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DES SCIENCES HUMAINES  
ET NATURELLES**



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## PREFACE

The scientific journal INTERNATIONAL REVIEW FOR HUMAN AND NATURAL SCIENCES has been published quarterly since 2012. The second issue of 2023 aims to publish interesting articles, findings and studies from the humanities, education and social sciences by authors from all over the world, just like every other issue.

This 2/2023 issue is focused on the social and humanities, as the published articles are from these areas.

The authors of the first article are VERONIKA MARKOVÁ and MICHAL MINÁRIK. The topic of this paper is a look into the history of alternative punishments. The article examines punishment in the territory of Austria-Hungary, Czechoslovakia and traces the historical development of punishment in Slovakia throughout history.

The authors of the second article are JOZEF KRÁLIK and KRISTÍNA KRÁLIKOVÁ, their article deals with terrorism and the struggle of the states of the majority of society against it. Considering the historical importance of the activity of various Christian churches on the territory of the contemporary European Union, it may now prove expedient to increase the intensity of the involvement of not only Christian churches in the processes aimed at eliminating possible terrorist attacks.

The author of the third article is ZYGMUNT MIETLEWSKI, he discusses an algorithm we discovered, consisting of mathematical structures - codes, which allows to save sales costs and their critical points shorter than today. We emphasize the implementation value of the discovered algorithm by recommending mathematical tables based on it, which improve the planning and analysis of the sales cost structure and the determination of the critical points of sales.

The authors of the next article are MAREK GREJTÁK and SONIA ŠROBÁROVÁ, they deal with the mutual relations of the countries of the international community. Value systems, political orientations and social structure of the population are changing, new values are emerging and traditional ones are disappearing. All this affects to a greater or lesser extent the internal dynamics of almost all states on the one hand, and of the human being, the

individual, and the social individual on the other.

The author of the fifth article is FRANTIŠEK DLUGOŠ, the study, besides the problems of the Catholic Church's relations with the world, characterizes the important personalities of the theology, spiritual life and religious philosophy of the time. He pays particular attention to the controversial popes who, during their papacy, deepened rather than successfully resolved the crises of the time.

The author of the next article is LUBOMÍR VOLNER, in the article he presents a basic view on the possibility of modelling transport as such with emphasis on the starting points of the theoretical possibility of the solution. Many of these external and internal forces produce fluctuations so complex that we are forced to classify them as random and express them in terms of probability theory.

The authors of the next article are SONIA ŠROBÁROVÁ and MÁRIA MARTINSKÁ. They discuss the social security of professional soldiers as a supporting subsystem of the social security service, from which spa care, recreational care and social care are provided, it also includes the provision of the burial of a former professional soldier.

The authors of the last article are DAGMAR PŘIBYLOVÁ, DÁVID SZÁRSZÓI, deals with the issue of pastoring children with specific learning disabilities. It introduces the manifestations of specific learning disabilities and their basic classification, taking into account other types of learning problems and their framework characteristics. The uniqueness of pastoral work with children with specific learning disabilities is presented and examples of pastoral work are given.

All published articles are scientific studies of experts with experience.

# PUNISHMENT AND PUNISHMENT IN THE MIDDLE AGES IN THE TERRITORY OF AUSTRIA-HUNGARY

*VERONIKA MARKOVÁ, MICHAL MINÁRIK*

## **Abstract:**

The intention of this paper is to provide an insight into the history of alternative punishments. It examines punishment in the territory of Austria-Hungary, Czechoslovakia and traces the historical development of punishment and punishment in Slovakia throughout history. It introduces the concept of ordalia as a form of medieval punishment in the territory of Hungary and the subsequent abandonment of the harshest forms of punishment. The article deals with forms of punishment in the Czechoslovak Republic after the Second World War.

**Key words:** Alternative punishments. Restorative justice. Ordalia. Austria-Hungary. Czechoslovakia.

## **Introduction**

The punishment of perpetrators of criminal offenses has always been, given the nature of criminal law, which primarily serves the purpose of repression, i.e. punishing the offender, focused primarily on penalties that significantly interfere with personal rights, or in the past (or present in some countries) with the right to life. This emphasized the necessity of punishing the offender for their actions, with laws always allowing primarily the possibility of imposing a penalty that affected the infringement of personal freedom. Later, with the development of society, ideas of imposing other punishments - so-called alternative punishments - began to emerge, or punishments that are not associated with such infringements of personal freedom, as a result of which the person would be placed in an institutional facility. The first alternative forms of dealing with perpetrators of

antisocial activities began to be applied at the end of the 19th and the beginning of the 20th century, primarily in North America and in countries or states of Western and Northern Europe. Prior to this, an acceleration in the burden on prisons was recorded after World War II. With the post-war development of the world, the extent and structure of committed criminal offenses partially changed. The escalation of this negative trend, the increase in crime, occurred around 1970. That is after Europe, constantly referred to as the “old continent,” was hit by the consequences of the so-called oil crisis. The inflexible European criminal justice system, unprepared for the new economic, political, and social situation, initially responded by imposing stricter penalties on perpetrators of criminal activities. It mainly reacted through the imposition of unconditional deprivation of liberty sentences, which subsequently led to the overload of the entire prison system of practically all Western European countries. The organization, institutional, personnel, and material increasingly cumbersome functioning criminal justice system historically created in Western European countries finally matured to a stage that was an obvious precursor and later a part of the outbreak of its serious crisis.<sup>1</sup> The society was thus directly forced to seek ways, methods, tools, and means to effectively eliminate the negative impact of the persisting “prison crisis” on other social relations and thus prevent potential social explosion. Therefore, it was necessary to involve existing relevant scientific capacities of society in solving the complex of these expanding social problems.<sup>2</sup>

Experts in the field of justice have begun to strongly question the validity of the approach that relied on criminal law enforcement tools, which included the imposition of short-term sentences of imprisonment on offenders who committed less serious antisocial acts that could have been effectively sanctioned by other, non-established means. Furthermore, it is necessary to emphasize that as a result of such a criminal policy, prisons were overcrowded with socially insignificant or low-risk offenders. Essentially, these were individuals who were unnecessarily removed from their functional family and work environments, and were considered “non-criminal,” committing only misdemeanors. However, this had a negative impact not only on their personal structure, mental integrity, and social integration, which contributed to the emergence of a socially excluded mass of the population, but it also deprived the state and society of economically exploitable and socially significant human resources. In fact, this policy deprived the state of huge financial resources, the absence of which as necessary sources

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- 1 In this context, I draw attention to the possibility of comparing the views of the authors mentioned e.g. in STRÉMY, T. (ed.), 2015. *Restoratívna justícia a alternatívne tresty v aplikačnej praxi. Zborník z medzinárodnej vedeckej konferencie*, 376 p.
  - 2 RAK, P. *Alternatívne tresty z pohľadu transformácie spoločnosti a psychologického pohľadu*. 123 p.

of national wealth created conditions for unbalanced budget management. The burden of these financial and material costs of relatively unnecessary imprisonment of offenders of misdemeanors was naturally borne by taxpayers, both individuals and legal entities. Therefore, it was necessary to reduce the high costs of the prison service as soon as possible.

According to official United Nations statistics from 1974, the worldwide cost of running prisons reached a staggering 62.5 billion USD at that time. There were two main reasons why the Seventh (VII) Congress of the United Nations, held in Milan, Italy in 1985, adopted a resolution on the necessity of reducing the prison population through the application of alternative punishments and reviewing the appropriateness of imposing short-term sentences of imprisonment for less serious anti-social offenses. Congress participants agreed on the need to ensure the social integration of offenders engaged in anti-social activities.<sup>3</sup>

In response to the aforementioned United Nations Resolution adopted in 1985, the Council of Europe (CoE) addressed this significant interdisciplinary issue by adopting a document entitled “Alternative Measures to Imprisonment” in 1991, which divided such penalties according to their impact on the offender into three groups. The CoE then adopted principles in 1992 that are perceived as a parallel to the European Prison Rules (EPR) and provide a summary of requirements recommended to member states or countries for use in creating new legislative measures in the field of criminal law.<sup>4</sup> A significant stimulus for the development of the institution of alternative sanctions on an international scale was a resolution by the United Nations Commission on Crime Prevention and Criminal Justice, which in 2002 contained a document on basic principles for the use of restorative justice in criminal matters. From this fact, a new approach gradually emerged towards the adoption of sanction measures unrelated to deprivation of liberty, which we attempt to expressly record in this contribution. The development and application of alternative sanctions subsequently followed several directions, ranging from the financial form of alternative punishment to mandatory work sentences. The concept of “forced labor” is rightly rejected in Slovak criminal law. This form of inhumane punishment imposed on racially, politically, and socially persecuted communities was known in areas of Europe occupied by the German Wehrmacht during World War II. Punishing the population categorized solely based on their “suitability” for life in the “New Europe” corresponded to the methods of governance employed by dictatorial Nazi regimes of terror,

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3 Basic Principles on the Independence of the Judiciary, Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milano, 26. august – 6. september 1985 UN document: Resolution on the independence of the judiciary.Zdroj: [www.ustavnysud.sk]/dokuments/IPD2.pdf.

