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THE VALUES  
AND THE RULES OF LAW

## INTRODUCTION

If we want to reflect on the value in conjunction with the legal norm, it seems essential to begin by clarifying what is the authority. Authority cannot be won by social recognition and it cannot be done arbitrarily by the individual pursuit. The authority must be earned by own whole life and conduct, creativity, seeking truth and definitely need to be responsible. Authority has never identified with being a specialist or expert in any field of science. It requires knowledge, the familiarity gained over the years in some scientific field and the ability to live with others. All these contribute to the creation of personality “carrier” of authority. Man as a person is a “carrier” of authority. Of course, this should also refer to profess certain moral values. The concept of authority always implies a reference point of value [STRÓŻEWSKI 1992, 28-29].

Two moral values stand out here in the first place, namely: truth and responsibility. Truth manifests itself in the spoken of thoughts and opinions. Authority cannot only be someone, who is lying, is dishonest, but can be for the one who lives the truth every day [Ibidem, 29]. From this point of view the authority of this rock, rock on which others will be inspired. It cannot fail, do not say that he knows if he does not know how or when it is not quite sure.

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The courts of a man endowed with the authority must be certain. Authority will give the observers and those who discover it in someone. With this justice goes hand in hand with sense of responsibility for the proclamation of the truth and for those who expecting it. It should be known, that the court's authority must be a court of an autonomous and independent from other authorities, cannot be reckoned with the extolled or even of recognition for his hierarchy of values [Ibidem, 29]. To be an authority means to be essential, so as to fuse the efficiency in the practice of their field of knowledge, science or art with his personality that one cannot exist without the other [Ibidem, 30-31].

The danger for won authority, or live in the truth is the fact of committing a serious error. Annihilation of fidelity by infidelity, nobility by the despicable act and truthfulness by issuing false certificates involve destruction of the whole structure of moral man. In the field of morality one cannot have the authority, it must be [Ibidem, 31-32; KASPRZAK 2008, 174-75]. The value of being human is that to be authentic.

Every great value blinds but each can be blinded if we do not notice it at the one-sidedness. "Error naturalistic" consists of improper, even false recognition of the actual state of things and so in the infidelity to the majesty of the idea of truth. This in turn is, after all, the unveiling of the essence of things to see it fully, when the fullness of her entitled, but also its weaknesses limited when they are stigmatized [STRÓŻEWSKI 1992, 122]. Morality derives from the idea of a good source as a value therefore such conduct is a moral activity or behavior that is directed to carry out good because of the same good [KOŚĆ 2006, 557-58]. According to Prof. dr. hab. A. Kość: "the necessity for general human morality is based on the order of creation; on it, that man, even though it is a unit, at the same time is called to live in community with others as a social being" [Ibidem, 559]. Of course, that morality must penetrate the legal norms and the law must be guided by morality. Interpenetration of law and morality implement entities that subject to legal norms also subject to the requirements of moral behavior and are called upon to respect his freedom as rational beings. The legal order is part of the moral order which serves as an important means to the purpose. We must point out that not every moral norm is a legal norm, and there is no rule of law that was not a moral standard or ethical norm. We should assume that what is morally wrong and incorrect cannot be a good thing according to the law, fair and equitable.

The ultimate goal of law is the same as it is for morality; namely in terms of bringing people to act according to reason and thus to a life of virtue. The result is intelligent life of virtue [BĄCZKOWICZ, BARON and STAWINOĞA 1957, 4-5]. Pope Benedict XVI in a speech to the participants of the congress organized by the

Episcopal Commission of the European Community (COMECE) on 24 March 2007 said, *inter alia*, on the universal values cultivated for centuries in Europe: "From all this it is clear that one cannot think of building a true European «common home», without taking into account the identity of the Nations living on this continent. This is because the identity of the geographical, economic and political, but mainly historical, cultural and moral; identity which consists of a set of universal values contributed in the shaping of Christianity, not only play an historical role, but contributing to the emergence of Europe. These values which constitute the soul of the continent must remain in the Europe of the third millennium as a «leaven» of civilization. If they had run out because of in which way «old» continent could further act the function as a «leaven» for the whole world?"<sup>1</sup>. And further, even the words spoken by Benedict XVI: "Is it not surprising, that today's Europe on the one hand wants to be considered a community of values, on the other - it seems, are increasingly denying the existence of universal and absolute values?"<sup>2</sup>.

