

## CITIZENSHIP AND THE ROLE OF THE CATHOLIC CHURCH IN THE MODERN WORLD

Prof. Bronisław Sitek

SWPS University of Social Sciences and Humanities in Warsaw

e-mail: [bronislaw.sitek@gmail.com](mailto:bronislaw.sitek@gmail.com); <https://orcid.org/0000-0002-7365-6954>

**Summary.** The subject of the study is the role of Christianity in a multicultural society. The ongoing discussion on the relationship of Christianity, especially Catholicism in Poland, and national culture, is the justification for this kind of reflection. It is necessary to separate the functions of institutional Church whose task is to accomplish the mission of salvation, regardless of nationality or state. These are Christians who shall participate in broadly understood public life by implementing Christian values in their lives and decisions. This is guaranteed to them by the human rights. The involvement of the institutional Church in public life constitutes a threat for the Church. The Church is universal in nature and, as such, it is not related to any state system. Such understanding of Christianity allowed for its rapid development in ancient Rome.

**Key words:** Catholic Church, citizenship, moral order, multiculturalism, ancient Rome, human rights

### INTRODUCTION

In the legal and politological doctrines, citizenship is defined as a legal bond between a natural person and a state. It is the foundation of rights and duties of an individual towards a state, as well as of rights and duties of a state towards an individual. Citizenship is, above all, the basic criterion of affiliation of an individual to a state community. However, it does not entail affiliation to a specific culture or society.

In this perspective, the question arises pertaining to the meaning of the modern concept of citizenship for human's identity within comparative and historical perspectives. Is or can citizenship be an indicator of cultural identity or of religious identity? What about worldview identity or, finally, the identity pertaining to a specific system of values? In order to answer the above questions, it is necessary to analyse selected constitutions and doctrine views. It is also important to consider the concept of Roman citizenship. Ancient Rome was a multicultural state and the citizenship of that time, although understood in a completely different way than it is now, included a number of aspects which are also valid today.

1. *CIVITAS ROMANORUM*

Roman citizenship (*civitas Romanorum*) was a legal institution which underwent rather dynamic development, accompanied by the development of the Roman Empire [Capogrossi Colognesi 2000, 15]. Moreover, this concept was not homogeneous. The term “Roman citizenship” included various levels or legal statuses, starting with full citizenship referred to as *cives optimo iure*, up to Latin citizenship, similar to Roman citizenship. Apart from the citizens, there were *peregrini* who lived on the territory of the Empire, they were the people who did not hold Roman citizenship. Without engaging into an educational discourse on Roman citizenship, which is not the subject of this study, it is essential to indicate the function of thereof [Sherwin–White 1973, 25, Luraschi 1996, 35].

Since the year of 212, that is since the issuance of the so-called Edict of Caracalla (*Constitutio Antoniniana*),<sup>1</sup> the Roman citizenship was a privilege available only for a limited number of people. The privileged position of Roman citizens was visible with respect to private and public law. *Cives Romani* were able to exercise a number of activities under civil law, which were unavailable for non-citizens. Thus, only *cives* had the right (*ius conubii*) to enter into marriage recognized by Roman law as lawful (*iustum matrimonium*), and to conduct trade while enjoying the legal protection of the Roman system (*ius commercii*). As far as public law is concerned, the Roman citizens could run for public offices (*ius honorum*), and they had the right to vote in the Roman assemblies (*ius suffragii*). This was the case at least until the year of 212. Separate elements of the citizenship, as a kind of privilege, were granted to the residents of cities which were in a good relationship with Rome, as a kind of reward for their excellent cooperation. At first, such privileges were granted by the Roman Senate, and then by the emperor. All residents of the Empire, except for *peregrini dediticii*, were granted citizenship under the Edict of Caracalla.