4 See BOBEK, M., BRÍZA, P., KOMÁREK, J. *Vnitrostátní aplikace práva Evropské unie*. 606 p.

which, led by Adolf Hitler, dominated the Greater German Reich until 1945. The Nuremberg trials, which resulted in the international court's verdicts condemning and punishing perpetrators of mass crimes against humanity, gradually created optimal conditions for the creation of a pan-European justice system that would become the cornerstone of humane criminal policy within the EU in future periods. Therefore, specific credit can be attributed to the UN, the Council of Europe, and the EU for the genesis and promotion of the idea of utilizing alternative sentencing institutes if adequate objective and subjective conditions are in place to permit their use.

### **The history of punishment, ordeals**

Every human activity has its history, and from it emerges a continuous or discontinuous present. This usually implies references to the past, being historically superstructure and the development of the experiences and knowledge of past generations.<sup>5</sup> This is fully reflected in the issue of criminal law and punishment. To gain a more comprehensive understanding of the current state of criminal legislation, including forms and the social role of punishment, it is necessary to know at least fragments of their rich history. The Middle Ages represent an epoch in the historical development of Europe between antiquity and modern times, i.e., according to most authors, the period from the fall of the Western Roman Empire in 476 to the discovery of America in 1492. The Middle Ages not only did not know the concept of criminal law, nor did they perceive it as a public law institution, but they accentuated its exclusively private law character. The assessment of the criminality of behavior was within the competence of the victim or people close to them. The criminal process was typically initiated by the victim or their family, and punishments were based on legal customs, gradually involving the monarch or church. The purpose of punishment was not to protect society or reform the offender, but rather to compensate for the damage caused by the offender,<sup>6</sup> or to exact revenge for the committed crime. The nature of the punishments themselves was not a fundamental problem. Reciprocity, in line with the well-known biblical principle of "an eye for an eye, a tooth for a tooth," was the most commonly applied principle. It is clear from the early Middle Ages that there was considerable particularism in this legal area, without a uniform legal framework across the entire state. "Similarly, the legal regulation in the earliest times was not included in written legal regulations, but had the character of unwritten legal customs (which were only gradually supplemented by regulations

5 See DAŠKA, V., PICKOVÁ., D. *Dějiny středověké Evropy*. 364 p.

6 This type of punishment developed only in the later medieval period - author's note

of the church or monarchs).<sup>77</sup> In addition, it was typical for the early Middle Ages that “there was no firmly defined circle of criminal offenses or firmly defined consequences in the form of sanctions.”<sup>78</sup> It is necessary to emphasize at the outset that in the Middle Ages, there was no standard, universal type of punishment such as imprisonment in an unconditional or conditional form, which is in use today. Instead, the whole range of ordeal punishments existed and was applied, which usually had a fatal character for the accused and therefore utilized irrational evidentiary means in the form of ordeals (*judicium Dei*).<sup>79</sup> Generally, these tests were used subsidiarily but very effectively because supernatural forces or “divine will” decided in them. In the early Middle Ages, trial by combat was a frequent form of punishment, in which fighters fought without armor, armed only with a sword and shield, and the fight was decided by the judge until the first drop of blood appeared or until one of the combatants was killed. These fights were public but without the participation of women in the audience, as the fighters had no clothing, and the moral code of the time prohibited women from looking at naked male bodies (except for their husbands). Without great demands on the costs associated with the execution of punishment for its executor, the trial by cold water was a typical punishment. It consisted of immersing the accused in cold water, and if he surfaced, the water rejected him, and thus he was guilty as unclean. In the opposite case, when the accused sank and did not resurface (i.e. drowned), they were considered pure and thus acquitted as innocent. The same algorithm was used in the trial by fire or hot water. In this trial, the accused was required to pick up a red-hot stone or metal object and walk a certain distance with it, or plunge their hand into boiling water, and if they could do so without sustaining any injury (burns or damage to the skin), or showing any signs of pain (verbal or facial), they were considered innocent; otherwise, they had proven their guilt. The trial by ordeal of the cross operated on a similar principle. The accused demonstrated their innocence by standing on tiptoe by the cross located near the altar, in full view of all the faithful, wearing only a loincloth, and with outstretched arms, imitating the posture of Jesus Christ on the cross, without moving throughout the entire Mass. The slightest movement or facial expression would result in the accused being condemned to death. The less frequent trial by bread and butter required the accused to feed a dog or a cat with this delicacy without any resistance from the animals or any harm to the accused (such as bites or scratches). Otherwise, it was clear evidence of the guilt of the accused person. Equally bizarre was the identification of the murderer of a human corpse. This was achieved through the trial by bleeding, which consisted of requiring

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7 See ROMŽA, S. a kol. *Alternatívne spôsoby výkonu trestov*. p. 7.

8 See ROMŽA, S. a kol. *Alternatívne spôsoby výkonu trestov*. p. 8.

9 See RAŠLA, A. *Inkvízia nezomiera*. 224 p.

the suspect to touch the corpse, and if this contact resulted in bleeding or the emergence of any animal from the body of the deceased, the answer to the question of who was the murderer was clear. The trial by ordeal was also used, whereby a child drew a cube from a pouch containing two cubes - one white and the other marked with a cross. If an “unblemished” child drew the white cube, it signified the innocence of the accused, while the opposite indicated guilt and punishment. Medieval criminal law was based on the principle of “*confessio est corona probationem*,”<sup>10</sup> and if the accused refused to confess, a process of forced confession by torture ensued.<sup>11</sup> The medieval torture chamber was a workshop of pain and suffering, where the tortured were interrogated during breaks aimed at obtaining a confession. The torture instruments were the result of the torturers’ perfidious thinking, and their diversity and effectiveness were a flagrant testament to the anti-humanism of the Middle Ages. Among the most common punishments used by executioners in the Middle Ages were quartering, hanging, drowning, burning, burying alive, and beheading, especially for nobles and women. In addition to these capital punishments, corrective and preventive punishments such as amputation, whipping, and fines were also applied. Some punishments were reserved for specific groups, such as public shame in the town square and ear amputation for a beggar caught begging for a second time.

### **Punishment and Penalties in the Modern Era**

The modern era is characterized by a departure from the use of cruelty in the imposition and execution of penalties. Gradually, there has been a shift away from the principle of revenge and towards a more rational approach of compensating for the damage caused. The economic impact of punishment has taken precedence over its emotional impact on the parties involved, thereby diminishing the need for retribution and vengeance on the part of the victim, and the torment of the perpetrator of the crime. However, this process was not without its challenges, and its retardation was mainly due to slow legislative implementation of new trends in criminal law. In the Czech Kingdom, at the beginning of the 18th century, the *Constitutio Criminalis Josephina*, which regulated the rules of the inquisitorial process, was in force (for the first time, torture, or the law on torture, was introduced in the new code, according to which torture became part of the investigation of crimes and was intended to extract confessions. Inquisitorial proceedings were also introduced for the first time).<sup>12</sup> The criminal code of

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10 „confession is the queen of evidence“ - author’s note

11 See RAŠLA, A. *Inkvizícia nezomiera*. 224 p.

12 *Trestní zákoník Josefa I.* [(zapadoceskebaroko.cz)]



