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## The influence of moral principles on the formation of a healthy family according to blessed father Michał Sopoćko

The article is based on the doctoral thesis of blessed father Michał Sopoćko: "The family in the legislation on Polish soil. Ethical and moral study", which he defended in Vilnius in 1926. The Author dedicated his work to the legislators who were working on creating the state legislation in Poland after regaining independence after 123 years of partitions, in order to unify the family law which was diversified in various partitions.

This dissertation presents the moral aspects concerning the family discussed by Father Michał Sopoćko with regard to the contemporary social norms.

The article is divided into 3 chapters: 1. The general concept and position of the family in moral theology; 2. The mutual relations of the spouses; 3. Relations between parents and children

Chapter 1. presents the basic role of the natural law, reference to the conscience and property law. Chapter 2 is focused on marital relations, among which the most important one is the integrity of the marital union, next there is a debate on the mutual life as a relation of two people of equal dignity with the variety of tasks and the property relations. Chapter 3 is a reference to the tasks which are connected with the childcare. It contains information about education, material security and the duties of parents and children and about the problems connected with divorces and maintaining illegitimate children.

The article emphasises the importance, validity and contribution of Father Michał Sopoćko to establishing legislation which concerns the family in the independent Poland.

**Key words:** Sopoćko, family, Catholic family, woman, man, wife, husband, child, parents, mother, father, conscience, natural law, family law, education, morality, divorce, marriage, indissolubility of marriage.

## Introduction

Father Michał Sopoćko defended his doctoral thesis called *Family in the legislation on Polish soil*, in 1926 during the particular period for the Republic of Poland, the time of formation of the Polish legislation in the state rising from the ashes. Father Sopoćko, who noticed the trend to condemn the Christian tradition of the Polish family in the developed acts of law, wanted to protect the Catholic family values. He assumed that it was his moral duty, especially that as he noticed, at that time around 75% of the citizens of the Republic of Poland were Roman Catholics. He emphasised that the natural law, which is in accordance with the eternal God's law, was the foundation for every state legislation. That law had regulated the relations between family members before any human legislation was introduced.

For that purpose he examined and compared the codes of the law in every partition, emphasising these regulations which made it difficult or impossible for Polish families to build their households in accordance with Catholic values. He indicated that human law would never be homogeneous as it is dependent on the subjective view of legislators. His reference point was the moral theology of the Catholic Church which remained unchanged despite any political transformations.

Analysing the doctoral thesis of Father Michał Sopoćko I limited myself only to the moral issues which he indicated, putting aside the legal issues figured out by the Author.

Some issues required a longer analysis as even currently they are a source of social controversies, especially in the sphere of the civil rights of men and women.

## The general position and concept of the family in moral theology

According to moral theology, as Father Sopoćko states, the family consists of the household community which consists of the spouses (as parents) and children. In the broader sense the family also includes relatives who are of the same or other blood but also of the same spirit, vocation or position<sup>1</sup>.

In the times current for the Author, the family also included the third party – economic, which normalized the relations between the hosts and the servants. However, it was only supplementary to the natural

<sup>1</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich (studium etyczno-prawne)* [*Family in the legislation on Polish soil. Ethical and legal study*], (Wilno: 1926), 28.

family. These norms resulted from the fact, that the father of the family fulfilled his paternal duty of maintaining the servants, especially widows with children, who did not have the right to inherit anything from the husband and father. Thus the widow became totally dependent on her employer<sup>2</sup>.

Contemporarily social relations, including the right of inheritance, are totally different, and give the possibility of marital inheritance of the property to the husband and to the wife. Therefore, employees in the household are not a part of the family *sensu stricto*. They can participate in the life of the family however, in the relation of the employer and the employee and not as a master and a servant as it used to be.

Moral theology names society, the nation and the whole humanity a family as they all have common Father in heaven and they are all redeemed with His Son's blood. Therefore, considering the fourth commandment: "Honor thy father and mother", moralists indicate not only the rights and duties of spouses, of parents and of children, and by the analogy of the parents – they talk about the duties of the first and of the latter, introducing the concept of family relations into schools and educational institutions, which is required by contemporary pedagogy. It concerns obedience of the employee to the superior and of a student to the teacher. This rule should be applied only when it concerns professional duties and does not interfere with the freedom of conscience.

The fourth commandment also concerns the citizens of the state who have responsibilities towards the Homeland and the nation who should finally constitute one big family. The essence of kinship, according to the Christian morality, includes the origin from the common ancestor regardless of the fact if the offspring was born as legitimate or illegitimate or from prohibited relationships<sup>3</sup>

## The natural law

The natural law is common for all people, but it is not the first law. The first law is God's law which is mentioned by God Himself in the Holy Scripture: "fill the earth and subdue it" (Gen 1, 28). This was the command from the Creator for the first people, therefore, He was the first legislator. Regulations established by the man are licit to the extent to which they are in accordance with God's law. Therefore, the

<sup>2</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 7.

<sup>3</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 28.

state law is obligatory for Christians to the extent to which it is in accordance with God's law<sup>4</sup>.

In the discussed dissertation Father Sopoćko wrote "the law of nature is the eternal law of God which in the animal world appears as an instinct and among people – as the reason which dictates us what to do and what to avoid"<sup>5</sup>. It is unalterable truth, regardless of time and generations. However, in order to make the natural law determinant in human proceeding, it must be rooted in the properly formed conscience. The regulations of the civil law which concern the family can only be an extension of the law of nature and never contradictory to it<sup>6</sup>.

### The function of the conscience

Father Sopoćko emphasised that God's law is unalterable, while the space for the confrontation of acting in its light is located in every person's conscience. Therefore, the considerations of Father Sopoćko which concern the family within the moral theology are not different from the contemporary teaching of the Catholic Church<sup>7</sup>. In the formation of the conscience it is necessary to refer to God's law because the man who is burdened with the consequences of the original sin, will never have a proper assessment. Only in the light of the Church's teaching can we set the moral boundaries which will contribute to the proper formation of the conscience. Civil law is not the condition for the proper functioning as it constitutes only the external norms. It does not refer to such values as love, forgiveness, building internal bonds in the family. It is the conscience which lets the man decide in the situations which go beyond the legal codes, both civil and canonical.

