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The Rights of the Family in the Vision of the Evangelical Church

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1. Introduction

The Lutheran instructions about the family are the Bible-based teachings. The Bible, due to *sola scriptura* principle, is according to Lutheranism the only reliable and trustworthy authority.¹ It is a foundation of faith and Christian life. It is a source of dogma, a touchstone of orthodoxy, and the ultimate judge of all theological questions and problems.² The Bible is *norma normans non normata* of the church teaching.³

The spectrum of teaching of the Lutheran Churches⁴ is presented in many church documents.⁵ They are gathered mainly in *The Book of Concord (Liber Concordiae)*.⁶ The collection is the hard core of doctrinal

¹ M. UGLORZ: *Od samoświadomości do świadectwa wiary. Wprowadzenie do dogmatyki ewangelickiej*. Warszawa 1995, pp. 125—127.

² Ibidem, pp. 88—98; a good introduction to the Lutheran theology is provided by S.D. PAULSON: *Lutheran Theology*. London 2011.

³ P. JASKÓŁA: *Wyznania chrześcijańskie bez jedności z Rzymem*. Opole 2008, p. 79.

⁴ For more about the Lutheran Churches, see P. JASKÓŁA: *Wyznania chrześcijańskie bez jedności z Rzymem*. Opole 2008, pp. 57—90.

⁵ For a short introduction to the issue, see L. ULLRICH: “Corpus Doctrinae.” In: *Lexikon der Reformationszeit, Lexikon für Theologie und Kirche. Kompakt*. Eds. K. GANZER, B. STEIMER. Freiburg-Basel-Wien 2002, col. 175—176.

⁶ The first edition in German was in Dresden in 1580 (eds. M. STÖCKEL, G. BERGEN). For the full title of the edition, see Bibliography.

and disciplinary teaching extracted from Martin Luther's doctrine.⁷ All the books have been recognized as authoritative in Lutheranism since the 16th century. The special place among them occupies *The Augsburg Confession*. As it was said, *The Augsburg Confession* remains the basic definition of what it means to be a Lutheran.⁸ All the books from the mentioned *corpus doctrinae* are *norma normata*, because they are subordinate to the Bible.⁹

It seems that also some other documents issued by the Lutheran Churches, or at least some parts of them, are not only of theological but also of legal significance. It is because they touch upon not only theological matters, but also disciplinary ones.¹⁰ In case of the Evangelical-Augsburg Church in Poland, a special emphasis must be placed on PS¹¹ and ZPW.¹²

All citations from the books are taken from the English edition *The Book of Concord, or, the Symbolical Books of the Evangelical Lutheran Church. Translated from the Original Languages, with Analyses and an Exhaustive Index*. Ed. H.E. JACOBS. Philadelphia 1911; Polish translation: *Księgi Wyznaniowe Kościoła Luterskiego*. Bielsko-Biała 1999; see also: *Wyznania wiary protestantyzmu. Tom zawiera także wyznania wspólnot religijnych XIX i XX wieku wywodzących się z dziedzictwa reformacji. Wybor tekstów źródłowych*. Ed. L. SADKO. Kraków 1995.

The mentioned English version consists of the following essential parts: "The General Creeds" (pp. 23—28), "The Augsburg Confession" (pp. 30—68), "The Apology of the Augsburg Confession" (pp. 69—302), "The Smalcald Articles" (pp. 303—354), "The Small Catechism" (pp. 355—378), "The Large Catechism" (pp. 379—486), "The Formula of Concord" (pp. 487—671).

⁷ W. NIEMCZYK: "Teologia ksiąg wyznaniowych." In: *Księgi Wyznaniowe Kościoła Luterskiego...*, Bielsko-Biała 1999, p. 19.

⁸ R. KOLB, CH. P. ARAND: *The Genius of Luther's Theology: A Wittenberg Way of Thinking for the Contemporary Church*. Grand Rapids 2008, p. 16.

⁹ P. JASKÓŁA: *Wyznania chrześcijańskie bez jedności z Rzymem*. Opole 2008, p. 79.

¹⁰ As it is in case of P. MELANCHTHON's, *A Treatise on the Power and Primacy of the Pope*. Treatise Compiled by the Theologians Assembled at Smalcald in 1537 and added as an appendix to *The Smalcald Articles*; a short explanation of relation between law and Gospel, see P. JASKÓŁA: *Wyznania chrześcijańskie bez jedności z Rzymem*. Opole 2008, p. 80.