Queen Maria Theresa's *Constitutio Criminalis Theresiana* of 1768 followed this code. Despite many positive changes in criminal legislation, the modern era also brought with it negative aspects that are still difficult to comprehend today, such as the expansion of the scope of punishment to include the perpetrator's family. The affected person was not only the offender himself but also his family, which undoubtedly had a significant psychological impact and influence on the behavior of potential offenders in society. It was not uncommon for the entire family to be executed alongside the perpetrator. The penalty of imprisonment did not yet exist, and various forms of confinement such as prisons, dungeons, and hunger cells were used increasingly only in relation to preventing the escape of the offender awaiting trial and subsequent judgment. Significant changes in criminal law occurred only during the period of enlightened absolutism, particularly under the rule of Joseph II. The principle of "nullum crimen sine lege, nulla poena sine lege",<sup>13</sup> was introduced into criminal law and remains relevant today. Attempted commission of a criminal offense was made punishable, and the important principle of presumption of innocence was established. Torture as a means of evidence was prohibited, and fundamental changes also occurred in the perception of the purpose of punishment. Punishment ceased to be merely a means of retribution and deterrence, as evidenced in judicial practice. Most importantly, ideas about the corrective and educative purpose of punishment began to be gradually advocated in the field of criminal law theory as well. The Law on Criminal Offenses and Serious Police Offenses of 1803 added further criminal offenses for which absolute punishment was imposed. Overall, the death penalty could be imposed for high treason, counterfeiting or spreading counterfeit banknotes (so-called bankocetles), murder, robbery, and arson with aggravating circumstances. In addition, during the period of martial law, rebellion and arson. However, the significant progress in humanizing criminal law and the execution of punishments in today's territory of Slovakia only occurred at the beginning of the 19th century. Joseph II's criminal code was abolished in 1803 by the Law on Crimes and Serious Police Offenses, which had not only a material but also a procedural character and remained in effect until the adoption of the Austrian Criminal Code No. 117/1852 Z. z. of May 27, 1852, which regulated criminal law throughout the entire monarchy due to the absence of codification of criminal law in Hungary. This occurred only with the adoption of Hungarian Act No. V/1878, the Criminal Code on Crimes and Misdemeanors. The following year, in Hungary, the Misdemeanor Act, Act No. XL/1879,<sup>14</sup> was also adopted. Directly revolutionary changes in the alternation of punishments and their execution occurred in the territory of Austria-Hungary just after the adoption of these legal

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13 „No crime without law, no punishment without law“ - author's note

14 Trestní zákoník Josefa I. ([zapadoceskebaroko.cz](http://zapadoceskebaroko.cz))

provisions. The Austrian Penal Code confirmed the application of the principle “*nullum crimen sine lege, nulla poena sine lege*”,<sup>15</sup> and emphasized the death penalty (execution by hanging) as the main punishment, and the punishment of deprivation of liberty, known as imprisonment, was introduced.<sup>16</sup> Imprisonment could be aggravated, for example, by ordering fasting (water and bread), the convict could be ordered to be confined to a “hard bed,” or placed in solitary confinement. In the case of foreign perpetrators, it was possible to impose a punishment of expulsion from the country. Offenses and misdemeanors were punished with fines, confiscation of property, loss of rights and permits, imprisonment (jail or hard labor), corporal punishment, or banishment from a certain place or even from the country. As a novelty, the punishment of house arrest was introduced, as well as the consideration of mitigating and aggravating circumstances and the application of extraordinary mitigating law.<sup>17</sup>

The Hungarian Criminal Code mirrored the spirit of the time, which was characterized by the humanization of criminal law, punishment, and sentencing. Like the Austrian codification, it distinguished criminal offenses in three degrees: crime, offense, and misdemeanor. The types of punishments included the death penalty, imprisonment, and fines. When determining the severity of the punishment, this law also applied mitigating or aggravating circumstances. Imprisonment penalties included jail, prison, or state prison. In addition to these punishments, the law also allowed for secondary penalties such as loss of office and political rights or a prohibition on practicing a profession. The 1908 amendment to the Criminal Code, Article 36/1908, introduced for the first time the institute of conditional sentencing and conditional release.<sup>18</sup>

From the fragments of the development of criminal law and punishment on the territory of Austria-Hungary, it is clear that there was an acceptance of the humanization of criminal law that was taking place in Europe, and a process of aligning criminal law regulations with the development of criminal law in the advanced countries of Europe. Criminal law underwent a qualitative leap into a different, modern dimension of its development, as opposed to the constants integrated into medieval criminal law. The vast difference is visible primarily in the understanding of the purpose of punishment, types of punishment, and

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15 No crime without law, no punishment without law - no one can be punished without law.

16 The law differentiated between imprisonment and hard imprisonment and between life imprisonment and temporary imprisonment - author's note.

17 Corporal punishment was abolished in 1867, but its modification persisted in the Act. No. 96/1854 ř. The so-called Spanking Patent allowed persons sentenced to imprisonment to be punished by beating with a stick or a whip, or in the case of so-called anti-police behaviour violating order and decency, e.g. at political demonstrations, etc. - author's note.

18 Criminal amendment in force in Slovakia ( Art. 36/1908).

opportunities for finding optimal alternatives to punishment.

### **Criminal law regulation in the territory of the interwar Czechoslovak Republic and its satellite successor states determined the current social order.**

Punishment of perpetrators of anti-social acts in the former Czechoslovak Republic, as well as in the successor state of the militarily defeated Austro-Hungarian monarchy, was not radically different from the legal order of Austria-Hungary, the monarchist state entity that ceased to exist in 1918. However, unlike the democratic construction of the state legal foundation of Czechoslovakia, its socio-economic relationships remained essentially interdependent with the past period. Nonetheless, historical development reached a new stage characterized as a process of developing a renewed state legal position of the Slovak and Czech nations in the geopolitical environment of Central Europe, i.e., national-state maturity, whose manifestations were anchored in the modern history of shaping the state-forming aspirations of both nations. The modernization or Europeanization of the legal order of the new state entity also became a necessity. The day of October 28, 1918, became a milestone and a symbol of self-determination and finding a firm point of anchoring in the political world of European nations for both nations, Slovaks and Czechs. On this day, among other things, Act No. 11/1918 Coll. was adopted to establish an independent Czechoslovak state. In accordance with the new law, it was stipulated that: "All regional and imperial laws remain in force for the time being." The reason for this approach was very simple - to preserve the continuity of the previously applicable legal order with the new one. This legal norm was therefore given the name "reception norm."<sup>19</sup> This reception statute accepted the legal dualism of Austria-Hungary with the aim of promptly recodifying criminal law in the Czechoslovak Republic. Unfortunately, the complexity of this process caused incredible delays and legal uncertainty for the legislature. The process of unifying the law in general, and criminal law in particular, also encountered reluctance to abandon the legal dualism of the defunct Austria-Hungary, and thus the Criminal Code no. 117/1852 Coll. on crimes, misdemeanours and offences remained in force in the territory of Bohemia, Moravia and Silesia, while in the territory of Slovakia and Subcarpathian Ruthenia, the Act no. V/1878 on criminal offenses and the Act no. XL/1879 on offenses were in force. The effort to unify the legal order in the creation of the reception statute no. 11/1918 was conceived by the Minister of

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19 See MARKOVÁ, V. Zmeny v koncepcii trestných kódexov od roku 1918 až po súčasnosť. In: *Notitia Iudiciales Academie Collegii Aedilium in Bratislava*, roč. IV, č. 2, 28 – 55, p. 29.

Finance of the first Czechoslovak Republic, JUDr. Alois Rasin,<sup>20</sup> and continued until the dissolution of the Republic in 1939. Nevertheless, it cannot be said that there were no attempts to unify the legal system, including criminal law, in the Czechoslovak political and legal environment.

The truth is that work on the basis of a new criminal law began as early as 1920, which resulted in the proposal of a complete criminal law called “Prípravné osnovy Trestného zákona o zločinoch a prečinoch a zákona priestupkového” in 1926. Another version of the draft criminal law from 1937 did not find political consensus in a politically turbulent environment and so, in the end, it can only be stated briefly that during the existence of interwar Czechoslovakia from 1918 to 1939, there was no unification of the legal regulation of criminal law and the creation of its codified form valid throughout the country. Partial adjustments were made, such as the Act No. 50/1923 Coll. on the Protection of the Republic or the Act No. 48/1931 Coll. on juvenile criminal justice, but there was no comprehensive legal regulation of criminal law until the dissolution of the state and its division into the independent Slovak state and the Protectorate of Bohemia and Moravia. Despite the fact that the Act on the Protection of the Republic represented a legal norm that was characterized by restricting civil rights and freedoms,<sup>21</sup> it represented the first legal norm in this area after the establishment of the independent republic from the perspective of criminal legislation. However, it is clear that during this period, the efforts of government representatives began to prevail to ensure primary protection, especially of state interests. Government proposals declared that the interests of the current state were in line with the principles of democratic government, but it was necessary to adjust legal regulations in accordance with the newly conceived constitution of 1920.<sup>22</sup> At the same time, legislators acknowledged that it was not possible to wait for a complete reform of the criminal law, as there were serious crimes committed by hostile elements attacking the life and health of significant constitutional authorities. It was necessary to regulate this area as soon as possible, with the new legal framework aimed at removing the principles of the old regime and introducing increased protection for elected representatives of the people in accordance with peace treaties. Legal regulations needed to be created that people would perceive as an expression of their own will, rather than a continuation of the former Austro-Hungarian Empire. It was also necessary to protect the military power

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20 Muzeum 3000 | První zákon československého státu – papír plný škrťů (nm.cz) zákon č.11/1918 o zriadení samostatného štátu československého