Former Senator A. Grzeškowiak writes that, "the history of Europe is associated with Christianity and its values. Europe is developing in parallel with the evangelization of the European Nations so that its boundaries coincide with the range of penetration of the Gospel" [GRZEŚKOWIAK 1999, 253-78]. Prof. K. Opalek wrote: "where the emphasis is on goals-values of justice and fairness than the range of valuation becomes wider. For efficiency purposes-values the situation is less clear. [...] Valuation may (not must) be present during all phases of operations related to the application of law" [OPALEK 1997, 73].

Things and objects are simply existing while the values "weigh, measure the attitudes and actions, are in the power, binding force, for the things we have to do with the content, which weighs and valid" [PIECHOWIAK 1999, 210-11].

Function of law is that all life situations, which already ahead of statutory law because life is richer than legal norms should be assessed and treated according to uniformity of principles and rules. A means of effective requirement for the proper functioning of human society should be well thought out and established legal norm [KOŚĆ 1998, 200]. If the law in their regulations is tangential to universal values, which recognizes the legislator, there is a chance that there legal standards will be sure and fair. Normative character of content – manners, customs, beliefs, traditions, rituals, evaluations of legal norms, determination is the building block of culture and its internal logic, broadly conceived tradition, social Decalogue of beliefs and worldview which in turn is a "carrier" value. Assessment, standards

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<sup>1</sup> BENEDICTUS PP. XVI, Allocutio ad Commissionem Episcopatum Communitatis Europaeae (COMECE) (24.03.2007), AAS 99 (2007), p. 292-295.

<sup>2</sup> Ibidem.

or judgments about values are the result of understanding which is based on the explanation and interpretative processes whose outcome is determined by a team of hidden meanings in the depths of spiritual and material culture. A man is never passive in “recognition of the value”, but dynamic because it is co-founder of the tradition and legal culture of positive regulation in the community of the state [PIECHOWIAK 1999, 216-17].

## 1. THEORY OF VALUES

System of personal values which professes the human being which affects significantly on the process of creating meanings for himself and surrounding world and the relationship with the world [OLEŚ 2002, 53-61; KASPRZAK 2008, 174-75]. The value is in particular freedom of conscience and religion which includes the right to protect the religious feelings also in an international context [RYMARZ 1999, 323-25].

Fr. prof. zw. dr hab. Antoni Kość in his monograph, *Fundamentals of the philosophy of law* [Lublin 1998, 2005] presents the thesis material theory of value in the law in the views of Hartmann. For our purposes I want to draw attention to only some of his theses [KOŚĆ 1998, 168].

According to Hartmann, “Truth, Goodness, Beauty, Justice”, are as the values and ideas that belong to *the realm of ideas*, while at the same time in transcendence in relation to the human world.

Materially are not perceptible by humans but man can know and experience them. Values exist in themselves that can be named as “beings in themselves”. Just being there as absolute since they are not touched by the essence of cognitive, learning and surviving it. The values we can call of objects perfect because they are independent of the reality of intelligent beings whose are people. Values are not neutral in its being because they encroach on human reality and here by the will of man can be updated [KOŚĆ 2005, 158-64].

The idea of the value of a form of mental area (stream) which gives meaning and utility for the sake of good. The values are above the norms (standards) cannot be locked in a legal prescription. With its very nature must be accompanied by the legislator in the process of establishment of laws and regulations, being somehow in his mind. The law of nature constitutes the content and form of positive law. Positive law – offsetting, when it is detached from the context of natural law, it becomes a pure abstraction.

Such rules established by a system of law, tracing the proceedings of the citizens cannot identify in the ontological sense, and it loses any moral and ethical sense

[SARKOWICZ and STELMACH 2002, 175-78]. Objective standards of law are rooted in the natural order of things [Ibidem, 184]. The value associated substantially with the human person its nature dignity and destiny. Axiology as a science of values teaches us that there are values of the material aesthetic, spiritual, religious and moral.

The value is the inner essence of being both human and other beings, and nature (natural environment) with its natural wealth. The value is real and objective but there is no outside entity separately is a kind of “infused” (embedded) in the item. Values may be higher and lower.

