

of the Party, which actually wields the power in the State. In conditions such as these – as the events of 1956 and 1970 testify – any attempts to protect the workers' interests are threatened by bloodshed and can lead to serious outbreaks of violence. For this reason employees must be assured their freedom to choose their own trade representation, which is independent of both State and Party. The right to strike must also be guaranteed.

Freedom of speech and exchange of information. When there is no freedom of speech, national culture cannot develop freely. When all publications are submitted to state censorship before appearing in print, and when the publications and the mass media are state-controlled, the citizens cannot consciously develop an attitude towards decisions taken by the state authorities, while at the same time the State is unaware of the public's attitude to its policy. Some particularly grave consequences of the State's monopoly over publications and the workings of preventive censorship can be seen in literature and art, which do not fulfil their socially significant functions. It must therefore be made possible for the trade unions and for the creative, religious and other societies to bring out books and periodicals without state intervention. Preventive censorship must therefore be abolished, while in the event of an infringement of the publishing statute, the law may be enforced only by means of legal proceedings.

Freedom in education. There can be no freedom in education as long as the criteria for the selection of teaching staff and subjects for study are determined by state authority, and as long as

these criteria are of a political nature. Therefore the academic freedom of the establishments of higher education must be brought back, and the academic circles must not be denied their right of autonomy.

The guarantee of these basic freedoms cannot be reconciled with the now officially-prepared declaration regarding the leading role of one of the parties in the system of state authority. Such constitutional recognition would give that political party the status of an instrument of state authority, not responsible to nor controlled by the public. Under such conditions Parliament cannot be regarded as the highest instrument of authority, the government is not the highest executive body, and the courts are not independent.

The right of all citizens to nominate and vote for their representatives according to the accepted democratic principles of free elections must be assured. The courts must be assured of their independence from the executive power, and the highest legislative power must effectively be given to Parliament. We believe that disregard for civil rights may lead to the destruction of the general will, to the dissolution of social unity, to a gradual loss of national identity, and may finally destroy national tradition. Indeed, it constitutes a threat to the nation's very existence.

The above statements are submitted in the belief that the responsibility for the destiny of our society is shared by all.

The recognition of these freedoms, confirmed at the Helsinki Conference, has today assumed international importance, for where there is no freedom, there can be neither peace nor security.

Statement of Polish Bishops

The many protests against the Party's proposed changes in the Polish Constitution included some from the Polish bishops. In March 1976, the Secretariat of the Polish Episcopate compiled the following "Explanatory Statement" which expressed the Church's views on the matter.

The Catholic community in Poland is

interested in the position taken by the Episcopate as regards the proposed changes to the Constitution of the Polish People's Republic. A short communiqué on the matter was issued for the information of the faithful on 18 February immediately after the 151st Episcopal Conference. The faithful are making numerous enquiries about the Church and the rights of believers under the

new scheme. In reply the following somewhat fuller explanation is offered.

I The Bishops lodged two Memoranda with the relevant authorities. These were dated 9 January and 26 January and expounded the basic demands of the Catholic community necessary for maintaining harmony, peace and co-existence in our common Fatherland.

The Constitution is the fundamental statute on the basis of which the sovereign nation has the right and duty to safeguard the basic rights of its citizens and to define its system of government. The Episcopate considered it its duty to express its views since the great majority of the community, who are subject to the provisions of the Constitution, are members of the Catholic Church. The issue was not only a political one, but also a moral and social one. The bishops, as representatives of the Church and as citizens of their country, have an absolute right and duty to express themselves on this matter.

As is known from official statements, the proposed changes to the Constitution called forth a number of declarations and documents addressed to the Commission on the Constitution. These were lodged by legal means. Their authors and signatories wished to fulfil their civil obligations and expressed their concern for the common good. All this testifies to the feelings of a society which possesses an historical consciousness gained through the experience of centuries. Without doubt this society is particularly sensitive to the indispensable rights of man and to the indispensable rights of the nation. As far as human rights are concerned, our society understands them in the spirit of its national tradition of respect for the freedom of the individual and for the opinions of others. The Declaration of Human Rights, reaffirmed at the Conference in Helsinki, refers to these rights. The documents of the Vatican Council refer to these same rights as do the encyclicals of John XXIII and Paul VI (in particular "Pacem in terris" and "Populorum progressio").