Father Sopoćko indicates that Catholic parents should have a properly formed conscience because they exert influence on educating their children and through that also on the formation of the children's conscience.

<sup>4</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 10.

<sup>5</sup> See *ibidem*, 9.

<sup>6</sup> See *ibidem*.

<sup>7</sup> "Deep within his conscience man discovers a law which he has not laid upon himself but which he must obey. Its voice, ever calling him to love and to do what is good and to avoid evil, sounds in his heart at the right moment... For man has in his heart a law inscribed by God... His conscience is man's most secret core and his sanctuary. There he is alone with God whose voice echoes in his depths." CCC 1776.

## The right to collect the assets

According to Father Sopoćko, the family is the first natural human society in which the new life is conceived. The family is the root of other social units of the state which should remain submissive to the family and not the other way round. It is not the family who maintains the state but the state maintains the family. Therefore, every citizen has the right to get a job and receive a descent salary<sup>8</sup>.

It is the right and the duty of the family to satisfy the material needs of its members. This motivates for diligence and work, for preserving the legacy and for developing them for the future generations. Therefore, Father Sopoćko thought that “communists who made attempts to overthrow the private property, acted against the family”<sup>9</sup>.

The family also has the right and duty to preserve the spiritual legacy of its members. These include: religion, morality, patriotism and tradition. These values do not disappear at the moment of death of ancestors. They permeate to the next generations. The family develops such ideals as: justice, equality and fraternity. These ideals, which come from the family, are brought into society<sup>10</sup>.

## The family is the school of life

Since the beginning of times, parents, the closest environment, have influenced the formation of a child’s character. It is not indifferent in what environment, apart from the family, the child is brought up as it also has influence on his or her character<sup>11</sup>.

The family in the light of the history of the Republic of Poland

In the area of Poland there were two laws: common and customary, that is tradition. It was difficult to unify the state law. The reason for that was mainly the big area of land of the state which consisted of various Principalities (Mazovian, Lithuanian, Ruthenian, and others).

Therefore, the customary law was the most important one among others for every particular principality, as it was conditioned by the denomination to a great extent, from the moment of the baptism of Poland in 996. Customary law also influenced the formation of the state regulations. For example monogamy, which predominated among the nations, became one of the factors contributing to culture, and civilised

<sup>8</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 7.

<sup>9</sup> See *ibidem*, 8.

<sup>10</sup> See *ibidem*.

<sup>11</sup> See *ibidem*.

nations of Europe took it as the only form of marriage sanctified by the law, religion and customs.

Customary law was focused on the economic issues connected with inheritance, child care etc. However, as Father Sopoćko noticed, despite the following rulers of the Commonwealth, from Kazimierz Wielki to Stanisław August, that is until the final partition of Poland in 1794, customary law was not unified for the whole state. Therefore, we can claim that Poland has never had a unified state law, especially with regard to family matters. Therefore, the Catholic Church played an important role here, caring to preserve God's law. Thus the Catholic tradition was strengthened and preserved in Polish families. These deep traditions present in Polish families were revealed particularly during the partitions of Poland. Due to the deeply rooted Polish Catholic tradition, Polish families have not lost their identity yielding to the civil law of the invaders. It also concerned other countries, not only Poland but the whole Europe.

## The mutual relations of the spouses

### Marriage – dissolution of marriage

In the light of the law, marriage is a contract. However, Father Sopoćko emphasised its uniqueness with this regard stating that: “due to its aim, essence and object it differs from any other contract and it is much higher in the hierarchy”<sup>12</sup>. Marriage is a relation of a man and a woman. This structure of marriage according to the moral law is inviolable, regardless of the changing generations. Marriage is the beginning of building a family, the spouses are able to fulfil one of the main tasks of marriage: to accept and educate the offspring. However, procreation is not the only aim of marriage. In the moral order one of the main tasks of marriage is to educate a human. This process begins in marriage, that is the unit which exerts influence on the whole humanity. The spouses have the right to count on each other with regard to the material and spiritual aspects. According to Father Sopoćko marriage nobles the sensual urges, it contributes to raising physical health and improves the man ethically. Certainly such presumptions can be made when we are dealing with a perfect model of marriage<sup>13</sup>.

<sup>12</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 30.

<sup>13</sup> See *ibidem*.

Marriage is religious in nature. Father Sopoćko noticed that it had always been like that in all societies. Contracting marriage was performed during a ceremony in honor of gods which were the object of the cult for a certain people. In the Catholic Church marriage is raised to the dignity of a sacrament. Therefore, we can talk about the holiness of marriage which is contracted through a mutual vow of the spouses before God and at the presence of a priest. For Christians God is the Creator and the Lawgiver in marriage (see Mt 19, 4-6). Therefore, Christian marriage is no longer just a civil contract. On the basis of legal prerequisites, the Church has the right to decide about the annulment of the contracted marriage. However, She cannot dissolve a marriage contracted in a valid way. Father Sopoćko emphasised that “the Church firmly advocates since the very beginning and She will not subside as with regard to the laws dictated by Christ, the Church is only a guardian and must watch over strict executing of them”<sup>14</sup>.

Both the Church as the supernatural society and the state as an institution have their own separate range of action but they have one common goal: the welfare of an individual and of the whole community. Thus, also in the matters of marriage, the agreement is possible and necessary, the thing concerns the determination of competencies of each party. According to Father Sopoćko, civil marriage can only be justified in case of non-believers. For the members of the Catholic Church it is justified to contract civil marriage due to its legal results provided by the state law but the act should be signed during a single ceremony of contracting marriage in the canonical form. Such an agreement between the state and the Church appeared by the power of Concordat in 1993. The Concordat from February 25th 1925 did not provide such a possibility, and what is more, it did not regulate this sphere at all. In marital law until 1939 the applied systems were the ones inherited from the partitioning countries<sup>15</sup>. Father Sopoćko thought that the obligatory civil wedding is a slap in the face of religion, violation of the conscience irony of civil liberties and abuse of the state<sup>16</sup> and a serious harm for the Church and for Catholics<sup>17</sup>.

<sup>14</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 32. See CCC, 1639-1140.