The Roman citizenship, regardless of the type of a political system in force, was associated with the history of Rome, with its law, as well as with its customs and culture. Legal texts of that time very often referred to *mos maiorum*, which is to ancestral customs. After 212, it was of a cosmopolitan character. And, although the cultural and administrative unification of Roman Italy could be visible from approximately the beginning of the II century B.C., the Roman citizenship was an important criterion of affiliation to the Roman culture, which was multicultural in the nature for almost four centuries since the times of Augustus. The Roman citizenship was also the criterion

<sup>1</sup> In the year of 212, Emperor Caracalla granted Roman citizenship to all residents of the Roman Empire, with the exception of *peregrini dediticii*. D. 1.5.17 (Ulp. 22 ad ed.): *In orbe Romano qui sunt, ex constitutione imperatoris Antonini cives Romani effecti sunt.*

differentiating citizens from non-citizens. Nevertheless, it was possible to relate the Roman citizenship with affiliation to a given state dependent from Rome, its culture and its co-existing with other cultures created or brought by non-citizens [Vittinghoff 1994, 56].

The naturalization process in Rome underwent changes after the year of 212. Past privileges no longer constituted the basis for the right to become a citizen. The highest state offices, including the office of the emperor, were more often assumed by Roman citizens, but not all of them identified themselves with Roman culture. *Civitas Romanorum* became only a formal institution of affiliation to a particular state. This change was necessary due the creation of a multinational and multicultural state. Failure to respect this state of affairs resulted in reactions of the state in the form such as, for instance, persecution of Christians [Sitek 2011, 203–18].

The change of the function of the Roman citizenship occurred along with the acknowledgement of Christianity as the state religion, as pronounced by Theodosius II in the year of 380 [Idem 2006, 11–23]. This legal act sanctioned the dominance of the Christian religion and, in consequence, the change of the Roman culture or partial implementation of the Roman culture into the Christian culture [Baccari 1996, 35]. This Roman-Christian culture became the fundament of the culture and of the states existing within this territory until the XX century. It is also a fundament of the system of values which is currently being more and more attacked. Despite this, the Roman citizenship was not identified with Christianity.

## 2. CITIZENSHIP FROM THE PERSPECTIVE OF MODERN CONSTITUTIONS

The modern concept of citizenship is best visible in the perspective of constitution provisions, which also provide the diversity of concepts and assumptions, as well as connections of citizenship with various systems of values. It needs to be underlined that these values are often far from Christian values. Citizenship very strongly accentuates allegiance and loyalty of citizens towards their state.

W. Góralczyk defines “citizenship” as “a special legal bond connecting an individual with a state, the result of which is the duty of allegiance and loyalty towards the state” [Góralczyk 1999, 262]. The citizenship is, above all, a legal institution under the administrative law, since regulations other than constitutional are of administrative character. In Art. 1 of the Act of 2 April 2009 on Polish Citizenship,<sup>2</sup> the Polish legislator establishes that the Act sets forth the rules and conditions of Polish naturalization process, of reaffirming the

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<sup>2</sup> Journal of Laws of 2017, item 1462.

holding of or loosing Polish citizenship, as well as it determines the jurisdiction of bodies with respect to these matters. Such character of these provisions is also a result of judicial decisions.<sup>3</sup>

Then what is the citizenship? Is it an indicator of a state, national, or religious affiliation? The sequence of these questions arises based on the national movements arising in Europe, for instance, in France, Spain, Slovakia, or Poland, as well as in theocratic states such as Saudi Arabia or Iran. Also, strongly atheistically ideologised states such as North Korea or France cannot be omitted in the discussion.

From the formal perspective, in Europe, and, consequently, in the Western civilization, that is also in North and South America, Australia and New Zealand, the citizenship is typically of political character. It is a legal form of bond between a citizen and a state, with relatively vast set of citizen's rights. According to provisions of numerous international conventions and of state regulations respectively, a state cannot deprive its citizen of citizenship. However, a citizen has the right to renunciate the citizenship. This is a response to a relatively frequent phenomenon occurring in the XX century, that is depriving citizens of their citizenship by political power. The stateless grew in numbers. Depriving a state of jurisdiction in this respect resulted in current significant diminishing of the group of stateless.

The states of the Western culture also have procedures designed for the naturalization process, regardless of nationality, skin color, religion, or sex. Whereas, the criteria set forth in acts pertain to the issues of state safety and to the issue of official pragmatics. Thus, it is hard to find any signs of discrimination in the naturalization procedure.