21 See FRANCEK, J. *Zločin a trest v českých dějinách*. p. 74.

22 See Zákon č. 121/1920 Sb. Národního shromáždění, kterým se uvozuje ústavní listina Československé republiky. [online]. [cit. 27. 8. 2018]. Dostupné na internete: <http://spcp.prf.cuni.cz/lex/121-20.htm>

of the republic against the destructive efforts of internal or external enemies.<sup>23</sup>

<sup>24</sup> In this context, the historical “unification paradox” was highlighted, which also affected Austrian criminal jurisdiction. After the unsuccessful Hungarian revolution in the late 1840s, the Austrian criminal code was introduced in 1852 on the territory of Hungary and Slovakia, and its validity in Hungary ended in 1861. The nine-year period of validity of the Austrian Imperial Criminal Code imposed on Hungary on the territory of the entire monarchy from 1852 to 1861 can therefore be considered unifying, progressive and unifying in terms of criminal law. However, the developmental trend of unifying criminal legislation was not fulfilled in subsequent years. Such a criminal-unification process on the current Slovak state territory began to be gradually implemented again only after the formation of Czechoslovakia in 1918. The legal-unification process in the new Czechoslovak state, however, was extremely lengthy, controversial, and only partially successful. The law on conditional conviction and release, for example, Act No. 562/1919 Coll., can be mentioned as a successfully unified and generally binding criminal law act. The interwar Czechoslovak Republic, or the Czechoslovak Republic, gradually moved towards its temporary demise. The Sudeten German Party first declared its demands in April 1938. In the so-called Karlovy Vary demands, the Sudeten German Party requested from the Czechoslovak Republic: territorial autonomy, the assurance of rights to all other Germans in the territory of the republic, freedom for Nazi propaganda and Nazi organizations, the abolition of all previous allied treaties, and an orientation of Czechoslovakia towards cooperation with Germany.<sup>25</sup>

On March 14 and 15, 1939, two new state entities were established on its territory, formally independent Slovak State and Protectorate of Bohemia and Moravia, both under the universal tutelage of the German Reich. These state changes were to some extent reflected in the criminal law of both new Central European states. In the Protectorate of Bohemia and Moravia, criminal regulation approached the criminal regulation of the German Reich. Its essence was therefore strictly Nazi-fied and manifested in the priority of racial and national discrimination, as well as in the legalization of political persecutions. Criminal law in the Slovak State, or the Slovak Republic, was created by extraordinary legislation that allowed the use of increased criminal penalties. It was primarily manifested by its racially discriminatory nature. Based on Nazi-fied criminal norms, it was possible to restrict or abolish basic civil rights and freedoms in Slovakia. The first example

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23 Explanatory memorandum to the draft Government Act No. 50/1923 Coll. [online]. [cited 27 August 2018]. Available from: <https://www.nrsr.sk/dl/Browser/Document?documentId=23167>

24 See MARKOVÁ, V. Zmeny v koncepcii trestných kódexov od roku 1918 až po súčasnosť. In: *Notitia Iudiciales Academie Collegii Aedilium in Bratislava*, roč. IV, č. 2, 28 – 55, p. 29.

25 See Vojáček, L., Schelle, K. *Právní dějiny na území Slovenska*, Ostrava. 2007, p. 282.

was Government Regulation No. 32/1939 Coll. on the security detention of enemies of the Slovak State. This law was followed by Law No. 320/1940 Coll. on criminal offenses against the state, which abolished some provisions of the law on the protection of the republic from 1923. This law expanded the range of political offenses for which the death penalty or life imprisonment was imposed, and the upper limits of penalties were also increased. Repression became the primary sanction in the Slovak State. Therefore, no alternative penalties could be considered during this period, because forced labor, which was primarily designated for racially or politically discriminated persons, cannot be considered in any case as a form of alternative punishment. In general, however, it can be stated that legal continuity with the previous Czechoslovak Republic was maintained in some areas, with the majority of public and private law norms being reciprocated with the necessary adjustments caused by the wartime situation in which both state entities found themselves.

## **Criminal law after World War II**

World War II left a lasting impact on Central Europe's political map. What was not possible to achieve from a geopolitical standpoint in the field of criminal law until the dissolution of Czechoslovakia in 1939 was legally anchored in the Criminal Code No. 86/1950 Coll. This legal act, in the new conditions of the existence of the proletarian dictatorship state, completed the endlessly dragging process of recodification and removed the persisting undesirable state of legal dualism. In addition, two significant aspects of the new legal regulation need to be emphasized, namely the acceptance of the Soviet model of criminal legislation and its class nature. This meant, in addition to the requirement to fulfill the formal characteristics of the criminal offense, respecting the aspect of the danger of conduct to society. Its class nature was accurately reflected in the formulation of the purpose of punishment: „The purpose of punishment is to:

- a) neutralize an enemy of the working people,
- b) prevent the offender from committing further crimes and educate him to observe the rules of socialist coexistence,
- c) have an educational effect on other members of society.“<sup>26</sup>

The individual types of punishments specified in the Criminal Code corresponded to the purpose of punishment. The Criminal Code distinguished between two types of punishment, namely primary and ancillary. As primary

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26 See Zák. č. 86/1950 Zb. § 17 ods. 1

punishments, it specified:

- a) „the death penalty,
- b) deprivation of liberty,
- c) corrective measures.“<sup>27</sup>

According to the applicable legal regulation, ancillary punishments were:

- a) „loss of civil rights,
- b) exclusion from the army,
- c) loss of military rank,
- d) forfeiture of property,
- e) fine,
- f) prohibition of activity,
- g) expulsion,
- h) banishment,
- i) confiscation of things.“<sup>28</sup>

The legislator did not perceive ancillary penalties as alternative punishments, but exclusively as supplementary punishments, because „an ancillary penalty can only be imposed together with the main punishment.“

In addition to the Criminal Code, the National Assembly also passed Act No. 88/1950 Coll., the Corrective Criminal Code, which regulated the punishment of misdemeanors. The Criminal Code was amended by Act No. 63/1956 Coll. prior to the adoption of a new legal regulation in 1961, which, among other things, abolished life imprisonment and replaced it with a maximum sentence of 25 years' imprisonment. The amended law also paid increased attention to the purpose of punishment and the specification of the elements of individual criminal offenses. In accordance with the stabilization of the social situation, it significantly reduced the severity of individual sentences and introduced the possibility of waiving punishment if certain specific conditions were met. In 1961, a new Criminal Code, Act No. 140/1961 Coll., was adopted in line with the new Constitution of 1960. This Criminal Code was amended multiple times and remained in effect until 2005, when it was replaced by modern substantive criminal law regulations as its structure and basic institutes no longer corresponded to the new social conditions that arose after November 1989.<sup>29</sup>

The Criminal Code of socialist provenance from 1961 specified its purpose,

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27 See Zák. č. 86/1950 Zb., § 18 ods. 1

28 See Zák. č. 86/1950 Zb., ods. 2

29 See Úst. zák. č. 100/1960 Zb. Ústava Československé socialistické republiky



which the legislator pursued as follows: „The purpose of the criminal code is to protect the social and state system of the Czechoslovak Socialist Republic, socialist property, rights, and legitimate interests of citizens, and to educate for proper fulfillment of civic duties and adherence to the rules of socialist coexistence.“<sup>30</sup> The law also defined a criminal offense as „an act that is dangerous to society, the characteristics of which are listed in this law.“<sup>31</sup> At the same time, it also regulated the possibility of waiving punishment depending on the degree of danger that the unlawful act poses to society, such that „an act whose degree of danger is negligible is not a criminal offense, even if it otherwise exhibits the characteristics of a criminal offense.“<sup>32</sup> The degree of danger to society itself is defined by this law based on the significance of the protected interest, the modus operandi of its commission, its consequences, the circumstances of the commission of the criminal offense, the person of the perpetrator, the degree of culpability, and their motives.