¹¹ PS = *Pragmatyka Służbowa Kościoła Ewangelicko-Augsburskiego w Rzeczypospolitej Polskiej (The Official Policy of the Evangelical-Augsburg Church in Poland)*. Tekst jednolity opracowany na 10 sesję XII Synodu Kościoła Ewangelicko-Augsburskiego w RP w dniach 14—16 października 2011 r. Available at: <http://www.luteranie.pl/pl/files/file/ps.pdf>. Accessed 10.3.2012.

¹² ZPW = *Zasadnicze Prawo Wewnętrzne Kościoła Ewangelicko-Augsburskiego w Rzeczypospolitej Polskiej z dnia 26 października 1996 r. z późniejszymi zmianami (The Essential Inner Law of the Evangelical-Augsburg Church in Poland)*. Tekst jednolity opracowany na 10 sesję XII Synodu Kościoła Ewangelicko-Augsburskiego w RP w dniach 14—16 października 2011 r. Available at: <http://www.luteranie.pl/pl/files/file/zpw.pdf>. Accessed 10.3.2012.

In case of ZPW the situation is quite simple. The document in question is titled “law” (“prawo”). In § 82 ZPW there is a date of the law coming into effect, and in the next § 83 ZPW derogation norms of the previous version of the law are established.

It can be presumed that also PS is of legal significance. There are some arguments in support of that opinion. First, the redaction of PS is typical of legal texts. The document is divided into smaller units (paragraph and numbers); also formulations of sentences and its language indicate clearly that the text is a normative document. Second, the collegial body of the Evangelical Church, that is, Synod of the Church (“Synod Kościoła”) in Poland “approved” (“zatwierdził”) PS at the 4th session of the X Synod, and the unified text of the document was “drawn up” (“opracowany”) for the 10th Session of the XII Synod in 2011.

It must be mentioned that the Synod is the highest power in the Church (§ 58 no. 1 ZPW). The Synod is “an embodiment of the Church and exponent of all rights of the Church” (§ 58 no. 1 ZPW).¹³ The body has legislative power and competences, because it is entitled to enact all church laws, and to decide in all general matters of the Church, in the limits of the law [ZPW] (§ 58 no. 2 ZPW).

Although there is no word “promulgation” used in PS — promulgation, of course, belongs to the essence of a law¹⁴ — one can justly presume that the mentioned “approval” is some kind of promulgation. The document in question can be found on the web page of the Evangelical-Augsburg Church in Poland. The very fact can be understood as a kind of publication of PS.

The law states that “Evangelical family, being part of the Church, is a community of the saints and it is obliged to build itself into a spiritual house and reinforce itself in faith by the Word of God, sacraments, and prayer” (§ 111 PS).¹⁵ It follows that all regulations must come from the teaching of the Church and be coherent with it. It must be underlined that there is no bill of rights of the family in documents of Evangelical Church.¹⁶ In the present paper, PS will be mainly analysed, of course in

¹³ § 58 no. 1 ZPW: “[Synod] jest on uosobieniem Kościoła i wyrazicielem wszystkich praw Kościołowi przysługujących.”

¹⁴ Cf. *Decretum magistri Gratiani*. In: *Corpus Iuris Canonici*, vol. 1. Lipsiae 1979, col. 1—1424, here: D. IV, c. 3.

¹⁵ § PS 111: “[...] rodzina ewangelicka, będąc częścią Kościoła, jest społecznością świętych, zobowiązana do budowania się w dom duchowy i umacniania w wierze przez Słowo Boże, sakramenty i modlitwę.”

¹⁶ As it is in case of the Catholic Church. The authorities of the Church have issued such a document, see PONTIFICIO CONSIGLIO PER LA FAMIGLIA: “Carta dei diritti della famiglia.” *Enchiridion Vaticanum*, 9, pp. 538—552; Polish edition: Karta Praw Rodziny: przedłożona przez Stolicę Apostolską wszystkim ludziom, instytucjom i władzom zainteresowanym misją rodziny w świecie współczesnym. Katowice 2008.

the light of the general Lutheran doctrinal and disciplinary teaching. This method, it is assumed, will bring to light the rights of the family in the vision of the Evangelical Church, which is the aim of the paper.