However, this is not the case in other cultures, especially in most Islamic states and in some Asian states. Art. 1 of the Constitution of Saudi Arabia determines that the state is the Islamic State. Although the Constitution does not connect citizenship of this state with the religion, the criteria of naturalization set forth in the Decision No. 4 of 25/1/1374 Hijra determines that a follower of other religion cannot apply for naturalization.

In the history of mankind, connecting citizenship with an ideology, religion or nationality was quite frequent. Holding certain citizenship constituted the grounds for persecution or even for physical extermination. In the name of Nazi or communist ideology, the innocent people were murdered in the XX century in fascistic Germany or in Communist Russia. A horrifying war based on the nationality grounds broke out on the Balkan Peninsula (1992–1995) which was harmful especially for civilians. Mass slaughter of Hutu and Tutsi in Rwanda (1990–1993) took place as a result of tribal wars and of some of European economic powers, which was witnessed by the whole world.

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<sup>3</sup> Decision of the Supreme Administrative Court of 15 December 2016, II OSK 887/15.

### 3. MODERN CITIZENSHIP AND CHRISTIANITY IN POLAND AND IN OTHER STATES

In many European states, including Poland, the citizenship is often associated with Christianity or, more precisely, with Catholicism (e.g. Poland, Slovakia, Croatia, Ireland); or, in other countries, with Protestantism (Germany, Switzerland), or with Orthodox Christianity (the Ukraine, Serbia). This is visible in public speeches of politicians who either cite fragments of the gospel or, *a contrario*, attack Christianity. The latter strive for Poland or for some other country to become laic as France, the Netherlands, or Belgium are. This aim is pursued with, among others, the use of verbal attacks directed at the institutional Church.

Nationality or Polish nature are even more tightly connected with Christianity, through ceremonies and religious messages, evident especially in sermons and in literature. On 19th of November, 2016, in the Divine Mercy Sanctuary in Kraków, Christ was enthroned as the King of Poland.<sup>4</sup> Prior to the above mentioned event which took place in Łagiewniki, on 5th of October, 2016, the Polish conference of bishops issued a letter to lay members of the Christian faithful, stating that, “withing the upcoming days, the jubilee act of enthroning Jesus Christ as the King and Lord will be a special act of faith and prayer, the content of which had been approved by the Polish conference of bishops, and the proclamation of which would take place in Divine Mercy Sanctuary in Kraków-Łagiewniki.”<sup>5</sup> This theologically hard to understand announcement is justified in the next part of the letter with the following words: “The primary aim of conducting this act is to acknowledge with faith the reign of Jesus, the devotion of one’s private, family, and national life to Him in all possible ways, and the shaping of the life according to God’s law.” This fragment was further elaborated in the subsequent paragraph: “Thus, it is our great task to enthrone Jesus through acknowledging His royal dignity and power with all one’s life and conduct.” Therefore, Christ is not literally to be the King of Poland, but he is to be the one who rules the minds, conduct or intents of Poles.

<sup>4</sup> Both Catholic and laic media promptly informed the public about this fact, see *Oficjalnie: Jezus Chrystus «Królem Polski». Prezydent, posłowie i 6 tys. ludzi wzięło udział w uroczystości*, <http://wiadomosci.gazeta.pl/wiadomosci/7,114883,21000510,tlumy-na-intronizacji-jezusa-na-krola-polski-uroczystosc-trwa.html> [accessed: 2.01.2018]; *Polska z Chrystusem Królem*, <http://wp.naszdziennik.pl/2016-10-08/253705,polska-z-chrystusem-krolem-1.html> [accessed: 2.01.2018].

<sup>5</sup> The text of the letter is available online on the following website: <http://www.naszdziennik.pl/wiara-kosciol-w-polsce/168215,robmy-wszystko-by-chrystus-panowal.html> [accessed: 2.01.2018].