<sup>15</sup> J. Gręźlikowski, “Zawarcie małżeństwa konkordatowego”, *Ateneum Kapłańskie* 2000, fasc. 3 (547), vol. 134, [http://web.diecezja.wloclawek.pl/Ateneum/grezlikowski\\_547.htm](http://web.diecezja.wloclawek.pl/Ateneum/grezlikowski_547.htm) (access from June 15th 2022).

<sup>16</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 34.

<sup>17</sup> See *ibidem*, 38.

The right to divorce – as he claimed – deprives marriage of indissolubility and constancy. In this light the family is only a temporary agreement which can easily be dissolved. This is the basis of uncertainty as for the constancy of the relationship. With the lack of certainty for the future it is difficult to be open to a new life as this would oblige for commitment. The uncertainty of marriage cannot be reconciled with true love. It is usually the reason of our unconscious dissociation. Such a model of marriage, according to Father Sopoćko, who gives the examples of Germany and France, leads to the gradual dying out of a nation<sup>18</sup>. After almost 100 years we are convinced that his views were correct.

### Indissolubility of marriage

Indissolubility of marriage ensures the permanent relationship. As a result it strengthens mutual love and attachment. The spouses who would never decide to get divorced are capable of fighting against all the vices in them in order to strive for consent. Such marriages, according to Father Sopoćko, are the schools of virtue, an incentive to work and to save up. If love is the basis of marriage, it will motivate the spouses to give the gift of self<sup>19</sup>. Otherwise, the spouses are looking for their personal goals. The care for others, for our state and for the children becomes distant from their aims. This results in the suffering of the family, of the society and of the state<sup>20</sup>. “In case when the dissolubility of marriage is acceptable, consequently we can deduce that any vow can be broken, even the one which a soldier takes of fidelity to the Homeland”<sup>21</sup>.

Father Sopoćko notices that Catholic Church apply non-lifting burdens. This also concerns the sphere of marriage. Sometimes, for important reasons the spouses must be separated. Separation is

<sup>18</sup> See *ibidem*, 34-35.

<sup>19</sup> See *ibidem*, 35.

<sup>20</sup> See *ibidem*, 36. Father Sopoćko indicates that indissolubility of sacramental marriage is such a great value that the Church is able to accept apostasy of individuals and even many members of the Church in order to preserve God's law. He refers to king Henry VIII as an example who demanded from Pope Clement VII to let him divorce Catherine of Aragon. As a result of the strong position of the Pope is the England's departure from the Church and martyrdom of those who remained faithful to the Catholic Church. Another example is Napoleon, who wanted to divorce Josephine but he did not receive Pope Pius VII permission. See *ibidem*, 37.

<sup>21</sup> See *ibidem*, 37.



a solution acceptable by the Church, however, it is not a divorce. The spouses who live in separation do not break their marriage vows, as it results from Christ's words: "I say to you, whoever divorces his wife (unless the marriage is unlawful) and marries another commits adultery." (Mt 19, 9)<sup>22</sup>.

Father Sopoćko indicates that this part has different meanings in different Christian religions. He thinks that in the Orthodox churches and Protestant churches this part of the Gospel was wrongly interpreted because that would mean that divorce is acceptable. However, as he emphasises, the Holy Scripture cannot contain any contradictions and the possibility of marriage is contradictory to the Christ's position on this subject. According to the Catholic ethics, only death dissolves the marriage knot, according to the words of the vow: "I will not leave you as long as we both shall live (...)"<sup>23</sup>.

The indissolubility of marriage allows to preserve monogamy. Thus the spouses have equal rights, that is: the woman is released from the fall and bondage which she is subjected to in polygamy and it is most beneficial for the main aim of marriage – procreation, which is not possible in polyandry. The welfare of the spouses who must support each other in educating children and in their old age requires indissolubility of marriage<sup>24</sup>.

## Common life

### Living together

The duty of the spouses to live together did not result directly from the codes of the civil law of the invaders. However, it was and still is in accordance with the natural law and with the Christ's teaching. For Father Sopoćko, it is rooted in the parts of the Holy Scripture: "For this reason a man shall leave his father and mother and be joined to his wife, and the two shall become one flesh" (Mt 19,5) and: "Likewise, you husbands should live with your wives in understanding, showing honor to the weaker female sex, since we are joint heirs of the gift of life, so that your prayers may not be hindered" (1 P 3,7).

Living together helps the spouses preserve marital fidelity and to realize the main aim of marriage that is giving birth to and educating the offspring. In the times of life of the Author it was a common

<sup>22</sup> See *ibidem*, 36.

<sup>23</sup> See *ibidem*, 37.

<sup>24</sup> See *ibidem*, 43.

practice that the wife moved into her husband's house and not the other way round. Currently this is not a rule. It mainly results from the economic reasons.

### The social position of the husband and of the wife

Father Sopoćko emphasises the equality of rights of men and women. However, for practical reasons, he stands in favour of the privileged situation for men in the functioning of marriage and family. Referring to the Holy Scripture and quoting: "there is not male and female; for you are all one in Christ Jesus." (Ga 3, 28), he notices the equality of men and women, however, he assigns the authority to the husband. He thinks that "the equality between the man and the woman concerns being destined for the eternal glory through the deeds of the Christian perfection and thus they have equal rights and duties. However, the same nature develops differently, is externally expressed in a different way in the man and in the woman"<sup>25</sup>.

The inconsistencies noticed by Father Sopoćko which concern the phenomenon of domination of the man over the woman and the other way round did not appear only in 1920s. Contemporarily we are also dealing with the phenomenon of the misunderstood equality of men and women which is being imposed on the society particularly by the feminist circles. Therefore, it should be strongly emphasised that the position of the Catholic Church has not changed. The proper relation between the husband and wife consists in the mutual complementarity. The woman brings to the relation her emotional sensitivity, the inclination for mutual interdependency, longing for the emotional intimacy with her husband<sup>26</sup>. This intimacy of the husband is highly demanded for her. She wants to love and be loved. Her husband is the one that she can always count on also in educating their children. "The mother who does not have a strong support from her husband will definitely manipulate her children"<sup>27</sup>. However, her maturity assumes taking responsibility for her own actions. The husband is supposed to be the wife's support but he cannot decide for her. What is more, she does not have the right to burden her husband with the

<sup>25</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 45.

<sup>26</sup> A. Moir, D. Jessel, *Płeć mózgu. O prawdziwej różnicy między mężczyzną a kobietą* (Warszawa: 1993), 179.