2. Rights regarding contracting marriage

Because family is built on marriage, the right that should be examined is the right to marry. The Evangelical Church believes that “God ordained marriage to be a help against human infirmity.”¹⁷ Martin Luther was of the opinion that the union of a male and a female belongs to natural rights. “But since natural right is immutable, the right to contract marriage must always remain. For where nature does not change, that ordinance also with which God has endowed nature does not change, and cannot be removed by human laws.”¹⁸

The right in question can be interpreted from the Father of the Reformation’s opposition to the ban on contracting marriage by the priests. According to Luther “private judgment of the Popes, both prohibit the contraction of marriages, and dissolve them when contracted; and this is to be done openly contrary to the command of Christ, Matt. 19:6: what God hath joined together, let not man put asunder”;¹⁹ and also “priests would have done wrong in contracting marriages, yet this disruption of marriages, these proscriptions, and this cruelty, are manifestly contrary to the will and Word of God.”²⁰ In one word: “the right to contract marriage cannot be removed by statutes or vows.”²¹

But, on the other hand, there is no obligation to marry. Law states that “marriage is a possibility, given by God to humans, for man’s and woman’s life. It is a covenant of two persons in which a man and a woman are obliged to lead common life in mutual love, responsibility, sharing burdens, trust, prayer, and striving for perfection” (PS § 107 no. 1).²² The cited article speaks about the possibility of contracting marriage, not the compulsion or pressure of entering into marriage.

¹⁷ AC (=the Augsburg Confession) XX, 15.

¹⁸ Ap (= the Apology of the Augsburg Confession) XXIII, 9.

¹⁹ Ap XXIII, 23.

²⁰ Ap XII, 71.

²¹ Ap XXIII, 7.

²² § 107 no. 1 PS: “małżeństwo jest darowaną przez Boga człowiekowi możliwością życia mężczyzny i kobiety. Jest ono przymierzem dwojga osób, mężczyzny i kobiety, zobowiązanych do wspólnego życia we wzajemnej miłości, odpowiedzialności, dzieleniu brzemion, zaufaniu, modlitwie, doskonaleniu się.”

It must be added that the right in question is not an absolute one. In § 108 of PS, the Church authorities declare that a marriage comes into existence by consent of persons, a man and a woman, who are legally capable (§ 108 PS). By the act, the persons in irrevocable covenant mutually give and accept each other for the purpose of establishing a marriage (§ 108 PS). To accomplish such a great deed as contracting marriage, the persons undoubtedly must have a certain level of freedom to get married validly.

In Lutheran thought, the detailed legal regulations of marriage do not belong to the religious community, but to the civil authorities.²³ It seems that in the system of norms in the Lutheran Church there are no norms *in sensu stricto* of marriage law, created in endogenic way, such as norms that regulate the legal ability of contracting marriage, the conditions of validity of marriage consensus, etc. There is even an opinion that “legal ability of candidates to Evangelical marriage is determined not by own law of the Church, but state law.”²⁴ It seems that the judgement is not right, because it is exaggerated. One can argue that § 116 PS orders that the duty of the pastor is to check ability of contracting marriage not only according to documents issued by the registry office,²⁵ but also documents required by PS such as a certificate of baptism with annotation of confirmation and free state.²⁶ Luther also ordered that marriages must not be contracted in secret. According to him, valid is only the marriage contracted officially, publicly, in presence of witnesses and the Church. To the essence of marriage belongs its declarative character.²⁷ As it is seen, the Lutheran Church provides some regulations about validity of marriage, which, of course, have an influence on realization of *ius connubii*.

²³ P. HOLC: “Małżeństwo w ‘Księgach Symbolicznych’ luteranizmu.” In: *Sakramentalność małżeństwa*. Red. Z.J. KIJAS, J. KRZYWDA. Kraków 2002, pp. 78—79.

²⁴ P. MAJER: “Uznanie małżeństwa kanonicznego w prawie państwowym.” *Annales Canonici* 6 (2010), p. 74, fn. 19.

²⁵ In Poland it is Urząd Stanu Cywilnego, see, e.g., art 41 § 1 ustawy z dnia 25 lutego 1964 r. *Kodeks rodzinny i opiekuńczy* (Dz.U. nr 9 poz. 59 z późn. zm.), and, for example, art. 54, art. 55, art. 56 ustawy z dnia 29 września 1986 r. — *Prawo o aktach stanu cywilnego* (Dz.U. nr 36 poz. 180 z późn. zm.).