The law broadly conceptualized the purpose of punishment, which is to „protect society from offenders, prevent the convicted from committing further criminal activity, and educate them to lead a decent life as a working individual, thereby also having a positive educational impact on other members of society.“<sup>33</sup>

In terms of types of penalties, the death penalty was accepted as an exceptional punishment, and in addition to it, it was possible to impose a sentence of imprisonment (for a maximum period of 15 years), corrective measures, loss of honorary titles and decorations, loss of military rank, prohibition of activity, confiscation of property, fines, and expulsion. Apart from the new regulation of types of penalties, the law allowed for the application of the institute of conditional sentencing, conditional release, and effective remorse. A new feature was the regulation of protective measures, such as protective treatment, seizure of property, and protective education of minors.<sup>34</sup>

The amendment of the Criminal Code No. 45/1973 Coll. subsequently introduced the possibility of imposing a sentence of imprisonment for a period of 15 to 20 years if a 15-year sentence would be unreasonably lenient, but at the same time, the imposition of the death penalty would be unreasonably severe. This also allowed for the differentiation of perpetrators of criminal activity, as

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30 See Zák. č. 140/1961 Zb., § 1

31 See Zák. č. 140/1961 Zb, § 3 ods. 1

32 See Zák. č. 140/1961 Zb, ods. 2

33 Zák. č. 140/1961 Zb, § 23 ods. 1

34 Zák. č. 305/2005 Z. z. o sociálnoprávnej ochrane detí a o sociálnej kuratele a o zmene a doplnení niektorých zákonov v znení neskorších predpisov



well as the nature of the criminal offense itself.<sup>35</sup>

### **Alternative Penalties Today**

At the beginning of the 1990s, the system of criminal sanctions was dominated by the imprisonment penalty, which was already considered ineffective or insufficiently effective in many countries. At the same time, it was an impetus that forced those involved to reconsider the sense of imposing the imprisonment penalty even in cases where it was not necessary. Increasingly, proposals for the introduction of alternative penalties began to be developed. This shift in penal policy began primarily in Western Europe with regard to perpetrators of less serious offenses, in the 1970s, and essentially continues to this day.<sup>36</sup> Modern forms of punishment are still not fully adopted in the legal conditions of the Slovak Republic. Alternative forms of punishment represent a pressing issue of punishment in Slovakia. These concerns have influenced the creation of new criminal codes in our socio-legal conditions.<sup>37</sup> The adoption of the Criminal Code No. 300/2005 Coll. and the Criminal Procedure Code No. 301/2005 Coll. played a crucial role in the introduction of modern forms of punishment in the legal system of the Slovak Republic. Additionally, *lex specialis*, such as Act No. 550/2003 Coll. on probation and mediation officers approved by the National Council of the Slovak Republic in 2003, became effective in Slovakia in 2004. This placed Slovakia among the countries that directly incorporated the institute of mediation into their normative legal system. The introduction of mediation into the system of criminal proceedings meant that alternative punishments became part of the new Criminal Code No. 300/2005 Coll. Furthermore, this legal act expanded the list of alternative punishments and the possibility of imposing them in the Criminal Code, specifically in § 49, § 50 as a conditional deferral of the sentence of imprisonment, in § 51, § 52 as a conditional deferral of the sentence of imprisonment with probation supervision, in § 53 as a home imprisonment sentence, and in § 54, § 55 as a mandatory work sentence, in § 56, § 57 as a fine. An important achievement, among others, enabling support for the implementation of alternative punishments, was the introduction of

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35 See MARKOVÁ, V. Zmeny v koncepcii trestných kódexov od roku 1918 až po súčasnosť. In: *Notitia Iudiciales Academie Collegii Aedilium* in Bratislava, roč. IV, č. 2, 28 – 55, p. 29.

36 More details In: KLÁTIK, J. STRÉMY, T. *Alternatívne tresty*. Bratislava: CH:Beck, 2018, 5. p.

37 In these contexts, teaching aids have also begun to emerge, educating adepts in the study of law in a new understanding of criminal law, see IVOR, J. a kol., 2006. *Trestné právo hmotné I.*, 530 s., see also IVOR, J. a kol., 2006. *Trestné právo hmotné II.*, 607 p.

electronic monitoring of individuals.<sup>38</sup> This means of monitoring the execution of alternative punishments is also intended to reduce the cost of prison services.<sup>39</sup>

According to a 2016 survey by the FOCUS agency, less than 46 percent of Slovak respondents were aware of the existence of alternative sentences in the justice system of the Slovak Republic. This is not only in terms of significant economic savings for the state, but also of the fact that such forms of punishment have a significantly better impact on the rehabilitation of offenders than custodial sentences. The Slovak judicial practice still does not use alternative sentences to a sufficient extent, which is confirmed to a certain extent by the program declarations of governments over the past two decades. While the government cabinet program for the years 1998-2002 made no mention of alternative sentences,<sup>40</sup> a favorable situation in this regard emerged in the following four-year period (2002-2006), which was reflected in the laws adopted.<sup>41</sup> Even in the years 2006-2010, the incoming government declared its interest in using alternative forms of punishment and also expressed its intention to relieve the state budget of a significant portion of funds that would otherwise be spent on the operation of prisons.<sup>42</sup> However, in the years 2010-2012, there was no mention of alternative punishments in the government's program declaration. In the following period from 2012 to 2016, the new government once again promised to improve the prison system, including supporting alternative punishments and implementing the Electronic System for Monitoring Persons (ESMO), which aims to effectively monitor their execution.<sup>43</sup> In this regard, there have been several efforts by government representatives to properly apply alternative sanctions, which have been and still are underutilized in the conditions of the Slovak Republic. Since the introduction of the ESMO system, we can observe several changes to the provisions of the Criminal Code that would enable their more effective use.<sup>44</sup> However, despite these changes, there is still a lack of frequent application. It can be stated that further efforts of the Ministry of Justice of the Slovak Republic from 2022-2023 confirm the efforts to adjust the legal status in order to enable

38 See STRÉMY, T., KLÁTIK, J. *Alternatívne tresty*, p. 19.

39 See KURILOVSKÁ, L., BLAŽEK, R., LORKO, J. *Hodnotenie Implementácie a budúceho vývoja sankčného mechanizmu po 10 rokoch účinnosti trestných kódexov v Slovenskej republike*. 228 p.

40 [www.vlada.gov.sk/vlada-slovenskej-republiky-od-30-10-1998-do-15-10-2002/](http://www.vlada.gov.sk/vlada-slovenskej-republiky-od-30-10-1998-do-15-10-2002/) [online]. Cited on Available on the Internet: <https://www.vlada.gov.sk/urad-vlady-slovenskej-republiky/?csrt=8962128212212268611>

41 [www.vlada.gov.sk/vlada-slovenskej-republiky-od-16-10-2002-do-1-10-2006/](http://www.vlada.gov.sk/vlada-slovenskej-republiky-od-16-10-2002-do-1-10-2006/)

42 [www.vlada.gov.sk/vlada-slovenskej-republiky-od-7-10-2006-do-8-7-2010/](http://www.vlada.gov.sk/vlada-slovenskej-republiky-od-7-10-2006-do-8-7-2010/)

43 [www.rchiv.vlada.gov.sk › old. uv › programové-vyhlásenie vlady od-9-7-2010- do- 4-4-2012 a od -27-4-2012-do-22-4-2016](http://www.rchiv.vlada.gov.sk/old_uv/programove-vyhlasenie-vlady-od-9-7-2010-do-4-4-2012-a-od-27-4-2012-do-22-4-2016)

44 For example, Act No. 214/2019 Coll., which made it possible to extend the imposition of the penalty of house arrest also to offences whose upper limit does not exceed 10 years - until then it was possible only for misdemeanours (upper limit up to 5 years).

the effective application of alternative penalties. This is also reflected in the latest amendment to the Criminal Code, on which the Ministry of Justice of the Slovak Republic has been working in recent months with the support of several experts in the field of criminal law.<sup>45</sup>

### **The public opinion of the Slovak public on alternative sanctions**

Public opinion on the use of alternative sanctions in criminal justice policy is important for their implementation. It is assumed that public opinion in favor of the use of alternative sanctions in the criminal process is one of the factors that would strengthen the dynamics of their use. At the same time, the moral pressure expressed by the group pressure of public opinion would positively influence the judicial practice of granting alternative sanctions, which is currently minimal and insufficient in Slovakia. Although normative creation has created new progressive possibilities for punishment, judicial practice in the use of sanctions is rigid and stereotypical. Although there are various factors that contribute to this, there is concern that the low support of public opinion, which is currently more punitive, significantly influences the underutilization of alternative sanctions in judicial practice.<sup>46</sup> Although the codification of alternative sanctions undoubtedly belongs among the important steps of modernizing the criminal justice policy also in Slovakia, their implementation into judicial practice has not been ideal in Slovak conditions so far.<sup>47</sup> Official statistics even show that despite the original intentions of the legislators, alternative measures remain largely unfulfilled. This conclusion can be supported by the publicly known fact that in 2020, Slovakia was among the countries with the highest number of prisoners per 100,000 inhabitants in the EU. While in 2011 there were 184 prisoners per 100,000 inhabitants, by 2020 there were already 195. As of December 31, 2020, there were 10,504 imprisoned convicts or persons restricted in their freedom in eighteen institutions under the competence of the Prison and Judicial Guard Service. However, compared to 2011, the number of crimes committed in Slovakia in 2020 decreased by a third. The number of imprisoned persons during this nine-year period, on the other hand, increased by eleven, as it emerged from the report on the fulfillment of tasks arising from the updated Concept of Imprisonment