<sup>27</sup> J. Augustyn, *Adamie, gdzie jesteś* (Kraków: 1996), 108.

absolute responsibility for the family. They are supposed to be partners in building their household<sup>28</sup>.

### The mutual help of the spouses

Apart from educating children, the spouses are to help each other in both the worldly matters and in eternal matters. Father Sopoćko recalls the thought of Aristotle: "Joining the husband and wife is necessary not only to preserve the human kind, but also to make the life on earth easier for them"<sup>29</sup>. He notices that in moral theology disobeying this recommendations is a sin. As the civil law is limited to the help in everyday life in the mundane matters, moral theology broadens the mutual help also towards the spiritual sphere which concerns the spouses' concern for each other's salvation<sup>30</sup>.

Noticing the differences in the legal provisions of different invaders, Father Sopoćko, strongly emphasises the love is the most important law for a Christian. Love will be the indicator for building a Christian family. "If we remove love from the family, all of the legal regulations concerning the rights and duties of family members will become a clashing cymbal" (see 1 Cor 13, 1-3; Eph 5, 25-33; Tt 2, 4-5)<sup>31</sup>. Moreover, he adds that this love must be stronger than the parents' love. Love is included in the marriage vow: "(...) and I promise to love, be faithful and cherish you".

Civil law concerns only the external deeds of people as it does not have any power over the inner acts of the soul and therefore, it cannot order or forbid them. That is why emotions are not included into the extent of the civil legislation, and thus there is no mention of the love of spouses in the codes. Love belongs to the sphere of conscience which is watched over by moral theology. According to the Christian rules, both the man and woman are mainly called to love. However, realization of the vocation for love by the woman is different from the realization of the man<sup>32</sup>.

Woman's vocation to "be for" is revealed already in Eve's relation with Adam. Created by God and located in the garden, which he is to cultivate, Adam suffers from loneliness. The presence of animals in not enough for him. He can name them, however, he needs help

<sup>28</sup> E. Pohorecka, "Macierzyństwo", *Życie Duchowe. Duchowość kobiety* 2006 (45): 57.

<sup>29</sup> M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 50.

<sup>30</sup> See *ibidem*, 50.

<sup>31</sup> *Ibidem*, 58.

<sup>32</sup> See *ibidem*, 49.

in life, he needs a person who is like him. This help is necessary for his full development of his humanity<sup>33</sup>. Only a woman can constitute such a help for him, as she is created of the same flesh and she is filled with the same mystery, which gives the future to the human kind. It is expressed ontologically in such a way that creating the woman by God resembles the human relational reality<sup>34</sup>. According to God's plan, the woman's mission was to interrupt the spiritual loneliness of the man<sup>35</sup>. To confirm the man's recognition of the woman's equality Adam states: "This one, at last, is bone of my bones and flesh of my flesh" (Gen 2, 23)<sup>36</sup>. However, this ontological unity does not mean that the woman was created to be subordinated to the man. She was created as a separate human entity, and she is equal to the man in her humanity<sup>37</sup>. "The woman was not created out of the man's head in order for her to rule over him, neither out of his feet so that he did not trample her, but out of his rib so that she would be his peer and under his shoulder so that he could protect her and close to his heart so that he could love her"<sup>38</sup>.

God created the woman out of love, as an autonomous being bestowed with reason and capable of expressing love for others – a gift<sup>39</sup>.

<sup>33</sup> The Hebrew word *ezer*, translated as "aid" means such assistance which one person can offer to another. This concept does not introduce any connotation to submission or instrumentalization. God is sometimes called *ezer* in relations to the man (see Exodus 18,4; Ps 9-10, 35). D. Adamczyk, "Biblijno-teologiczna perspektywa seksualności człowieka", *ComP* 2007, nr 2 (158), 15. See also: Congregation for the Doctrine of the Faith, *List do Biskupów Kościoła Katolickiego o współdziałaniu mężczyzny i kobiety w Kościele i świecie*, May 31st 2004, *Biuletyn KWPŻ* 22/2004. Z. Kiernikowski, *Dwoje jednym ciałem w Chrystusie* (Warszawa: 2001), 33.

<sup>34</sup> See John Paul II, *Człowiek – obraz Boży jako podmiot poznania i wolności*, catechesis April 23rd 1986, 4, [www.apostol.pl/janpawelii/katechezy/bog-ojciec/cz%C5%82owiek-obraz-bo%C5%BCy-jako-podmiot-poznania-i-wolno%C5%9Bci](http://www.apostol.pl/janpawelii/katechezy/bog-ojciec/cz%C5%82owiek-obraz-bo%C5%BCy-jako-podmiot-poznania-i-wolno%C5%9Bci) (access from June 15th 2022).

<sup>35</sup> See A. Kołodziejczyk, "Macierzyństwo Maryi uzdrawia", *Zeszyty Formacji Duchowej* 2003 nr 23: 39.

<sup>36</sup> Congregation for the Doctrine of the Faith, "List do Biskupów Kościoła Katolickiego o współdziałaniu mężczyzny i kobiety w Kościele i świecie", May 31st 2004, *Biuletyn KWPŻ* 2004 (22): 6.

<sup>37</sup> See John Paul II, *Znaczenie pierwotnej jedności mężczyzny i kobiety (I)*, catechesis 7.11.1979, 4, <http://www.madel.jezuici.pl/rodzina/Jan-Pawel-II-Teologia-malzenstwa.html> (access from June 15th 2022).

<sup>38</sup> Quoted after: G.J. Wenhan, *Genesis 1-15, World Biblical Commentary 1*, (Nashville: 1987), 69, in: J.-B. Edart, "Androgyn, czyli *communio personarum*", *ComP* 2007, nr 2 (158), 37.

<sup>39</sup> See A. Kołodziejczyk, *Macierzyństwo Maryi uzdrawia*, 34.

The woman is a gift for the man and the man is a gift for the woman. Both are created for the mutual relationship as the ability to love is the man's wealth, therefore, the man should not be by himself. The woman shall complete the man's loneliness<sup>40</sup>.