This act of enthronisation is the continuation of previous acts of faith which constituted connecting Christianity with the history of Poland or of some other state. Acknowledging the Mother of God as the Queen of Poland is such an example. This title was known in the literature of the XVI century. However, the title was officially granted by the King John II Casimir, on 1st of April, 1656, in the Lviv Cathedral where, in front of the painting of Our Lady of Grace, he officially vowed: "Today, I pronounce you my patron saint and the Queen of my states."<sup>6</sup>

Connecting politics and citizenship with religion, especially with Christianity, constitutes the denial of the core of the history of salvation which started along with the history of Israel in the Old Testament. Then, God's choosing of one nation, hence the notion of the chosen nation, did not entail depreciation of other nations. Even if there are numerous texts in the Old Testament which evoke this kind of thinking and logic of the history of salvation. Yet, a close analysis of historical Biblical texts reveals quite an opposite meaning of the texts and historical descriptions included therein. The attrition of the people living in Canaan, that is on the territory of present Israel, was a consequence of their style of living based mainly on hedonistic system of values, rather than of the politics of Israel.<sup>7</sup>

In the perspective of Christian theology, indicating of one chosen nation in the Old Testament was a result of the need to prepare the humankind for the birth of Christ and for the acceptance of His salvific act. The key to the understanding of such argumentation is the last utterance of Christ before His ascension, who, as provided in the Gospel according to Saint Matthew, addressing apostles, said: "Therefore go and make disciples of all nations, baptizing them in the name of the Father and of the Son and of the Holy Spirit, and teaching them to obey everything I have commanded you. And surely I am with you always, to the very end of the age." (Matt 28,19:20).

The salvific mission of Christ is not and was not connected to one nation, but to all the people in the world, regardless of their place of birth, their skin color or financial situation. In any case, Saint Paul, in the Epistle to the Galatians wrote that baptism makes it that "there is neither Jew nor Greek, there is neither slave nor free person, there is not male and female; for you are all one in Christ Jesus" (Paul 3,28).

<sup>6</sup> *Śluby króla Jana Kazimierza, złożone dnia 1 kwietnia 1656 roku*, <http://www.brewiarz.pl/indeksy/pokaz.php3?id=6&nr=262> [accessed: 2.01.2018]. The Mother of God is also announced the Queen of Bavaria and of Hungary, see *Królowa Polski? Gdzie tam! Także Bawarii, Węgier i wielu innych krajów. Mikolejko o Maryi, wywiad z prof. Z. Mikolejko*, <http://www.national-geographic.pl/historia/krolowa-polski-gdzie-tam-takze-bawarii-wegier-i-wielu-innych-krajow-mikolejko-o-maryi> [accessed: 6.01.2018].

<sup>7</sup> For more information on the interpretation of Old Testament texts see Salij 2018.

The concept of Christ as the King is theologically and biblically connected with the image of the Kingdom of God where Christ is the king. Nevertheless, this kingdom cannot be equated with any earthly state, which was stated by St. Augustine in his best-known work *De Civitate Dei* [Augustyn 1998]. The Kingdom of God, as prophesied by prophet Isaiah, is the kingdom of the redeemed.<sup>8</sup> The royal power of Christ does not pertain to building ramparts, to fighting neighbours or to reigning; it is solely of spiritual nature.<sup>9</sup>

This rather superficial analysis of the latest religious activity in Poland and the interpretation of the given texts of the Old and New Testaments results in the fundamental question about the legitimacy of the enthronisation of Christ as the King of Poland and about such strict connection between religion and politics. It is true that almost whole European culture, for almost two thousand years, until the half of the XX century, was based on Christianity or, more precisely, on the system of Christian values. Also, the impact of Christianity on the history of Poland cannot be questioned.

In this perspective, the question arises whether it is correct to claim that there is Polish, German, French or Italian Church. In its nature, the Catholic Church is universal, not national. The sole phrase “Catholic Church” has, in its first part, the equivalent of the Greek word *Katolikos* – καθολικός *katholikos* – meaning universal, not national.

It can be said that the great success of Christianity in the first centuries, with respect to its spreading, was attributed to the fact that it was not connected with any state or citizenship. Hence, there were the problems with identifying Christians by the state authorities of the ancient Rome. They could not be assigned to any national or cultural group. Numerous imperial constitutions indicate the presence of Christians in the near surrounding of Roman emperors, at universities or in the military [Myszor 1999/2000, 9; Sitek 2012, 7–22].