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45 Modern criminal policy - draft amendment to the Criminal Code [online]. [Cit 12.03.2023]. Available from Internet: <https://www.justice.gov.sk/tlacovespravy/tlacova-sprava-3780/>

46 See STRÉMY, T., KLÁTIK, J. *Alternatívne tresty*. 2018, p. 39.

47 See ŽILINKA, M. *K alternatívnym spôsobom vybavenia trestných vecí podľa zákona č. 301/2005 Z. z. Trestný poriadok*, p. 199-203.

for the years 2011 to 2020.<sup>48</sup> According to Tomáš Strémy and Jaroslav Klátik, authors of the publication „Longer Alternative Sentences,“ the judiciary has long argued that alternative sentences are not being used because there is insufficient control over the process of resocialization in the Slovak judicial system. Slovakia has implemented the Electronic System for Monitoring Persons (ESMO) only to a minimal extent, and the number of alternative sentences has essentially remained unchanged for a long time. Based on the conclusions of the Supreme Audit Office’s (NKÚ) audit, it can be stated that this system was highly ineffective and inefficient after January 1, 2016, and its basic goals and expected benefits for society were not met. NKÚ found that in 2016, the number of persons monitored through ESMO was only 25, representing only 1.25 percent of the total 2,000 persons sentenced to alternative sentences annually. Of this number, only eight persons were given a sentence of house arrest.<sup>49</sup> According to the Ministry of Justice of the Slovak Republic as of March 8, 2017, 30 individuals were monitored through electronic monitoring, nine of whom were serving home imprisonment sentences. With such a small number of monitored individuals and utilization of ESMO, there was a risk of non-return on this investment, which was calculated over a six-year analysis. It turned out that there were certain fears or feelings of apprehension from prosecutors and judges in imposing home imprisonment sentences. However, the use of this sentence is humane towards the convicted person since it does not result in a disruption of social or work relationships.<sup>50</sup>

In fifty European countries, the so-called „old continent,“ there were more than 1.5 million people in prison in January 2020, which averaged 103 imprisoned per hundred thousand inhabitants, compared to 131 in 2013. The number of prisoners for the given period decreased by one fifth, as regularly reported by the RE. Although the total number of prisoners in Europe has been decreasing for seven years in a row in 2020, the situation in Slovakia was different in this indicator, as was neighboring Czech Republic. The development and implementation of alternative punishments in Slovakia are apparently significantly influenced by ongoing changes in the political and judicial system. This is despite the fact that more than three decades have passed since the politically, socially, economically, culturally, and legislatively transformative year of 1989. In this context, we have conceived this article, which features its own theoretical foundation as a suitably appropriate starting point for developing innovative ideas related to the issue of

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48 TA SR, 2021. Slovakia has the highest number of prisoners in the EU. Available on the Internet: <https://spravy.pravda.sk/domace/clanok/584845-slovensko-ma-druhy-najvacsipocet-vaznenych-osob-v-eu/>

49 Elektric version ( <https://www.nku.gov.sk/documents/10157/265201/96037 - 145052- 57 -pdf>)

50 See STRÉMY,T., KLÁTIK, J. Alternatívne tresty. 2018, p. 43.

alternative punishments.<sup>51</sup>

## Conclusion

The issue of alternative sanctions has been one of the attractive and lively topics for several decades, expressing the explicit direction of humanizing punishment and penalizing beyond the horizon of distant future development of criminal law and penal policy of modern state.<sup>52</sup> In recent times, a significant amount of information has emerged dedicated to the analysis of the relevant issue from various erudite legal theory and practice authorities. Many of them formulated fundamental cognitive conclusions aimed at preparing the general public and law students for new challenges associated with the humanization and streamlining of punishments and their enforcement. This process is associated with well-known names in the professional community, such as Prof. Jozef Čentés, Prof. Gustáv Dianiška, Prof. Lucia Kurilovská, Prof. Tomáš Strémy, Prof. Jaroslav Klátik, Doc. Miroslava Vráblová, as well as the names of experts from practice such as Prof. Ján Mazák, Doc. Ján Drgonec, and others. Their published views, opinions, and analytical perspectives were valuable guidance and inspiration for the authors of the article, who sought a comprehensive perspective on this continually evolving issue.

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51 EUROSTAT, 2020. *Prison statistics*. Available on the Internet: [https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Prison\\_statistics](https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Prison_statistics)

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# ON THE MISSION OF THE CHURCH AND THE RISK OF TERRORISM IN EUROPE

*JOZEF KRÁLIK, KRISTÍNA KRÁLIKOVÁ*

## **Abstract:**

Terrorism is basically characterized as particular anti-social behaviour of people, individuals as well as groups or states, publicly also called terror. Terrorism is neither social, nor political or criminological phenomenon of the 21<sup>st</sup> century. Terror as a result of terrorism in a certain historical period surely is a logical product of particular social development. Therefore, the fight of the state and the majority of society against its acts has become natural. Fight against the terror. Considering the historical significance of the activities of various Christian churches in the area of current European Union, nowadays it might show as purposeful to increase the intensity of the engagement of not only Christian churches in the processes aiming to eliminate potential terrorist attacks. The paper tackles some of the possible ways of the pursuit of this initiative.

**Key words:** terrorism, terrorism, terror, church, Christianity, Judaism, Islam, state, European Union

## **Introduction**

Violence is a social phenomenon that has accompanied human society since its creation. If one wanted to be overtly sarcastic, one might even say that violence became kind of “replacement” motor pushing humanity forward. It became a force for a man to rule over others, for man to rule over society, but also for society to rule over a man, while this force functions and continues to do so. Violence has various roots, various, creative forms, and various goals. Therefore, it has been applied with varying intent both in the relationship of the individual to

the individual, the individual to the collective, the individual to the community, and the individual to the state power. The reverse is also true. Because violence can also be recorded in relation to the individual both from the position of the state and from the position of a particular community. Violence in human society is undeniably a tangible manifestation of its social imbalance and moral immaturity.<sup>1</sup> This is regardless of whether it is perpetrated by an individual, a group of persons or even the state itself against other subjects. At present, the phenomenon of violence is mainly expressed in the form of *extremism*, which, in certain circumstances, develops into *terrorism*.<sup>2</sup> Indeed, in the contemporary world, war violence is ‘fashionably’ fitted into a peaceful role in the guise of a ‘form of struggle for peace’. However, from a certain evaluative point of view, war is also regarded as a form of state terrorism perpetrated against another subject of international law. In the case of civil war, therefore, national law. Terrorism, however, does not take note of any legal orders, nor of any moral norms. It has political objectives and is essentially directed against the institutions of the state. It seeks to eliminate or even paralyze them by provoking a revolutionary anti-state reaction in the population. The popular masses are revolutionarily aroused by the fear induced by the terror and their direct targeting of the ruling power. In such a situation, the still influential extra-state spiritual, yet organized, force that the European Christian churches accumulate at their core can effectively influence the ‘reconciliation process’ and the obliteration of antagonisms.

### **Church as barrier against violence**

Every rationally thinking human being, every real public serving community, even the “healthy” part of human society tries to protect themselves against violence. The common man, burdened daily with the burden of mental or physical labour, has no interest in procreating, seeking or developing interpersonal relationships on the basis of violence. His mission and value-goal is primarily to secure the optimal means of life for himself and his loved ones. Such a person naturally wants to live and work in a peaceful, creative atmosphere. Violence, especially in the form of military violence, is usually the product of greed and lust for power, a morbid lust to control foreign territories and their human and material resources. Today, the struggle for peace is literally becoming a necessity of life. A credo for a rational humanity seeking to avert, through peaceful

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- 1 Compare with the ideas published in RAŠLA, A. 1991. *Inkvizícia nezomiera*. See BERGER, J. M. 2018. *Extremism*. p. 214. Also see more BÍLKOVÁ, V. 2009. *Terorismus*. In: *Encyklopedie mezinárodních vztahů*. p. 305-309.
  - 2 See e.g. BELLA, P. 2016. *Trestnoprávna kvalifikácia extrémizmu*. pp. 71 – 94.