God the Creator, giving the woman to the man, makes them mutual gifts for each other. The man meets the woman – wife. He experiences that the difference between the woman and the man is not limited to the external dimension. The mystery of her femininity is revealed and exposed in maternity. For the man, the woman is a visible help given to him by the Creator. She is a chance for him. She restores the human body making it a tool for exploring the intimacy of the other person. Such intimacy requires privacy. Therefore, the woman who is bestowed with the gift of carrying a child, transmits the truth that the Lord “cures every body and works wonders, the life”<sup>41</sup>. As a result the woman appears to the man as a mother. Maternity constitutes the inner potential of the whole woman's constitution which “with the creative precision serves to conceive and give birth to the offspring thanks to the man”<sup>42</sup>. Thus the man called the woman *chawwa* – “the mother of all the living”. This name defines her predestination – the woman's vocation for maternity. The Creator, while creating the woman, bestowed her with everything that is good for her, with maternity<sup>43</sup>.

### The woman's submission to the man

This title of the chapter sounds provocative. It results from the fact that contemporarily we look at the relation between the man and woman in a different way than during the times of Father Sopoćko. The woman's submission to the man, as Father Sopoćko emphasises, is required by the civil law codes of invaders, although to a different degree<sup>44</sup>.

He saw this social phenomenon in the light of moral theology. He emphasises that this submission must not be perceived as servile. “Moral theology, while talking about the wife's submission, reminds the husband that he is not all-powerful master and she is not his servant,

<sup>40</sup> See D. Adamczyk, “Biblijno-teologiczna perspektywa seksualności człowieka”, *ComP* 2007, nr 2 (158): 14.

<sup>41</sup> M. Vidal, “Stworzyli ich jako mężczyznę i niewiastę”, *Życie Duchowe* 2006(45): 20.

<sup>42</sup> John Paul II, *Mężczyznę i niewiastę stworzył ich* (Watykan: 1986), 85.

<sup>43</sup> See E. Adamiak, *Milcząca obecność. O roli kobiety w Kościele* (Warszawa: 1998), 23; J. Pulikowski, *Słowo męża*, in: J. Pulikowska, *O kobiecości* (Poznań: 2004), 6.

<sup>44</sup> See *ibidem*, 47.

nor his concubine but his companion and bride, whom he owes love, respect, care and maintenance etc.”<sup>45</sup>.

The woman's submission to the man, especially in the marital relationship, is a gift. However, it can be a gift if it is implemented by both of spouses in accordance with God the Creator's plan. The description of the act of creation reveals one more feature of the woman – she is easily deceived. Her dialogue with the serpent in paradise is an example of that. Some people think that “Yet your urge shall be for your husband, and he shall be your master (see Gen 3, 16)” as a part of her curse<sup>46</sup>. However, this “man's mastering” can also be perceived in a positive way as the Creator's gift, help in taking decisions, support in difficult choices<sup>47</sup>.

The unity of the woman and man is also the Creator's idea. The man is supposed to support the woman, he is to take care of her and protect her from evil. Together they constitute a harmony in the order of creation<sup>48</sup>. God created the man and woman for the mutual communion and therefore, from the beginning He addresses them separately (see Gen 1, 28)<sup>49</sup>. Satan who falsifies the image of the Creator, separates people, he only addresses the woman, against the nature, isolates her from the man. This situation results in a division, the fracture of the original unity of people with God and among people. This results in the alienation, the mutual distancing. There is no communion between them. People get to know the feeling of longing and loneliness<sup>50</sup>.

Relationality of the man and woman is a gift, which, when properly used, helps them in cooperation with the Creator. Thanks to the presence of the man, the woman can reasonably receive signals from her surroundings. While the man without the woman would not be able to ascend above the world of objects and animals the woman helps him notice the spiritual reality. She introduces the man into the world of relations and love<sup>51</sup>.

<sup>45</sup> M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 48.

<sup>46</sup> E. Adamiak, *Milcząca obecność. O roli kobiety w Kościele* (Warszawa: 1998), 23.

<sup>47</sup> J. Pulikowski, *Słowo męża*, in: J. Pulikowska, *O kobiecości*, 7.

<sup>48</sup> See U. Michałowska, “P. Evdokimov o charyzmacie kobiecości”, *Zeszyty Formacji Duchowej* 2003, nr 23: 50.

<sup>49</sup> Ibidem.

<sup>50</sup> Ibidem.

<sup>51</sup> See M. Dziewiecki, “Geniusz kobiety”, *Zeszyty Formacji Duchowej* 2003, nr 23: 58.

## The emancipation of women

Father Sopoćko noticed that the Church approves of a limited emancipation. Indeed, based on the Christ's teaching, he was the first to protect women's rights against the pagan autocracy of husbands. Raising the cult of Virgin Mary over all the other cults except for God's, the Church raised the woman from the fall and restored her due respect in the contemporary Christian civilisation. The Church has always protected and is still protecting women's rights. She condemns the hypocritical activity of those who are against the women's emancipation and at the same time humiliate their dignity in the most appalling way. Limited emancipation, mainly in the economic, social and political matters, does not oppose to the Christian morality, but, on the contrary: it is and has always been involved into it and is the result of the morality<sup>52</sup>. "However, it is not acceptable – which is underlined by Father Sopoćko – to introduce radical emancipation, which is against nature and the woman's vocation and which goes against the revealed God's will. The Church will never approve of this type of emancipation on account of the public welfare, educating children, chastity and morality of the Christian family"<sup>53</sup>.

<sup>52</sup> See *ibidem*, 46. Sociological research which present the situation in Poland showed that not all women were subjected to it. They took up challenges connected with the development of the industry started in XIX century. The model of emancipation was mainly present among women aged from 19 to 29 years old and those after 50. Middle-aged women clearly chose to start a family and took up the duties connected with that. See S. Dzięcielska-Machnikowska, D. Duraj, *Rola kobiet w klasie robotniczej* (Łódź: 1984), 24.