The complexity of the values phenomenon increases, that they are often the work of some authors, this means that, although rooted in a thing can be read and understood differently; sometimes arise the distortions in their properties [BARTNIK 2000, 384]. According to Fr. prof. A. Bronk term of Christian values requires adequate transmission of cultural, religious and social. Christian values are those that flow from Christianity, apply to Christians and non-believers do not need to recognize them according to their convictions [BRONK 1998, 180-81]. But on the other hand, *Christian values* are to be so survived by Christians to be positively influenced even in non-believers and other religions. A man should gradually explore the values that has the society and which always have in harmony with the personal dignity of the person.

The Confirmation of the values of freedom and human dignity provide the basis of its development. The man must also formulate these “values”, spiritual and material as good to use them in life and firmly express the established law [VAN DER POEL 1979, 66 n.].

Fr. Archbishop J. Życiński of universal human values and universal classics wrote: Name “Christian values are entitled to the values which obtain their value in the perspective of evangelical axiology. For these values may include; charity to the neighbors, spirit of sacrifice, forgiveness, heroism inspired by the spirit of love the truth. These values are the classic because they appeared in own life, Jesus himself” [ŻYCIŃSKI 1999, 13]. We point out also to different views to which a man is accustomed. According to E.W. Böckenförde, “value as a philosophical category having a function to justify was created in a given spiritual situation and the particular moment of history of philosophy itself. The term value, in addition to the importance of how it had in *common parlance*, has been used in connection with a specific price for a specific thing, so concern with economic issues and economic thinking. [...] In Kant, who uses the terms “value” and “value the same in itself”, not having the character of a philosophical category for justification. [...] Nature has yielded of radical industrialization and objectification. Henceforth, it includes an external phenomenal side of things, the relationship of motion and

materiality which constitute its basis, in brief: its facticity discernible and measurable. This concerns both to external things (*inanimate nature*) as well as animate nature. Human nature is also objectified in this way” [BÖCKENFÖRDE 1992, 56-57]. According to the same author: “diversity and intensity values results from a variety of values and judgments of valuation formulated by the unit. Therefore, the values cannot be rationally demonstrated and justified. Regarding the settlement value of the entity (or multiple entities) may indeed have rational motives but they are not acts of rational cognition. The values finally formed, arise and persist in being with the substrate evaluation and survival unit; in this way is established and also their binding forced thus dismissed. [...] Values are recognized by the subject through a kind of immediacy and intentional sense of values. [...] Ideas are logically consistent result of the expanding insight into what is determined by the multiplicity of phenomena in common, substantial. Objective values that are peremptory, confirmed in rational, intuitively-emotional insight, cannot be regarded as far from the Platonic forms of ideas, and even less for their surrogate, given in no way consolidated directness” [Ibidem, 58-59]. In axiological justification of legal norms should be noted at the practice of jurisprudence, because it often uses such statements as: “equity norm, consistent with the legal sense, corresponding to the generally accepted hierarchy of values”.

Phrases which cited are unanimous about the fact that the Act and recording the norm has to be right [SOBAŃSKI 2001, 81-82]. “Axiological levels rise by creating a hierarchy of value ranging from what is useful, beneficial (the sphere of needs) to the truth (knowledge), beauty (the sphere of art) and holiness (the sphere of religion); spiritual values take *precedence* over the material, cultural, against the economic, moral values are greater than the value of what is the benefit - a place in the hierarchy somehow *adheres* to values. [...] They are formed in the spiritual and cultural consciousness of the times and it is also changing” [BÖCKENFÖRDE 1992, 61]. It is difficult to clearly define the term “law” because it results from a lack of a common group objective norms that would bind all people living within a certain time, in different communities of state, in different cultural conditions, and also in the political-constitutional context, in economic and social coincidences. Such a statement causes further questions, ambiguities and doubts, “which values” [ŁĄCZKOWSKI 2000, 57-66]. Legislator with its law’s regulations he wants to serve, or else what kind of values will law protect in a specific context of legal culture?

A. Bronk wrote: “In the field of axiology (ethos), there are no simple solutions so here is easier to agree to a level of abstract considerations than their practical applications. Ongoing discussions on Christian values relate mainly to their rational justification (“if the value may be subject to rational choices”?) And their normative claims. [...] Because the values (Christian) hardly lend themselves to

purely logical argument (take some for example, that they are given in a direct act of intellectual intuition), it is easier to be skeptic to undermine than to lead” [BRONK 1993, 68-69].