activities, a possible catastrophe that is actually threatening the entire planet Earth. Humanity is, by its own doing, on the brink of its own extinction. It is allowing itself to be led by forces that hold different values than the majority of the human population. The peaceful forces that the Christian churches harbour at their core can help to avert humanity's impending doom. Perhaps only they can mobilise the masses of European nations against terrorism and war. Against their public propaganda. But this requires strengthening the positions of these churches in the secularised, so-called post-modern, decadent European civilisation. However, it is not a simple matter to search for and find answers to the possible developmental tendencies in the perception of the meaning and position of churches in society, the transformation of religion, the vision of its changes and the expansion of other faiths in the European Union through the eyes of its inhabitants. The Church, initially described as Christian, later diversified in Europe into a Roman Catholic (universal) branch, an Orthodox (Eastern Orthodox) branch, a Greek Catholic (Uniate) branch, Protestant branches, but also a Jewish (Judaic) tribal branch, and marginally later an Islamic branch, has played an irreplaceable role in the history of Europe since the beginning of our era. The Christian churches were instrumental in shaping European civilisation and its values. The Roman Catholic Church, in particular, became part of the everyday life of man for a long historical period. It can be said to have, in effect, 'pulled' Western European culture forward along the spiral of historical development, from slavery to capitalism. It did not disappear even in socialism of the so-called Eastern European type. Despite the high degree of atheisation of Western European society, despite the extreme liberalisation of interpersonal relations and the promotion of the principles of (pseudo)humanity to the brink of rational acceptance of the distortions of the so-called Euro-bureaucrats, almost every church, especially the Roman Catholic Church and the Protestant churches, have so far retained a solid position and a certain influence in the social structures of the Member States of the European Union. However, the observed development tendency points to a latent transformation of the ideological, moral, ethical and legal foundations of European society, which may develop into a revolutionary transformation of European civilisation, accompanied by phenomena incompatible with the principles on which the cohesion of Europe is conceived. The erosion of rational thinking and pragmatic action by the citizens of the European Union is determined by the decadent policies created, shaped and enforced by the bureaucratic apparatus of the European Union in the territories of all its Member States. The response to the brutal imposition of a decadent way of life on the population of the European Union, particularly on immigrants of Islamic origin, may be an explosion of

terrorism.<sup>3</sup> It is clear that contemporary European civilisation of the so-called Western or Euro-American type is undergoing profound transformations, including permanent crisis phenomena. These manifestations of decline are determined by the internal moral destabilisation of the so-called consumer society, both manifested and accompanied by a general process of decadence. The policy of camouflaging reality, the enforcement of the principle of limited public information for the public, hiding, for example, the genocide of Christians in Africa (Nigeria, Mali, Egypt) and in the Middle East (Syria, Iraq), allows the latent growth of so-called extremist movements, which have already been considered historically overtaken.<sup>4</sup> However, their 'outlaw status' is precisely conducive to strengthening their viability and further growth. The erosion of social relations in the states of Western Europe is a signal that the cohesion of a community is subjected to external pressures, including in particular to the wave of immigration apparently resulting in the eventual colonisation of Europe by sub-Saharan and Middle Eastern Muslim populations, which cannot be merely taken into consideration. In order to maintain, at least temporarily, an acceptable state of social and confessional peace, the pacification of the aggressive elements of the migrants can only be kept within reasonable limits by the participation of the various churches in the education and training of the newly settled population in Europe. This is particularly true of immigrants and their descendants of the Islamic faith. Thus, an ethnically heterogeneous, but religiously homogeneous society, whose members, for the most part, have no global or even partial interest in cultural, social and legal convergence with the native population. The role of the churches and the priests, rabbis and imams working within their structures, cooperating effectively and selflessly with the public authorities of the various host Member States of the European Union, will, depending on the degree of success and the degree of mutual cooperation achieved, be decisive for the future tendency of the European Union. Either towards internal convergence or internal divergence.<sup>5</sup> In this context, there is also a societal demand for increased quality parameters in the personality of religious or ecclesiastical leaders on the one hand, and on the other hand, for the installation of only those political, state and security representatives of the European Union and its Member States in leadership positions and functions who will be personally responsible for the implementation of the original programme that led to the foundation of the European Union. We are therefore of the opinion that the churches in the European Union should, on the basis of the results of a society-wide dialogue, gradually take over from the state the governance and responsibility

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3 CARR, C. 2002. *Dějiny terorismu. Kořeny války proti civilistům. Od starověku po současnost.*

4 MENDEL, M. 1992. *Židé a Arabové. Dialog ideí a zbraní.*

5 MELVIN, N. J. 2006. *Islam, conflict and terrorism.*

for certain aspects of the development of society. In particular, they should focus on the protection of the biological status of man, the protection of the human individual (the personality of the human being), the protection of the family (man, woman, children), the protection of each individual European nation (promotion of birth rates), the protection of socio-cultural relations (promotion of good coexistence between individuals and communities), and, in particular, the protection of the cultural heritage of European nations. Particular attention should be paid by Christian Church leaders to cooperation with the Orthodox Eastern European Churches, in particular with representatives of the Russian Orthodox Church. In this way, too, the fractured relations between the nations of the European Union and the eastern part of the European continent could be mended. For the sake of lasting peace between the nations. A shift or transfer of competences from the state to the bodies of the Christian churches could be implemented in all the Member States of the European Union in a spirit of unity, for example by taking over the responsibility and control of these churches over education, social welfare and the family, health and culture, international relations and internal food security, by installing statutory bodies and persons designed by them in agency bodies which would replace the relevant line ministries.

### **Risk of terrorism in the European Union**

Nowadays, terrorism is undoubtedly an international phenomenon.<sup>6</sup> Phenomenon with a high-risk character. This has its own reasons. Since, until recently, the process of globalisation has become more dynamic, there has naturally also been a globalisation of international crime, in which global terrorism is included.<sup>7</sup> However, it can be said that terrorism is an extreme means and the final consequence of not addressing antagonistic social relations of racial, ethnic, social, national, ideological, cultural and religious nature. Terrorism in general, however, is both the product of extreme right-wing thinking and extreme left-wing 'straying'. The racial roots of the organized far-right terrorism flourishing in the United States of America have been "made famous" in the world by the Ku Klux Klan in particular.<sup>8</sup> Far-right fascists, Nazis and Falangists led bloody terrorist actions against left-wing populations in Italy, Germany and Spain in the second third of the 20<sup>th</sup> century. However, the protest anti-imperialist left-wing potential of terrorism was especially strengthened by the US-Vietnam War,

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6 DAVID, V., MALACKA, M. 2005. *Fenomén mezinárodního terorismu*.

7 HENDERSON, H. 2001. *Global Terrorism: The Complete Reference Guide*.

8 GLÜKSELIG, J. 1993. *Tajné společnosti*, p. 169 etc.

which was waged by the superpower world-power-oriented, aggressive United States of America against Vietnam, an country of the so-called Third World, which was underestimated by the “West”. In a climate of international opposition and dissent to the US military presence in this East Asian country, a number of terrorist groups emerged in the developed Western world in the 1960s and 1970s.<sup>9</sup> Each presented different forms and methods of perpetrating violence in public. It is then all the more difficult to say unequivocally what terrorism actually is. The fact remains that it was only at the United Nations that an adequate characterisation of it was formulated. However, this definition is not binding for the Member States. We feel it necessary to state that the many definitions presented often obscure the real motives behind terrorism. It is common for variations of terror in which ‘extenuating circumstances’ can be found, such as underground, national liberation or guerrilla movements or commandoes, to be labelled as terrorist organisations. Often these may be movements that are only pretending to be such, and just as often their designation as terrorist organisations may be deliberately tendentious and misleading. Such an attitude then allows terrorist groups and organisations to easily appropriate more positive and legitimate motivations. It is natural that political science terms that do not directly contradict liberal democracy, such as ‘revolutionary violence’ or ‘national liberation’, are much more acceptable than the term ‘terrorism’. In the immediate aftermath of the ‘live-streamed’ terrorist attack on the United States of America on 11<sup>th</sup> of September 2001, this form of a certain justification for terrorist acts could also be read into those reactions which, while condemning the attacks on the United States of America, also added that exclusive ‘but’. That is to say, they were of the opinion that the foreign policy of the United States of America, as implemented, had brought these acts upon itself. These reservations were often voiced, particularly in political circles and in states or countries where traditional anti-Americanism reigned, and not unjustifiably so. In the European Union, however, it has been virtually impossible to encounter such a manifestation. However, the evaluation of such violent activity in society today depends on the point of view and the purpose and interest of the evaluator, the bearer of a certain

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9 It is common knowledge that in the world history of war crimes and global terrorism the unit of the United States Army, an infantry platoon composed of 18 - 19 year old soldiers, commanded in occupied Vietnam by Lt. William Calley has made itself infamously known. On the 16<sup>th</sup> of March 1968, it massacred the peaceful population of the Vietnamese village of My Lai. Among the 504 dead, slaughtered in the rice paddies and houses, were only women, children and old men. The victims of the war crime of mass murder of civilians were beaten, tortured, mutilated, stabbed, and the women were raped. The war criminals were acquitted by an American court, only the commanding officer, Lt. W. Calley served 4 1/2 months in Fort Laevenworth prison for brutal mass murder. This act also initiated the rise of anti-American so-called anti-imperialist leftist terrorism in the world.