Also, such will was expressed during the so-called First Ecumenical Council which took place approximately in the year of 50 AD. At that time, after a long discussion between the apostles on toward whom salvation has been directed, Peter himself said: “After much debate had taken place, Peter got up and said to them, «My brothers, you are well aware that from early days God made his choice among you that through my mouth the Gentiles would hear the word of the gospel and believe. And God, who knows the heart, bore witness by granting them the holy Spirit just as he did us. He made no distinction between us and

<sup>8</sup> Analogically, the parable on the vineyard can be mentioned [Jaromin 2012, 155–62].

<sup>9</sup> Here, the dialogue between Christ and Pilate needs to be mentioned (John 18,33:36): “So Pilate went back into the praetorium and summoned Jesus and said to him, «Are you the King of the Jews?» Jesus answered, «Do you say this on your own or have others told you about me?» Pilate answered, «I am not a Jew, am I? Your own nation and the chief priests handed you over to me. What have you done?» Jesus answered, «My kingdom does not belong to this world. If my kingdom did belong to this world, my attendants would be fighting to keep me from being handed over to the Jews. But as it is, my kingdom is not here.»”

them, for by faith he purified their hearts. Why, then, are you now putting God to the test by placing on the shoulders of the disciples a yoke that neither our ancestors nor we have been able to bear? On the contrary, we believe that we are saved through the grace of the Lord Jesus, in the same way as they».” (Acts 15,7:11).

Equating religion with politics, with a nation, and, in consequence, with citizenship and with a specific state led and can lead to the situation in which people, in the name of one and the same God, stand against each other in trenches or, at present, use modern machinery designed to kill, and, at the same time, call for God’s help and care. This was the case during the I and II World Wars in the XX century. The chaplains, standing on both sides, blessed soldiers who were about to kill, that is who were to commit an act completely contradictory to the Decalogue and to the rules of gospel. Hence, in some armies, for instance in the USA, chaplains do not hold any military ranks since they are not soldiers but those who are to spiritually support soldiers, especially in a life-threatening or in a health-threatening situation, regardless of wounded or of dying soldier’s uniform.

Media more and more often call for an institutional Church to distance itself from politics. This is reasonable. Paradoxically, however, there are baseless or even manipulative accusations made against the institutional Church claiming that it does not provide sufficient help for those in need or for the aggrieved. One example is the Pope Pius XII who was accused of aiding Nazi Germans.<sup>10</sup> However, during his papacy, he exercised his religious duties towards lay members of the Christian faithful, regardless of their nationality or citizenship. Thus, if German soldiers, as the lay members of the Christian faithful, accidentally came to the Saint Peter’s Square, then they could not be excluded from the papal blessing grace because of their citizenship or profession. Upon entering into the Church and, analogously, the Saint Peter’s Square in Rome, no-one is checked with respect to the visitor’s religion. Also, there is no requirement to submit a moral certificate.

#### 4. PERSPECTIVES FOR CHRISTIANITY – INSTEAD OF CONCLUSION

Connecting Christian or Catholic religion with a given citizenship and, consequently, with politics – especially with national movements – is a fundamental dogmatic mistake and the negation of the universality of Christianity and of the realisation of its main aim, that is of the salvation of all the people.

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<sup>10</sup> Attacks directed at Pius XII started after his death, in the year of 1963. Many historians suggest that this was a deliberate propaganda inspired by and conducted by the Committee for State Security due to well-known anticommunist attitudes of the Pope. Historians also indicate that the activity of Pius XII directly helped to save the lives of over 800,000 Jews [Górny 2016, 51; Norman 2007, 1087].

Also, Christianity cannot be limited only to the charitable or educational activities only. Many believe that Christianity shall concentrate on the poor mainly. Such dilemma was considered at the very beginning of Christianity. In the Acts of the Apostles, there is a history of appointing seven deacons who were to provide help to those in need,<sup>11</sup> whereas the apostles were to preach.

The concentration of Christianity on salvific mission of Christ does not entail limiting of Christianity to the sphere of privacy or, as it used to be said, to vestry or to a house. Christianity shall be present in the public sphere; however, not in the institutional form but through its lay members who, with their private lives and acts, shall conform to their religion, regardless of their citizenship. The administrative or political decisions which are made by them shall incorporate Christian system of values. This is to be the evidence that they believe in Christ and that he is their king, instead of career, wealth, power or hedonistic pleasures. Such concept of Christians' participation in public life is guaranteed by the system of human rights, including the right to the freedom of religion and to public manifestation of one's views [Sitek 2016, 237–43].