## 2. VALID MORAL NORM IN THE CONSCIENCE OF THE SOUL OF THE CANONICAL NORM

Distinguish significant differences between moral and legal rights are:

- morality extends to all human actions, internal and external, the right only to external and social relations;
- morality is to direct the internal consistency of the proceedings norms in accordance with conscience to effect corresponding to the inner convictions of man; so and so has to act and not otherwise. The law in turn is aimed primarily at the external dimension of life and compliance with the law regardless of what motives he has observed these standards [BĄCZKOWICZ, BARON and STAWINOĞA 1957, 4-5].
- adherence to moral norms is left more to considerations of conscience of individuals and depends on their own free will and own choice; maintain moral standards cannot impose on anyone; forced action has no signs of moral action; observing the legal norms may also be implemented through *coercion* by public authority [Ibidem, 5].

Ethical values may be realizing in the Christian conscience. It is still a fundamental problem in ethics as the person experiencing the phenomenon of moral, especially as done in the ethical evaluation and how to implement ethical values obtained from the practice of own faith. Every act of conscience, in reality is assigned to the values and moral imperatives. The function of conscience is focused on meeting the order as well as values that are subjective fulfillment and satisfaction. The problem arises whether a formal account of conscience is the ratio of compliance with the objective of human conduct and moral principles catalogue? The whole sphere of moral values to live whose the man is capable and obligatory directly resulting from them come to the fore in the conscience (inner voice), which is always a subjective norm of morality [ROSIK 1970, 37-38]. Norm of human action is the same man because of his personal dignity [BOŁOZ 1983, 102]. This ability to live in an organized community capable of joint common plans and make decisions is a proof of the greatness of man [Ibidem, 108; GRYGIEL 1973, 170-79].

There is a relationship between the moral norm which applies in the depths of conscience, the legal norm (canonical), which is hidden in a legal prescription

and a provision of canon from which one has to interpret the canonical norm for the concrete case of acting the faithful. The Second Vatican Council teaches in the Pastoral Constitution of the Church in the Contemporary World *Gaudium et Spes*: “For each individual man, however, rests the obligation to preserve the integral vision of the human person in which the dominant values: intelligence, will, conscience and brotherhood. They all have their basis in God the Creator, in Christ and have been in an unusual manner purified and elevated”<sup>3</sup>.

According to Prof. M.A. Krapiec: “For man always remains man who is capable of dealing with and understanding of the natural system of things, the human good and evil human accomplished by man and in relation to another human being. Just is the ability to understand good and evil here and now realization of the good-read in their behavior is associated necessarily with the same understanding of the presence within the natural rights of man and among the people” [KRAPIEC 1993, 8]. A man does something in a particular situation. The situation is a particular condition and circumstance of human behavior in a concrete time and place.

Is made also to the internal evaluation and may raise a moral dilemma before the decision. These specific coincidences as well as internal conditions of a moral act is unique and are relevant only to a specific decision that person makes. The moral value of the decision and action depends on what the person is accompanied with in its concrete-making freedom of choice and what he directs. The situational ethics reign following statements: 1) determining the moral norm in the proceedings is not a policy objective set by natural law; 2) determining the norm of moral behavior is the inner judgment and the individual light of human reason which tells a man how to act independently to the objective moral law; 3) is insufficient in the ethics of the traditional concept of “human nature”, but should refer to the concept of human nature “existing” which has no objective and absolute values; 4) setting law (inherent) has no absolute values may change and be adapted to the current situation; 5) those who acting according to the principles set out here or claims shall be guided by the light of reason and individual personal intuition, using the specific life situation can avoid or relieve many ethical conflicts which otherwise cannot be resolved as it should [WERON 1958, 44-47]. These are terms frequently appear, peremptory, absolutely, unconditionally and categorically”, indicates the difference which separates and extracts the moral “ought” from others, beyond-moral duty [STYCZEŃ 1971, 23].

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<sup>3</sup> SACROSANCTUM CONCILIUM OECUMENICUM VATICANUM II, Constitutio pastoralis de Ecclesia in mundo huius temporis *Gaudium et spes* (7.12.1965), AAS 58 (1966), p. 1025-1115, no. 61 [hereinafter referred: GS] [SOBAŃSKI 1982, 101-22; IDEM 1998, 29].