²⁶ § 116 PS: “[...] obowiązkiem proboszcza jest sprawdzenie zdolności prawnej do zawarcia małżeństwa narzeczonych zgłaszających zapowiedzi, na podstawie ich oświadczeń pisemnych oraz przedłożonych przez nich dokumentów według obowiązujących przepisów: a) świadectw Chrztu Św. z adnotacją o konfirmacji i stanie cywilnym, b) wystawionych przez Urząd Stanu Cywilnego dokumentów stwierdzających zdolność prawną do zawarcia małżeństwa, c) dodatkowych dokumentów określonych przez niniejsze Prawo lub porozumienia między Państwem a Kościołem.”

²⁷ WA 30 III 207, 12.

3. Rights regarding pastoral care

The next group of rights is the one that concerns pastoral care over the families. Luther in *The Tables of Duties*, a part of *The Small Catechism*, ordered that bishops, pastors, and preachers must be apt to teach, holding fast to the Word as they have been taught, that they may be able by sound doctrine both to exhort and to convince the gainsayers.²⁸

According to Philipp Melanchthon, all the sermons in Lutheran Churches are to treat certain topics, such as: repentance, the fear of God, faith in Christ, the righteousness of faith, and many others. But on the proposed list there are also subjects that concern families, such as: marriage, education and instruction of children.²⁹

ZPW in § 36 no. 2 prescribes that the pastor is to take pastoral care of the whole parish. Even the members of the Church, who are abroad, are to be, but only in special circumstances, surrounded by pastoral care of the Church (§ 6 no. 1 ZPW).

That duty creates certain rights for the members of the Church. First of all, marriages and families have the right to receive pastoral care from the Church. Lutheran law orders that the ministers of the Church are obliged to extend pastoral care to certain groups of parishioners like: families, the poor, the orphans, the old, the handicapped (§ 63 PS).

The families are entitled to a special care in time of mourning for the members of the family (§ 63 PS). The parish office is to come to aid in organizing the funeral (§ 154 PS). The ministers are obliged to show special attention to mixed marriages and marriages that stay away from the Church (§ 63 PS).

4. Rights regarding ministers' families

According to the Lutheran teaching, marriage and family are deeply rooted in state and civil society. The main responsibility for wellbeing of the families belongs to the civil authorities.³⁰

²⁸ SC (= *the Small Catechism*), Appendix 3, 2.

²⁹ Ap XV, 43.

³⁰ See more: A. SKOWRONEK: *Małżeństwo i kapłaństwo jako spotęgowanie chrześcijańskiej egzystencji. Sakramenty wiary. Spotkania z Chrystusem w Kościele. W profilu ekumenicznym*. Vol. 3. Włocławek 1996, pp. 40—45.

But in PS an exemption is made for ministers' families, because "ministers (bishops, priests and deacons) are entitled to company flat that guarantees decent living for the family and organization of office space" (§ 200 PS).³¹ If the minister stays in his own house the parish is obliged to participate in the costs of living (§ 200 PS).

The rules have their roots in the teaching of Martin Luther. In the already cited *The Tables of Duties* he ordered that the hearers own their pastors: "let the elders that rule well be counted worthy of double honor, especially they who labor in word and doctrine. For the Scripture said, 'Thou shalt not muzzle the ox that treadeth³² out the corn'. And, 'The laborer is worthy of his reward' (1 Tim. 5:17, 18). Obey them that have the rule over you, and submit yourselves: for they watch for your souls, as they that must give account, that they may do it with joy and not with grief; for that is unprofitable for you (Heb. 13:17)."³³

5. Rights regarding members of family, especially children

The analysed law gives many rights and duties of the particular members of the family like parents, children, or siblings. For instance, the law states that parents and children have general duty to love and support one another (§ 111 PS). The law also states that parents have special obligation that arises from the missionary order of Jesus Christ, to lead their children in the community of the Church by sacrament of baptism, teaching of the Word of God, and religious upbringing (§ 111 PS). The legislator § 112 PS orders that the children have the duty to venerate parents by showing them respect, obedience, love, and by taking care of them in their old years and illness. The siblings have the right and duty to live in harmony, and family love, and to show mutual help (§ 112 PS).

But most of the rights are connected with children. Of course, the rights of children are the reflection of the duties of the parents, and the ministers of the Church.

³¹ § 200 PS: "[...] duchownym (biskupom, księżom i diakonom) przysługuje mieszkanie służbowe, zapewniające godne warunki życia rodziny oraz urządzenie gabinetu pracy."