An important element of the presence of Christianity in modern world is its encounter with multiculturalism. Middle Ages have irrevocably passed along with the passing of the Christian ideology dominance. It was a universal world; yet, it was dominated by the Christian system of values. In the Renaissance, the situation changed, which was clearly visible in the literature, in the art and in the political doctrine. The so-called Catholic part of Europe was divided into Protestantism and Anglicanism. Yet, also masonic, deistic, and atheistic currents emerged which fought against Christianity. Their aim was also to build a universal world based on other, laic values. Based on the Act of 5 December 1905 on the separation of Church from the state (*la loi de séparation des Églises et de l'État*), France became the first laic state.

In this situation, connecting in any way institutional Church with a given citizenship or with politics not only stands in opposition to the teaching of Christ and to the salvific mission of the Church, but it is also highly risky due to different aims or programmes of separate political parties. In general, it is the political effectiveness, which is of the utmost importance for politicians, which is gaining and maintaining power. Often the politicians change political parties according to their own interests. This is a signal for the institutional Church to distance itself from this kind of activities. The Church or Christianity can be and should be present in politics, sports, business, but through its lay members. The task of the modern institutional Church is such

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<sup>11</sup> Acts 5,2:4: "So the Twelve called together the community of the disciples and said: «It is not right for us to neglect the word of God to serve at table. Brothers, select from among you seven reputable men, filled with the Spirit and wisdom, whom we shall appoint to this task, whereas we shall devote ourselves to prayer and to the ministry of the word»."

shaping of attitudes of its lay members so that they, in their own lives and in public life, witness their faith.

An example of the co-existence of Christianity in the world is Dubai, a Muslim city, in which approximately 400,000 Christians live and work. Despite the dominance of Islam, a Catholic parish can be found there, where the holy masses are celebrated on regular basis, during which Christians coming from Asian, African, American and European states pray together. During the common prayer, people prayed for prosperity and health of the currently ruling sheikh of Dubai, although he is a Muslim.

The idea of how the Pope has been perceived in both old and new perspective of Christianity and, of the Catholic Church in particular, is also important. He is not a political leader. Nor even political terminology can be applied with respect to him. For he is the Vicar of Christ and his power is only of spiritual and administrative nature, but only within institutional Church, regardless of any particular state. Thus, there is not any Pope holding Polish or Argentinian citizenship. The Pope is a spiritual leader of all Catholics in the world, regardless of their citizenship.

*Translated by Monika Marcuła*

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## OBYWATELSTWO A ROLA KOŚCIOŁA KATOLICKIEGO WE WSPÓŁCZESNYM ŚWIECIE

**Streszczenie.** Przedmiotem opracowania jest rola chrześcijaństwa we społeczeństwie wielokulturowym. Uzasadnieniem dla tego rodzaju rozważania jest tocząca się szeroko dyskusja nad związkiem chrześcijaństwa, zwłaszcza katolicyzmu w Polsce, w kulturę narodową. Konieczne jest rozdzielenie funkcji tzw. Kościoła instytucjonalnego, którego zadaniem jest realizacji misji zbawienia, niezależnie od narodowości czy państwa. To chrześcijanie winni brać udział w szeroko rozumianym życiu publicznym, wdrażając swoim życiem i decyzjami wartości chrześcijańskie w praktyce. Gwarantują to im prawa człowieka. Zaangażowanie Kościoła instytucjonalnego w życie publiczne stanowi zagrożenie dla niego samego. Kościół z natury swej jest powszechny i jako taki nie jest związany z żadnym systemem państwowym. Takie rozumienie chrześcijaństwa, pozwoliło na szybki jego rozwój w antycznym Rzymie.

**Słowa kluczowe:** Kościół katolicki, obywatelstwo, ład moralny, wielokulturowość, antyczny Rzym, prawa człowieka

**Informacje o Autorze:** Prof. dr hab. Bronisław Sitek – SWPS Uniwersytet Humanistycznospołeczny w Warszawie; e-mail: [bronislaw.sitek@gmail.com](mailto:bronislaw.sitek@gmail.com); <https://orcid.org/0000-0002-7365-6954>