Human conscience clearly states: “should” but does not say clearly and firmly – why should I? Man should act positively because conscience demands it in a way overbearing [Ibidem, 35]. Human nature is substantially the same but accidentally subject to constant change and modification. The moral law written in man’s conscience while undoubtedly something over-personal, over-individual and over-situational however, cover every situation, every individual nature and person being embedded and realized in a particular case [ROSIK 1992, 128]. This raises the question of conscience and the moral norm which is in the human conscience and demands of the ethical life in every situation.

Conscience is the inner voice as a judgment of human acts, whether it is fair, good or bad. That voice is nothing can stun. Conscience is a “witness against himself”, which gives knowledge through reflection [GRENIUK 1997, 77].

Conscience allows man to know the law of God expressing the moral order and an obligation to love God and neighbor (comp. GS 16), because there is a categorical duty to act in accordance with his own conscience (comp. GS 19). But People and outsiders cannot and should not be forced to act contrary to conscience or disturb the proceedings in accordance with it [BOŁOZ 1983, 106-7]. Theology says that conscience in some sense is the “voice of God”, or “the image of God”.

This is also the judgment of the practical reason which adjudicates on the basis of a general principles on the effects of good or evil of an act has made by a man or with the intention of making it in the future. Conscience acts as an inner voice in conjunction with the general moral principles and cannot liberate from their influence. We must remember that not all the dictates of conscience is the voice of God because it depends on the maturity and the proper formation of conscience. It may be wrong in the way unbeatable. The moral theology distinguishes two kinds of conscience. These are “syneidesis” and “synteresis.” “Synteresis” [gr. *syntērēsis* – to preserve, guard], from *syntēreîn* (keep, guard, watch) is the internal efficiency of reason giving the opportunity to know the highest and the basic principles of moral conduct. Conscience acts as guide, mentor and advisor [KOPALIŃSKI 1990, 493]. Entitled to her normative character since it imposes a moral obligation to the people *via* “conscientia,” appearing as the nearest and inner norm of the human action.

The soul wants to be whole and may so if only it forms a unity with the world of truth, goodness and beauty. However, the intellect, will and feeling may oppose each other [KISIEL 1985, 50]. The human person is experiencing pain, tearing the unity of the person. Human conscience is not just an internal adjudication process but much broader and more complex than the judgment. Its structure is that the first impulse is pushing the person to achieve a good. Man thus not only recognizes in the conscience of the good or the evil but above all, knows that he attracts good.

Conscience is the force in the direction of goodness, truth and beauty. These values after all a man wants to pursue. They can also be defined as a personal moral valuation. It occurs in three forms of development: the ability (“synderesis” act (“dictamen rationis”) and skills acquired through the exercise. Conscience can be good, right or wrongly formed by upbringing. Erroneous conscience is a form of moral evaluation dysfunction, often errs on the result of invincible ignorance. It may be wide, narrow, scrupulous, Pharisees or complicated [Ibidem, 50-51].

And as for “Syneidesis”, according to the philosophical approach is the ability to apply general principles of moral judgments in specific cases. [gr. *syneidēsis* literally (awareness), comes from *syneidēnai*] (know about something, be aware, to know) [KOPALIŃSKI 1990, 492]. Fr. prof. F. Greniuk cites in his paper many terms borrowed from the Bible to the characterization of conscience as a reality in the interior man.

He calls it as: the gods and the Erinyes of the Hellenistic world who plagued (tormented) committing evil and sinful deeds, leading to a deep experience of moral guilt which often bordered on madness (Orestes). Another term is “Eye of God”, that the biblical image associated with the murder of Abel by his brother Cain with envy and jealousy. Another concept is the “Voice of God”, which according to St. Bonaventure – it speaks inside of man and proclaims God’s will. Very characteristic definition is the word “Worm”, which torments and leads to remorse, conscience bites literally like a worm. Others define it yet, “Judge, witness, prosecutor”, which in the western patristic literature are compared to those participating in a criminal trial court [GRENIUK 1997, 76].