As for the rights of the nation, it must be remembered that they were bought at the cost of a century's toil and struggle in the cultural field and on the

battle-field – to mention only the last world war – and with many other sacrifices. We therefore set a singularly high value on them.

II The following are the basic points made by the Episcopate's statement to the Parliamentary Commission in the above-mentioned Memoranda.

(1) The bishops expressed anxiety about the intention to confirm in the Constitution the Party's leading role in the State. They drew attention to the danger of creating thereby two categories of citizens and of subjecting the whole of life to the materialist outlook which would be unacceptable to believers.

(2) The bishops expressed anxiety about the intention to confirm in the Constitution Poland's membership of the world socialist system. They drew attention to the fact that the Constitution must not contain anything which would limit the sovereignty of the nation and of the Polish State. The Episcopate recalled such principles as sovereign equality, inviolable frontiers, non-interference in internal affairs, etc. which were accepted at Helsinki.

(3) The bishops were concerned that the freedom of citizens' rights and responsibilities should not be limited by a single ideological outlook and philosophical system.

III With reference to these widely felt anxieties, the following demands were made.

(1) The State has a duty to respect and safeguard the rights of every citizen. Indispensable civil rights must not depend on the fulfilment of duties.

(2) The State has a duty to respect the rights of the family and to help it fulfil its parental obligations. The priority of the family over the professions and over other social and political groups was particularly stressed.

(3) The Constitution should safeguard those conditions which are favourable for the nation's development consonant with its history, culture and merits. The nation cannot be absorbed into any supra-national or supra-state body.

(4) The Church, joined to the nation by a common history, has through its service and its commendable contribu-

tion in the past a right to due respect for its mission. The Church's freedom and the individual's freedom of conscience and of religious practice, both public and private, are necessary for social harmony in the life of the nation and of the State.

(5) The Constitution should guarantee the State the freedom to fulfil its duties through the appropriate institutions of parliament and government, independent judicial system, civil service, free trade unions. The government must be aware of its obligations to all sections of the nation and fulfil them equitably and without hindrance. Parliament should be formed through free elections and should be the guardian of all civil rights and duties.

(6) The Episcopate's Memorandum recalled the social and economic rights of the farming population and, inter alia, those of the private farmers who constitute an important section of society as far as land cultivation and the provision of food are concerned.

(7) The right of the nation and of the State to preserve complete sovereignty as regards national culture, economic freedom and its own goals should be emphasized and guaranteed by the Constitution. It is fitting here to recall a nation's right to self-determination which was described in the UN Charter and reaffirmed at the Conference in Helsinki.

IV Further to the above explanatory remarks, it should be noted that over the last few years, since 1970, the Episcopate has submitted a number of documents to the state authorities on such subjects as the basic rights of the Church, the Catholic community, believers, and on the normalization of relations between Church and State. The contents of these documents were of paramount importance for the future Constitution. The bishops drew attention to matters which are of vital social importance: biological dangers, the protection of life, respect for religious freedom, rights of Christian culture, the en-

dangering of the freedom of conscience of the young, the work-code, equal rights of promotion in the professions, the constitutional principle of civil equality, etc.

At the present moment, albeit after the approval of the Constitution by parliament, all the issues which were raised in earlier and in recent Memoranda continue to be as relevant as before. The communiqué of the 151st Episcopal Conference states that, although the authorities have partly taken into consideration demands made by the Episcopate and by citizens from various sections of society, there nevertheless remain demands which have not been met and which are a source of particular anxiety to public opinion, to the Church and to believers.

The Episcopate therefore has not ceased appealing to the authorities who are responsible for the nation's future and for the just treatment of all citizens. The issue is of acute concern not only to Poles in Poland but also to the multitude of Polish émigrés throughout the world who share the joys and tribulations of their country with us.

We all hope that those who responded to the appeals of the Commission Extraordinary on the Constitution and made their views known by legal means in documents sent to the Commission will be respected. They availed themselves of rights which were due to them as free citizens and fulfilled their moral and political duties, and in so doing proved their maturity as citizens. Respect for the inviolable rights of man, of his person, is the fundamental task of a just social system and State. Such respect goes hand in hand with respect for the rights of the Polish nation, a nation which after historic experiences and endeavours deserves its own sovereign existence as a State.

On the instructions of the Principal
Council of the Polish Episcopate,

Bishop Br. Dabrowski
Secretary to the Episcopate.

Warsaw, March 1976.