³² Sic!

³³ SC, Appendix 3, 3.

5.1. Baptism

The first and foremost right the children have is the right to be baptized. Luther said that the doubts or the questions about the infant baptism were suggested by the devil, through his sects, to confuse the world.³⁴ Also, that the baptism of infants is pleasing to Christ is sufficiently proved from His own work.³⁵

According to § 69 no. 1 PS, children should be baptized in the first six weeks since birth. It seems that the addressees of the norm are mainly parents. If the parents fail to fulfill the duty in question and postpone the baptism longer than one year, the ministers are to see the family and to ask about the causes of such nonfeasance, and to talk to them pastorally (§ 69 no. 1 PS).

The Lutheran law mentions nothing about the protection of freedom of children to choose baptism. PS only orders that “the children who are to be baptized in a more advanced age are to be prepared individually for receiving the sacrament (§ 72 no. 1 PS).³⁶ The legislator does not determine the meaning of the term “in a more advanced age” (“w starszym wieku”); nor the possibility of opposition of the children against receiving the sacrament in question is regulated.

In case of mixed marriages, the legislator provided special regulations. The norms resolve issues of contracting such marriages, and of special pastoral care for the marriages. They order that the Evangelical part of marriage must take care of “giving the house the Evangelical character,”³⁷ which is seen particularly in upbringing children in the Evangelical Church.

5.2. Religious upbringing and education

As St. Paul taught: “Fathers, do not provoke your children to anger, but raise them up in the discipline and instruction of the Lord” (Eph. 6:4). Because of the duty, the children have the right to be educated in religion especially in the first years of life. The legislator gives some

³⁴ LC (= *The Large Catechism*), IV, 47.

³⁵ LC IV, 49.

³⁶ § 72 no. 1 PS: “[...] dzieci, które mają być ochrzczone w starszym wieku należy osobno odpowiednio przygotować do chrztu.”

³⁷ § 133 PS: “[...] nadania domowi ewangelickiego charakteru.”

pastoral examples of making it happen: praying and singing with children, telling the biblical stories, reading Evangelical papers for children, Sunday school, but a special place is reserved for taking part in the church services. In the second preface to *The Large Catechism* Martin Luther wrote that “it is the duty of every father of a family at least once a week to examine his children and servants, and to ascertain what they know of it [the catechism], or have learned, and, if they be not familiar with it, to keep them faithfully at it,”³⁸ and also “let every father of a family know that it is his duty, by the injunction and command of God, to teach these things to his children, or have them learn what they ought to know.”³⁹

According to the Church legislative body, everything possible must be done to “strive for giving the important moments in life of the child a religious character” (§ 88 no. 2 PS).⁴⁰ Responsible for the realization of the right are parents and godparents who are to be constantly encouraged to fulfill the duty.

It should be mentioned that the duty of education is extended also to the members of the parish council (“rady parafialnej”). According to § 88 no. 5 ZPW the organ must be particularly involved in “the care for education and upbringing of the children and the youth.”⁴¹

The right in question is to be extended in time. Also in the later years the parents and the godparents must by word and example shape the positive attitude of the child to church teaching, church services, parish life and Church life (§ 89 PS). It is underlined in the law that children have the special right to find in the life of their parents a unique and special pattern of honest, pious life, full of the virtues like: righteousness, love, fidelity and trustworthiness (§ 112 PS). It is worth adding that law also mentions the obligation of the parents to provide not only upbringing, but also an education for their children (§ 111 PS).

6. Conclusions

In summary, it must be said that the Evangelical-Augsburg Church in Poland does not formulate the bill of rights of the family. But, it has

³⁸ LC, 2nd preface, 4.

³⁹ LC V, 87.

⁴⁰ § 88 no. 2 PS: “[...] dążyć do nadania ważniejszym momentom życia dziecka charakteru religijnego.”

⁴¹ § 88 no. 5 ZPW: “[...] troska o chrześcijańskie wychowanie dzieci i młodzieży.”

enacted some rights of the family. They are rooted mainly in the *corpus doctrinae* of Evangelical Churches. The Church in question formed some regulations about the family in PS and ZPW. In the two laws one can find concrete and clear-cut regulations; unfortunately, they are scattered among the two texts.