These are images showing his conscience as a global phenomenon and intuitive, defining a reference to the specific human activities that have been experienced and survived. We can see in them a basic element, namely the three types of tension: between the consequence of the act committed and the one from which it results; between good and evil of that deed, and between the prosecution and justification. Conscience is a dynamic here with one hand and on the other by those tensions becomes a source of complications in an ethical and moral dimension of human consciousness [Ibidem, 76-77].

In the Old Testament biblical anthropology draws attention to the concept of “heart” of man, because it is the most important part of being human. For the Semites heart was the seat of stronghold of thoughts, desires, emotions and also ethical judgments [Ibidem, 77]. A man by the mere fact of having the basic elements determining his humanity is the size of dynamic, co-creates reality, possess a mind, dignity, will, conscience, freedom of choice, learning ability and deduction, may think with a strong expression that he is focusing on the development. The

real internal progress of man consists in getting a better knowledge of the truth and knows how to better pursue the moral good.

Human wisdom is that it is always appropriate to refer to God – the Creator, the other man as a neighbor, to himself and to the natural world [ROSİK 1992, 52-53].

Human life must be a moment of spiritual and mental regeneration act as if re-creation of the new man, who looks at the surrounding of reality through the eyes of others, and his activity will be judged by a different measure of value [Ibidem, 51; SOBAŃSKI 1998, 21-31].

Characteristic feature of the man who is righteous is that he does not want to have more than his due. Justice is a fundamental feature and virtue of human conscience. If we pursue the common good in society, the virtue of justice, is seen as equality between the actors of occurring social relations [KOŚĆ 2005, 28].

St. Thomas recognized that where there are many forms of injustice there must be the lights that cast a beam on climate justice in order that the rights to operate fairly [ŚWIEŻAWSKI 1995, 214-15]. Justice is the constant and immutable will to grant every man his due rights. Justice is the fact that the concept of large-scale general, but the sources of Roman law is no shortage of examples of service to her by a lawyer as a criterion of what is just or unjust in the *utterance* of a specific legal advice or the application of a specific legal solution [KURYŁOWICZ 2003, 37]. We call the righteous man to one who practices righteousness either always or almost always, if we miss some cases insignificantly, but also acts according to the recognized norms for fairness [ZIEMBIŃSKI 1992, 27]. The phenomenon of conscience is not always neutral, impartial sense and knowledge that of what is morally good or bad. The inner voice of man is surprisingly engaging.

Man experiences it in some internal order, especially when faced before an important moral decisions. The voice of conscience is categorical, unyielding, hard, concrete, requiring of concentration, does not relieve us from duty or moral imperatives. In such a situation before man it becomes a moral possibility of his own choice from among the many obligations that appear before him. The relevant election carries the moral personality of man [ROSİK 1992, 94-95].

Conscience is seen as rational knowledge of moral obligations of the human person [KISIEL 1985, 45-46]. It always evaluates fairly if it is not adulterated and badly formed. *Iustitia est ad alterum*, explains: Justice is this something that what relates to another human being. It refers to interpersonal mutual relationships as a whole and of the order of man expects that he will be fair. As an ethical idea of value includes the value of obligations that man as the subject of relationships with other experiences in the voice of his own conscience, and it is in the form of moral obligation in order that was realized by that entity in human social relations in the events of life [KOŚĆ 2005, 177-79]. Man, like all beings have a natural

inclination<sup>4</sup> to perfect his personality in every way, therefore rightly take a decision in his own conscience, that he should do good and it earns, collect and avoid evil, because it requires its nature [Rosik 1992, 97].

Objective moral norm and conscience are assigned to each other. The norm also includes power steering and committing, ordering, conscience, in turn treats it as a call in his every act, whether it be judgment or whether it be the order of action sets negative or affirmative answer to this call [Ibidem, 102-3].