<sup>53</sup> M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 46. See G. Maslenikowa, *Skradzione macierzyństwo*, in: *Międzynarodowy Kongres. O godności macierzyństwa – Warszawa 6-7 czerwca 1998* (Warszawa: 1998), 182. The author refers to the situation in Russia. She thinks that the social and economic system introduced in Russia, from the tsarist times, deprived women from maternity. "The stolen maternity in Russia, she wrote, consists in wet-nurses – slave girls, French governesses, the Church Who was forced to become the servant of the tsar's authority, and not to serve the family which is its little image; emancipation which deprived women of being a mother, the social policy according to which the woman becomes workforce, a part for creating material means and she is deprived of the possibility to realize her basic vocation – maternity. Maternity itself was deprived of appeal, apart from the reward, the gift from God, it becomes a burden, obstacle, it encumbrance which can be got rid of without thinking of the consequences. The mission of maternity is not implemented and the whole energy is directed at destroying home, the present and future of the children". *Ibidem*.

## Love – as the condition for retaining the law

Analysing the legal regulations which concerned the family, Father Sopoćko, emphasises that they refer only to the external acts. Feelings are not included in the scope of civil legislation, therefore, most codes did not mention conjugal love. Father Sopoćko notices that in the codes which mention the mutual conjugal love it is only an expression without any particular sanctions, and thus it has no particular meaning<sup>54</sup>.

Father Michał strongly emphasises that spouses are mainly obliged to love each other. This is a field of conscience and it is guarded by moral theology. The regulations of law are only guidance. “Love is one of the nobles feelings, without feelings there would be no master, no judge, no beautiful art. And no real marriage, as the man with reason but without feelings is simply a dead phantom with no real life”<sup>55</sup>.

## Property relations of spouses

This chapter will only contain a short comment as the field is a strictly legal matter. However, according to Father Sopoćko, the family has the right and obligation to take care of their economic security. Private property is the foundation of building the household and has a great influence on the family ethics. Father Sopoćko thinks that “where there was no private property, there was no morality in the family. Therefore, broadening the moral duties of family members, it is not possible to ignore the property relations between spouses, parents and children”<sup>56</sup>.

Moralists instruct to comply with the civil legislation concerning property relations in marriage only when it is in accordance with the conscience<sup>57</sup>.

In the light of the moral law, the honesty in disposing the assets is a result of the marriage vow which the spouses took and promised to cherish. As it was a vow, it must be observed, otherwise they will commit a sin<sup>58</sup>.

<sup>54</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 59.

<sup>55</sup> M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, quotation from: J. Kremer, *Listy z Krakowa* (Wilno: 1855), 170.

<sup>56</sup> M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 60.

<sup>57</sup> See *ibidem*, 67-68.

<sup>58</sup> See *ibidem*, 76.



## Relations between parents and children

Sociologically marriage is not yet a family. The family consists of spouses with their children this is the closest family which can be broadened with relations of previous or following generations. Healthy marital relations are the foundation for the healthy family. According to the principle: “words teach but examples inspire”, parents’ deeds will exert more influence on the children than the words. It is a timeless rule which is still applicable today<sup>59</sup>.

## Parental care over children

Father Sopoćko emphasises that parents are obliged to take care of their little children and to maintain them. Such an approach is beneficial for them because with time, when the children grow up and the parents get old, the roles can be reversed. Then the children are supposed to take care of their parents. It mainly results from God’s law which is contained in the fourth commandment: “Honor thy father and mother”<sup>60</sup>.

Father Michał indicates that throughout history Christians were those who started to treat children as a respectable citizens who has the right to live as he or she has an immortal soul. The spirit of the Church permeated legislation and included disabled children, orphans and illegitimate children, who used to be deprived of the right to live, especially during the pagan times. Therefore, for Christian parents God is the first and most important legislator<sup>61</sup>.

## Feeding the child

Father Sopoćko notices that a child has the right to make use of natural resources which serve his or her health. Among these Father Sopoćko mentions feeding the children by their parents. In case of infants, he thinks, that they are entitled to the mother’s breast milk. If the mother can breast feed but she does not do it, she acts immorally because she deprives the child of not only the best nourishment but also of a range of psychological and spiritual goods which are necessary for the child’s proper development. If the mother cannot breast feed and she hires a wet nurse, the latter can breast feed the baby but

<sup>59</sup> See Papieska Rada ds. Rodziny [The Pontifical Council for the Family], *Ludzka płciowość: prawda i znaczenie. Wskazania dla wychowania w rodzinie* (Łomianki: 1996), 55-60.

<sup>60</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 78.

<sup>61</sup> See *ibidem*, 81.

she cannot earn money for that. According to Father Sopoćko, earning money for breast feeding is considered immoral<sup>62</sup>.

### Education

Education in the strict sense meant as the direct influence on the child from the first moment of his life mainly rests with the parents. Therefore, it is necessary to be present by the child, especially in the period before he or she starts school at the age of 7. The mother is supposed to educate the child while the father is expected to provide the wife and the child proper living conditions in the material sense<sup>63</sup>.

The family can cope with this task with the help of the state which should provide the possibility to earn the living, especially to the child's father because the father is mainly responsible for maintaining the family. It is an order of things which was violated by the economic transformations introduced in the state<sup>64</sup>. "The family as the sanctuary which has not been disturbed so far, has now been interfered by the state which has started to change the relations that should be regulated by the laws of nature and on the basis of natural love, morality and feelings which are not submitted to desecration"<sup>65</sup>.

Father Sopoćko does not rule out the need for the industrial development, for the new technological developments but he warns against the results of violating the balance between the material and the spiritual. "In the period of steam, electricity and planes, the culture of the human spirit was forgotten and it resulted in the world war and later the economic crisis of the nations which were the first to strive for materialism"<sup>66</sup>.

Father Michał indicates the dangerous social phenomenon – undertaking jobs by children who as a result must stay away from home. In his times such practice was at the expense of their school education.

Today children do not work but most of them spend almost all day in a nursery, in the kindergarten or in in the aftercare. Although they need contact with their peers in order to work on their social skills, the time spend outside home should be balanced for their good. A child who is deprived the direct educational influence of the parents, does

<sup>62</sup> See *ibidem*, 87 and next.

<sup>63</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 91-92. See also: J. Augustyn, *Co matka i ojciec dają dziecku?*, in: J. Augustyn (ed.), *Macierzyństwo* (Kraków: 1998), 21.

<sup>64</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 91-92.

<sup>65</sup> *Ibidem*, 93.

<sup>66</sup> *Ibidem*.

not preserve the moral attitude which can only be acquired at home. Parents are responsible for the spiritual development of the child<sup>67</sup>.

