy. Rybnik — Nitra — Hradec Kralove — Szeged. Socjologiczne studium rodziny współczesnej (Family in the heart of Europe. Rybnik — Nitra — Hradec Kralove — Szeged. A sociological study of contemporary family) (2009), (Więzi międzypokoleniowe w rodzinie i w kulturze/Intergenerational bonds in family and culture) (2012), Między sekularyzacją i deprywatyzacją. Socjologiczne refleksje wokół polskiej religijności w kontekście europejskim (Between secularization and deprivatisation. Sociological reflections on Poland religiousness in the European context) (2010).

LUCJAN ŚWITO, Professor UWM, a priest in the Archdiocese of Warmia, he graduated from the "Hosianum" Seminary in Olsztyn and the Faculty of Canon Law at the Cardinal Stefan Wyszyński University in Warsaw. He also studied at the Faculty of Canon Law of the Gregorian University in Rome, as well as at the Congregation for Divine Worship and the Discipline of the Sacraments and at the Apostolic Tribunal of the Roman Rota in Rome. He obtained the title of doctor, followed by habilitation, at the Faculty of Canon Law at the Cardinal Stefan Wyszyński University in Warsaw. Currently, he is a judicial vicar at the Metropolitan Court of the Archdiocese of Warmia as well as the Head of the Department of Canon Law at the Faculty of Theology of the University of Warmia and Mazury in Olsztyn. MAŁGORZATA TOMKIEWICZ, PhD, juris doctor, a lecturer of law at the Faculty of Theology of the Warmia and Mazury University in Olsztyn, a judge of the District Court in Olsztyn. The author of a series of publications concerning Law on Religious Denominations and the criminal and family law, such as "Safety of the family in the light of amended provisions of the Polish law — theory and reality" (*Studia Warmińskie* 2012, No. 49); "Loss of public rights in the Polish law: Causes, Extent and Results) (*Przegląd Sądowy* 2012, No. 1); "Child grooming and sexting. A child as a victim and a case concerning sexual abuse — a legal and punishment dimension" (*Profilaktyka Społeczna i Resocjalizacyjna* 2012, vol. 20); "Insulting religious feelings of a Catholic in Poland — is this possible?" (*Seminare* 2012, No. 32); "Incest and Criminal Law protection of a family in Poland" (*Profilaktyka Społeczna i Resocjalizacyjna* 2013); "Civil effects of a religious marriage contracted by Polish citizens before a Roman Catholic minister abroad" (*Prawo Kanoniczne* 2012, No. 4).

Referees of Ecumeny and Law

Pavel Ambros Allesandro Dal Brollo	Univerzita Palackeho v Olomouci Universita degli Studi di Roma "La Sapienza"
Edward Gorecki	Univerzita Palackeho v Olomouci
Grzegorz Grzybek	Uniwersytet Rzeszowski
Jorge Enrique Horta Espinoza	Pontificia Universita Antonianum, Roma
Štěpán Martin Filip	Univerzita Palackého v Olomouci
Zbigniew Janczewski	Uniwersytet Kardynała Stefana Wyszyńskiego w Warszawie
Przemysław Kantyka	Katolicki Uniwersytet Lubelski Jana Pawła II w Lublinie
Jakub Křiž	CEVRO institut, Praha
Grzegorz Leszczyński	Uniwersytet Kardynała Stefana Wyszyńskiego w Warszawie
Jarosław Lipniak	Papieski Wydział Teologiczny we Wrocławiu
Tomas Machula	Jihočeská Univerzita v Českých Budějovicích
Piotr Majer	Uniwersytet Papieski Jana Pawła II w Krakowie
Paweł Malecha	Pontificia Universita Gregoriana, Roma
Roman Mička	Jihočeska Univerzita v Českych Budějovicich
Giuseppe Milan	Università degli Studi di Padova
Jana Moricova	Katolicka Univerzita v Ružomberku
Ewa Ogrodzka-Mazur	Uniwersytet Śląski w Katowicach
Sławomir Pawłowski	Katolicki Uniwersytet Lubelski Jana Pawła II w Lublinie
Stanislav Přibyl	Jihočeska Univerzita v Českych Budějovicich
Piotr Ryguła	Uniwersytet Kardynała Stefana Wyszyńskiego w Warszawie
Mirosław Sitarz	Katolicki Uniwersytet Lubelski Jana Pawła II w Lublinie
Piotr Skonieczny	Pontificia Universita San Tommaso d'Aquino, Roma
Stanisław Sojka	Uniwersytet Papieski Jana Pawła II w Krakowie
Zbigniew Suchecki	Pontificia Facolta Teologica di S. Bonaventura, Roma
Elżbieta Szczot	Katolicki Uniwersytet Lubelski Jana Pawła II w Lublinie
Lucjan Świto	Uniwersytet Warmińsko-Mazurski w Olsztynie
Martin Uhaľ	Katolicka Univerzita v Ružomberku
Krzysztof Wielecki	Uniwersytet Warszawski
Kazimierz Wolsza	Uniwersytet Opolski
Wiesław Wojcik	Instytut Historii Nauki Polskiej Akademii Nauk

Copy editor Krystian Wojcieszuk

Computer-generated forms Marek Zagniński

> Proofreader Luiza Przełożny

Copyright © 2014 by Wydawnictwo Uniwersytetu Śląskiego All rights reserved

> ISSN 2353-4877 (print edition) ISSN 2391-4327 (digital edition)

Published by Wydawnictwo Uniwersytetu Śląskiego ul. Bankowa 12B, 40-007 Katowice www.wydawnictwo.us.edu.pl e-mail: wydawus@us.edu.pl

First impression. No. of copies: 100 + 50. Printed sheets: 22.0 Publishing sheets: 26.0. Offset paper, III grade, 90g Price 34 zł (+VAT)

Printing and binding: "TOTEM.COM.PL Sp. z o.o." Sp.K. ul. Jacewska 89, 88-100 Inowrocław



More about this book



PRICE 34 ZŁ | ISSN 2391-4327 (+ VAT) |