### CONCLUSIONS

Supernatural moral norms therefore, expresses in the Divine law and was granted from the authority of God to man. This right is contained in Divine Revelation [Ibidem, 108]. A man becomes a child of God, intended to participate in the Divine life that is to participate in the life, which *exceeds our thinking*, imagination and temporal possibilities. For a summary of the role and nature of conscience teaches us the Second Vatican Council in the Pastoral Constitution on the Church in the Contemporary World *Gaudium et Spes*: “In the depths of the conscience the man discovers a law, which he himself does not give but which holds him to obedience, and whose voice is always calling him to love and to do good and avoid evil where it belongs, resounds in the interior of man: Do this, *shun* that. The man has entered in the heart of God’s law; obedience to this law is setting just about his dignity and he will be judged according to himself. Conscience is the most hidden center and sanctuary of man, in it remains he alone with God, whose voice *echoes* in his interior. Thanks to conscience, in an unusual way this law is revealed which is filled with love for God and neighbor. By faithfulness own conscience, Christians join with other people in order to seek the truth and resolve the truth of so many moral problems which arise both in the lives of individuals and in the common social life. The more righteous conscience *prevails*, the more individuals and groups refrain from blind choice and try to adapt to the objective moral norms. It is not infrequently however, that conscience can be mistaken because of invincible ignorance without losing its dignity. And we cannot say that when a person cares little about the investigation of truth and good, and conscience as a result of habituation to the sin gradually becomes almost complete blind” (GS 16).

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<sup>4</sup> The man is tied with three inclinations resulting from the natural law: the right to life, the right to give life and the right to develop in a peaceful community.

Fathers of the Council indicate the role of conscience and the need to apply moral norms in everyday human decisions. This raises the need for fidelity to his own well-formed Christian conscience.

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## THE VALUES AND THE RULES OF LAW

### Summary

The article is devoted to the issue of the merger of two issues, namely value and legal regulations. We pose the problem that a legal provision brings values, it should grow out of them and, above all, it should protect values. Legal regulations secure values. When it comes to the canon law system, a canonist lawyer should interpret the moral norm from the canonical norm, which is included in the provision of the Code of Canon Law. Value refers to the understanding of a certain good for the individual or community, which are treated as worthy of realization, especially in the life of individuals. The “norm”, on the other hand, refers to the way and boundaries within which universal values can be realized in concrete terms. Man’s values have a direct impact on his life and behaviour in society. The article focuses on the function of conscience due to the fact that it refers to the highest values hidden in the Absolute. Conscience is an inner voice that is critical of

the actions performed and evaluates them as good or bad. The norm is valid if it realizes the good as a value. The basic value is the value of truth. If we want to realize any value, we must first realize that it is indeed a value. To be a value means to be a true value. The postulates of realization of values are: human reason – showing truth, goodness, beauty. Everything is the responsibility of man, guardian and co-creator of the real world. The norm requires the field of its fulfillment: it can only be provided by reality, being prepared to take on value.

**Key words:** values; law regulation; prescription of law

## WARTOŚCI I ZASADY PRAWA

### Streszczenie

Artykuł poświęcony jest zagadnieniu połączenia dwóch kwestii, tj. wartości i regulacji prawnych. Stawiamy problem, że przepis prawny niesie wartości, powinien z nich wyrastać, a przede wszystkim powinien je chronić. Regulacje prawne zabezpieczają wartości. Jeśli chodzi o system prawa kanonicznego, prawnik kanonista powinien wyinterpretować normę moralną z normy kanonicznej, która jest zawarta w przepisie Kodeksu Prawa Kanonicznego. Wartość odnosić się do rozumienia pewnego dobra dla jednostki lub społeczności, które są traktowane jako warte realizacji, zwłaszcza w życiu jednostek. Z drugiej strony „norma” odnosi się do sposobu i granic, w których uniwersalne wartości mogą być konkretnie realizowane. Wartości człowieka mają bezpośredni wpływ na jego życie i zachowanie w społeczeństwie. Artykuł skupia się na funkcji sumienia ze względu na fakt, że odnosi się do najwyższych wartości ukrytych w Absolucie. Sumienie jest głosem wewnętrznym, który krytykuje podejmowane działania i ocenia je jako dobre lub złe. Norma jest ważna, jeśli realizuje dobro jako wartość. Podstawową wartością jest wartość prawdy. Jeśli chcemy uświadomić sobie jakąkolwiek wartość, musimy najpierw zdać sobie sprawę, że jest ona rzeczywiście wartością. Być wartością oznacza być prawdziwą wartością. Postulatami realizacji wartości są: rozum ludzki – ukazywanie prawdy, dobra, piękna. Za wszystko odpowiada człowiek, strażnik i współtwórca realnego świata. Norma wymaga pola jej spełnienia: może je zapewnić tylko rzeczywistość, będąc przygotowana na przyjęcie wartości.

**Słowa kluczowe:** wartości; regulacja prawna; przepis prawny