Father Sopoćko particularly emphasises the religious aspect in educating a child because some children of the previously mentioned codes do not mention the obligation for the religious education of a child. He underlines the particular harm of the regulations of the Bolshevik civil law which forbids the religious education of children at school and under the penal code procedure it provides severe penalties for those who by any means exert religious influence on minor children. At the same time he notices the possibility of the broad interpretation of this regulation which can also regard the household and the child's parents<sup>68</sup>.

In the contemporary time, some political parties in Poland similarly try to get rid of religion in the social life. Although the time has changed, the results will be the same as those in the time of Father Sopoćko. Only the religious practice which is connected with the faith in God and are a great lever in the whole human life, can he fully develop spiritually<sup>69</sup>.

### Parental authority

Father Sopoćko notices that the codes of the civil law generally assigned parental authority to the child's father although not to the same extent as to the mother. Certainly it was connected with the socially assumed way of treating women. Presenting the attitudes of particular employers, he definitely gives God's law the superiority over them all, as according to God's law, both father and mother have the same rights for the child as they both participated in giving life to the child. However, parents are not the absolute owners of the child as they did not create him or her. God is the creator the man thus the parents' limited authority<sup>70</sup>.

Parents have the right to execute their authority over the child but it always requires their love. As the human feelings are changeable and they need to be subjected to the unchangeable regulations of law and must not be guided by feelings only<sup>71</sup>.

Father Sopoćko also mentions the issue of punishment for the child, which aims at educating the child to be obedient. He allows for the

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<sup>67</sup> Ibidem.

<sup>68</sup> See *ibidem*, 94.

<sup>69</sup> See *ibidem*, 93.

<sup>70</sup> See *ibidem*, 96.

<sup>71</sup> See *ibidem*, 97.

corporal punishment but only those which are not harmful. At present such punishment is considered violence but until recently they were an educational method. Moral theology, according to Father Sopoćko, commands the parents to scold the child's trespasses, however, they must do it with prudence and moderation. Corporal punishment must never turn to abuse. Punishing connected with hatred and exceeding the limits of justice are a sin<sup>72</sup>.

Civil authority in the codes discussed by the Author and in contemporary time does not allow for the violence towards the child. Non-compliance with that may result in depriving the parents of their parental authority by the court of law<sup>73</sup>.

## The rights and duties of children

### Respect

The children's duties towards parents result from the natural law, regardless of any agreement or permission as the family is a natural society. The parents' duty is to maintain and educate children while the children's duty is to be grateful, to show respect, love and be obedient to the parents according to the fourth commandment: "Honor thy father and mother".

The law does not regard the internal human feelings and cannot forbid or command love. This is a matter of the conscience which is formed and managed by religion. In the civil legislation, respect is the external indication of love. Parents have a particular place before God as in the Holy Scripture God commands in the Decalogue to respect parents and He gives a promise to the children who will honor their parents (Syr 3, 3-4)<sup>74</sup>.

### Obedience

Respect is connected with obedience. The parents who are obliged to educate, should have the right to command and the children are obliged to be obedient until they are under the parental authority<sup>75</sup>.

<sup>72</sup> See *ibidem*, 100.

<sup>73</sup> See *ibidem*, 101.

<sup>74</sup> See *ibidem*, 106.

<sup>75</sup> See *ibidem*, 108.

The child does not have to and must not be obedient to parents when their commands are contrary to God's law and the civil law unless the latter is against God's law<sup>76</sup>.

Moral theology obliges minor children to be obedient to their parents under the penalty of sin in everything which concern salvation of the soul and good manners. The exception concerns the choice of status. Children are not obliged to be obedient to their parents in this matter. They are obliged to follow their conscience (Mt 8, 22; 10, 37)<sup>77</sup>. Similarly, with regard to the choice of occupation. Father Sopoćko indicates that the state law determined the time of the parents' authority over the children defining the boundary of their being under-aged<sup>78</sup>.

### Maintaining parents in need

The Catholic ethics requires that children should take care of their parents when it is necessary. It also concerns the people who are ordained. In such cases leaving the community and taking care of the parents is morally justified<sup>79</sup>.

## The influence of divorce on the relation between parents and children

In the times of the Author's life, it was the woman who felt the consequences of divorce. It resulted from the fact that man was the main family bread winner. Nowadays it is different because women are able to earn their living themselves<sup>80</sup>. However, it is still relevant that "every divorce undermines the family life, deprives the child of the proper living conditions in which he or she should be brought up"<sup>81</sup>. According to Father Sopoćko, children from a divorced marriage are deprived of the family atmosphere of love, obedience, discipline, feeling of unity

<sup>76</sup> See *ibidem*, 109.

<sup>77</sup> See *ibidem*, 110.

<sup>78</sup> See *ibidem*, 113.

<sup>79</sup> See *ibidem*, 111.

<sup>80</sup> "The woman has the right to equality in the sphere of payment and of the working conditions". It is necessary to create structures which would make it easier for the woman to enter social life, cultural formation and occupational formation, as well as benefit from the social provisions such as: assignment of the apartment, education for children, proper tax reductions". John Paul II, *Oreǳcie na Światowy Dzień Migranta [Message for the World Day of Migration] 1995*, 4, "L'Osservatore Romano", [www.opoka.org.pl](http://www.opoka.org.pl) (access from June 15<sup>th</sup> 2022).

<sup>81</sup> M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 118.

and fraternity. Such a deprivation usually results in the recriminations of the divorced spouses, which is witnessed by the child and in which he or she usually participates. This makes the child suspicious, dishonest, unstable and they suffer from resentment for their parents and later for the whole world. The lack of the strong guidance of the father and the tender care of the mother or sometimes of both parents, corrupts the child's character. The child's frustration is also caused by material and inheritance matters<sup>82</sup>.

Father Sopoćko thinks that the situation of children of divorced parents is much worse than the situation of orphans. The latter know that their parents are dead. They are grateful to them for the gift of life and education. Their sorrow is weaker when they are aware of the fact that their parents bless them from heaven. This obviously concerns children who were brought up in the Christian faith. The situation of the children of divorced parents is totally different, when the child knows that his parents are alive and living with one parent he or she has to tolerate the parent's new partner. Sopoćko notices that as many as 80% of children from penitentiaries come from divorced families<sup>83</sup>. It should be indicated that he bases his theses on the contemporary social morality, not treating divorces as so natural as they are considered to be nowadays. The survey conducted in Poland in 2008 indicated that 52% of minor criminals come from divorced families the statistics from 2012 present the range of 21-36%, the 54-70% of which are the children brought up by single mothers<sup>84</sup>.