One can say that the regulations in question are not rights, but rather pastoral clues, because there are no sanctions for the behaviour opposite to the norms. In a different matter than family, the regulations from PS are formed into norms with sanctions, like it is in case of § 151 no. 2 PS⁴² (rigor of marriage of pastors with women of Evangelical faith), or § 105 PS⁴³ (protection of the seal of confession).⁴⁴

Generally, it can be said that the vision of the Evangelical Church regarding the rights of family is not extensive. The Church law deals only with basic matters and the Evangelical legislator did not try to regulate and give some norms for modern issues concerning family. The law that the legislative body of the Church enacted is mainly focused on the religious and spiritual side of life. Neither PS nor ZPW cover today's important problems like: child abuse, unemployment, *in vitro* fertilization, or other bioethical issues.

⁴² § 151 no. 2 PS: “[...] duchownemu pod rygorem skreślenia go z listy duchownych Kościoła nie wolno zawierać małżeństwa z osobą przynależącą do innego Kościoła, z wyjątkiem osób przynależących do kościołów pozostających z Kościołem Ewangelicko-Augsburskim w RP we wspólnocie ołtarza i ambony.”

⁴³ § 105 PS: “[...] duchowni, zgodnie ze ślubowaniem ordynacyjnym, są zobowiązani do zachowania tajemnicy spowiedzi, a także tajemnicy rozmów duszpasterskich pod rygorem utraty urzędu.”

⁴⁴ See § 261 PS for the list of disciplinary punishments.

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PIOTR KROCZEK

The Rights of the Family in the Vision of the Evangelical Church

Summary

The paper deals with the topic of rights of the family in teaching and law of the Evangelical-Augsburg Church in Poland. The Church in question, above the doctrinal statements, issued two documents, titled: *Zasadnicze Prawo Wewnętrzne*, which contains the essential norms for the Church, and *Pragmatyka służbowa*, which is a collection of regulations and rules of church service and pastoral care. In the paper, the two documents are analysed in perspective of the rights of family. The main conclusion is that the vision of the Evangelical Church regarding the rights of family is not extensive and deals only with basic matters not taking into consideration modern issues concerning family.

PIOTR KROCZEK

Droits de la famille dans l'optique de l'Église évangélique de la Confession d'Augsbourg dans la République de Pologne

Résumé

L'article aborde le sujet concernant les droits de la famille dans l'enseignement et dans le droit de l'Église évangélique de la Confession d'Augsbourg dans la République de Pologne. Cette Église a publié, outre l'enseignement doctrinal, deux documents à caractère normatif: *Droit Interne Fondamental* qui comprend les réglementations les plus importantes concernant cette Église et *Pragmatique de service* qui contient les règlements concernant principalement l'activité pastorale. Ces deux documents ont été analysés sous l'angle des droits de la famille.

La conclusion majeure qui découle de nos études, c'est que la vision évangélique des droits de la famille ne se focalise pas sur ces droits d'une façon vaste, mais elle concerne uniquement les droits fondamentaux. Elle passe sous silence les questions contemporaines qui concernent la famille.

Mots clés: famille, Église évangélique de la Confession d'Augsbourg dans la République de Pologne, *Droit Interne Fondamental*, *Pragmatique de service*, Martin Luther, *Liber Concordiae*

PIOTR KROCZEK

I diritti della famiglia nell'ottica della Chiesa Evangelico-Augustea nella Repubblica di Polonia

Sommario

L'articolo tratta l'argomento dei diritti delle famiglie nell'insegnamento e nel diritto della Chiesa evangelico-augustea nella Repubblica di Polonia. Tale Chiesa, oltre all'insegnamento dottrinale, ha pubblicato due documenti di natura normativa: *Zasadnicze Prawo Wewnętrzne* [Diritto Interno Fondamentale] che include le norme più importanti riguardanti tale Chiesa e *Pragmatyka służbowa* [Prammatica del servizio] che include le leggi riguardanti principalmente il servizio pastorale. Questi due documenti sono stati analizzati dal punto di vista dei diritti della famiglia.

La conclusione principale che scaturisce dalle ricerche eseguite è che la visione evangelica dei diritti della famiglia non racchiude in modo ampio i diritti menzionati, ma riguarda solamente i diritti fondamentali. Tralascia le problematiche contemporanee che riguardano la famiglia.

Parole chiave: famiglia, Chiesa Evangelico-Augustea nella Repubblica di Polonia, *Diritto Interno Fondamentale*, *Prammatica del servizio*, Martin Lutero, *Liber Concordiae*