### Illegitimate children

Father Sopoćko, while discussing this issue in the light of moral theology, notices that parents, despite the fact that they are not married, are obliged to maintain such a child. He assigns the greater responsibility for that to the father. Therefore, the father should maintain the child. In the times contemporary to the Author, an illegitimate child was not responsible for the deeds of the parents, which is still

<sup>82</sup> See *ibidem*, 118.

<sup>83</sup> See *ibidem*, 128.

<sup>84</sup> J. Słyk, "Przestępczość nieletnich w świetle badań akt sądowych a problem odpowiedzialności rodziców za szkody wyrządzone przez ich dzieci", *Zeszyty Prawnicze* 2008 (8.2): 293. See also: U. Dudziak, *Psychologiczne skutki rozvodu rodziców dla ich dzieci*, 102, in: [https://bazhum.muzhp.pl/media/files/Forum\\_Teologiczne/Forum\\_Teologiczne-r2012-t13/Forum\\_Teologiczne-r2012-t13-s97-108/Forum\\_Teologiczne-r2012-t13-s97-108.pdf](https://bazhum.muzhp.pl/media/files/Forum_Teologiczne/Forum_Teologiczne-r2012-t13/Forum_Teologiczne-r2012-t13-s97-108/Forum_Teologiczne-r2012-t13-s97-108.pdf) (access from: June 15th 2022).

valid<sup>85</sup>. However, until the Second Vatican Council, under the Code of the Canon Law from 1917 such a child was deprived of some rights which were granted to a legitimate child. An illegitimate child as an adult could not be raised to the dignity of a cardinal, a bishop, a prior or a priest. He was not even allowed to enter a seminary. The same concerned women who wanted to enter a convent<sup>86</sup>.

## Summary

“The family is the first natural human society the aim of which is to preserve the human kind – educating a new generation and transferring him or her the spiritual and material culture for his or her further development”<sup>87</sup>.

The family is the first social unit. Therefore, drawing upon its first basic law, it cannot be subjected to the laws constituted by the later societies, which are not in accordance with the conscience of family members. It also concerns the state legislation. Therefore, the aim of the state is to clearly determine the regulations of natural law and to apply them in particular circumstances, place and time, the level of development and the national character of the citizens and to ensure application of these regulations with a proper sanction.

Father Sopoćko indicates that none of the pagan cultures has ever been able to fully protect the natural rights of the family or protect the woman and children, especially the sick and disabled ones who used to be killed<sup>88</sup>.

Only through the light of Christ’s teaching spread by the Catholic Church was the family healed. In the light of God’s commandments the proportions between the authority of the father and of the mother were introduced. The man’s absolute power over the woman and the children was severely limited. The woman received back her dignity and respect and the child was properly taken care of, protected from being killed or sold. Such regulations of the law were preserved in the Christian circles and they gradually were being introduced to the civil legislation, also on Polish soil. The barbaric customs were stopped under the influence of the Christian ethics. Christian principles were introduced in particular districts of Poland<sup>89</sup>.

<sup>85</sup> See M. Sopoćko, *Rodzina w prawodawstwie na ziemiach polskich*, 130.

<sup>86</sup> See *ibidem*, 132.

<sup>87</sup> *Ibidem*, 149.

<sup>88</sup> See *ibidem*, 149.

<sup>89</sup> See *ibidem*, 150.

Since the time of reformation there has not been any unified Christian law which obliged all Christians alike. There was a schism between the family ethics in the Roman Catholic Church and the Protestant ethics. Under the influence of the changes connected with ethics, the family of the noblemen in Poland was disrupted. People got married several times and divorced, which exerted negative influence on the young generation. Finally it resulted in the moral corruption of the ruling class. The word lost its meaning and value. If it was possible to break the marriage vow, people could now replace bravery and sacrifice for the country with selfishness and self-interest. The latter finally led to the loss of independence.

The introduced regulations of the invaders, which at first, as Father Sopoćko noticed, resembled the Christian teaching, gradually, under the influence of the pseudo-reformation, were transformed in many amendments in the neo-pagan direction and were against the natural law and the former Polish customary law. Father Sopoćko gives as an example the permissibility to divorce, introduction of the obligatory contracting of civil marriages, forcing the wife to be absolutely submissive to her husband and depriving her of the paternal authority<sup>90</sup>.

Father Sopoćko noticed that such legal status, different for different partition resulted in the fact that when Poland finally regained independence, it was difficult to establish unified legislation. The regulations which were totally different from the spirit of our nation and tradition in the sphere of marriage and family ethics, were very controversial. The latter were preserved in the Polish Catholic families despite the pressure from the invaders.

In the discussed dissertation Father Sopoćko indicated the negative social results of the regulations which were against the natural law. He emphasised that only the legislation which is in accordance with the Christian rules, and which is founded on the natural law, is acceptable. He was aware that despite the good will of many people, unification of the legislation according the Polish spirit and tradition was very difficult due to the fact that Poland was being gradually influenced by the anti-ethical trends which had already existed in the neighbouring countries.

One of the actions of these trends was to aim at the gradual separation of the school from the Church or creating the national Church which was totally dependent on the state. He considered it to be an absurd as it was the Catholic Church that remained the creator of the statehood and the refuge during the long years of partitions. "The

<sup>90</sup> See *ibidem*.



state would like to take an absolute authority over the family, to limit parental authority in order to take it over, what is more, – the state would decide about the marriage contract, its validity and results just like it is in Germany and Bolsheviks country<sup>91</sup>.

Father Sopoćko emphasises that among the lawyer's competence there are the civil results of marriage, while the Church, manager by the Pope, deals with the matters of (see Mt 16,19).

We must agree with Father Sopoćko who thinks that “the family ethics on Polish soil survived and still lives in the tradition of our Catholic nation”<sup>92</sup>. It depends on our generation if it outlasts for the next generations.

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<sup>91</sup> Ibidem, 151.

<sup>92</sup> Ibidem, 154.

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