ideology and its target political programme.<sup>10</sup> So naturally there is on the one hand a condemnation of terrorism, but on the other hand also an endorsement of it as one of the necessary forms of militant activity directed against the structures of dominant power in the state. However, society has long been seeking means and instruments aimed at eliminating this anti-social phenomenon, in particular through the creation of the institution of crisis management.<sup>11</sup> For terrorism poses the greatest risk, even a direct danger, to the socially loyal and politically “disinterested” masses of the peaceful ordinary working population. People of everyday mundanity, who are very far from perceiving the threat of ‘some’ terrorism. The 2001 terrorist attack of foreign provenance on the often propagandistically exploited major facilities located in the United States of America, including the so-called Pentagon, set off a previously unprecedented process of worldwide open warfare against world terrorism.<sup>12</sup> Terrorist attacks have also plagued the European Union. However, following the calming of the social situation in the European Union and public opinion, which has been inflamed by the massive and targeted terrorist attacks on selected targets in Madrid, Paris, Berlin, Copenhagen and Vienna, it is possible to anticipate a resurgence in the activities of terrorist cells and the terrorist actions planned by them. This is particularly so in the context of the armed conflict taking place in Ukraine. The immigration of masses of refugees or ‘defectors’, often from war-torn areas of Ukraine, to the Member States of the European Union, initiated by their boundless, often unjustified, all-round political, material and financial support, supports the assumption of a potential increase in the risk of terrorist attacks on the territory of the European Union. The uncontrolled importation of small arms into the European Union states, which were freely distributed among the population in Ukraine by the government authorities there, is likely to be reflected not only in an increase in crime, but also in the revitalisation of terrorist activity. The consequences of such an irrational immigration policy will have to be dealt with, especially by the political authorities of the European Union and their representatives, who are responsible for the situation. In view of the displacement of Christian religious communities from the public life of the population of the European Union at the end of the 20<sup>th</sup> century, in view of the existing low national consciousness of the young generation of Europeans, in view of the moral devastation of their collective spiritual make-up, it will be inevitable, in order to minimise the risks associated with violence in society, including terrorism, to call on these Christian religious communities once again

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10 See e.g. EICHLER, J. 2007. *Terorismus a války na počátku 21. století*. 330 p. Also MARUŠINCOVÁ, L. 2009. *Terorismus - problém minulosti i současnosti*. Bakalářská práce.

11 ALEXY, J., MEČÁR, M. 2006. *Strategický a krizový manažment*. p. 153 etc. Also compare with the information in KÚTIK, J., KRÁLIK, J. 2015. *Verejná správa a krizový manažment*.

12 CLARKE, A. R. *Against All Enemies: Inside America's War od Terror*.



to assume co-responsibility for the state of European society. Their participation in the management of national and EU affairs could become a guarantee of a gradual turn in European Union policy towards intelligent and pragmatic solutions to the accumulated political, economic, social, cultural, military and, above all, moral problems.

## Conclusion

Terrorism is undeniably a socially undesirable method, an irreversible method and an extreme form of venting social tensions. It is a solution to unresolved conflict. It is a consequence of the breakdown of social relations, not its cause. It will turn into cause when the state takes the baton and continues with its agenda. State terrorism is the most dangerous form of terrorism because its only real rival can be the United Nations, a revolution or a civil war. However, diplomatic support for the global fight against terrorism can also be effectively applied by revitalised European Christian churches. Indeed, the fear of indiscriminate violence, spawned in an atmosphere of confrontational international and national relations and materialised in terrorist actions carried out for various reasons by individuals and collectives in an environment characterised by its peacefulness, is a serious threat to the overall development of human society and its spiritual and material advancement. Terrorism has therefore become an existential obstacle to the forces striving for a peaceful life for the majority of the population of planet Earth. The fight against terrorism on a global scale, but above all the search for and elimination of its causes, is a topical part of the broad spectrum of today's modern peace policy, diplomacy and military. If the European Christian churches can be involved in this process, which is of general benefit to humanity, they could, in cooperation with the representatives of European Judaism and Islam, make an effective contribution to the rapid elimination of the threat of terrorism throughout the European Union. For the sake of its peaceful, tranquil life, free from the accumulation of deformations, the pathological political products of the first two decades of the 21<sup>st</sup> century in particular.

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# ABOUT THE NATURE OF BUSINESS - $\beta$ -BUSINESS THEORY

ZYGMUNT MIETLEWSKI

## **Abstract:**

In the article, we present the algorithm that we discovered, consisting of mathematical structures - codes, which allows you to save sales costs and its critical points shorter than it is today. We emphasize the implementation value of the discovered algorithm by recommending mathematical tables based on it, which improve planning and analysis of the structure of sales costs and the determination of critical points of sale.

It is not our goal to enter into a discussion in the strict sense of the scientific value of the study with anyone, which may suggest explaining some issues related to the problem that concerns us using ontology. If we convince them to be practical, our goal will be achieved and the work will be fully appreciated. Ontologies do not necessarily have to be real entities. „They fulfill their function also when, and perhaps above all, when they ‚stimulate‘ the imagination of the researcher and thus contribute to the understanding of the studied phenomenon, and often to the creation of a new model or theory. When deepening the research, the researcher (...) uses a new model (theory) rather than the ontology that brought this model (theory) to life “. This is also the case in our case.

**Keywords:**  $\beta$ -business theory, lapidar, mathematical structure, hedg - economic history of economic activity.

## **Introduction**

The universe is mathematical in nature. It is filled with points (stained) where the DNA has mathematical structures capable of generating information about phenomena - reality. This ability is revealed by mathematical structures when they

interact with a lapidar, a sensual number, i.e. one that has been given a meaning - meaning (status). Mathematical structures, once given status, will then actualize what the senses perceive, remember, and verbally express with thought.

Lapidars (numbers of objects with special properties) and mathematical structures are the cause of past, present, and future phenomena, including us, our mind and thoughts. Discovering phenomena in the Universe by our senses is a process that consists in imposing on the mathematical structure of the phenomenon of a mathematical structure existing in the imagination of our mind. Both structures „recognize each other” when identical. Then they realize their being - a phenomenon. Likewise, we recognize ourselves in the mirror. This is the case with a small child who, by placing blocks of various shapes in the opening of the toy, adjusts their shape to the opening. From this mathematical vision of the Cosmos, the principle of eternal movement emerges - the principle of guju, which is presented to the senses in the form of a mathematical structure, has a mathematical nature, which can be verbally reduced to mathematical structures. Space, time, matter, energy, all separately and together, is information that is mathematical in nature, „made” of mathematical structures like time, matter and space. Also, what we have not discovered is also of a mathematical nature, otherwise it cannot be discovered.

Business is also of a mathematical nature! It is revealed to us by an algorithm consisting of mathematical structures - codes in which the operating costs of economic activity and its critical points are recorded for a shorter period than in the traditional paradigm of budget planning.

For the scientific community, the paradigm is „... a very general and difficult to define concept, which scientists do not question and pass it down from generation to generation without significant changes [2] „ It is „... a specific way of solving a problem that, when used in the form of models or examples, can become a rule [3].”

Bearing in mind the problem that concerns us and which we want to solve, under the term paradigm, I understand „... a set of definitions, hypotheses, statements and laws concerning a specific domain of reality, which form an objectively related and logically ordered and coherent whole [8].”

And under the term „whole”, the subject of our study, the paradigm of traditional constitution of operating selling costs of economic activity and determining its critical points, which I call economic histories of economic activity, hedg for short. And when we talk about it (about hedg) in the future tense, we add the abbreviation „ex ante” to hedg and „ex post” when we talk about it in the past tense.

## **B theory - business**

In the  $\beta$ -business theory, business is of a mathematical nature, it reveals it in mathematical structures when it interacts with a lapidar - a sensual number, i.e. a number that has been given meaning (status). The theoretical knowledge derived from this interaction about the sales cost structure and its tipping points (economic history - hedg) is consistent with empirical knowledge, and vice versa. Empirical knowledge is confirmed by theoretical knowledge. The truthfulness of the thesis can be verified by looking at the financial statements or an alternative method. All hedgs are constituted of the same mathematical structures, according to the same system of relations. This does not mean, however, that they imply the same empirical consequences.

## **The number in business**

Mathematics [9] is important for people to communicate. Enrique Gracjana explains why? "A lot of people don't like math. They usually explain their reluctance by saying that it is too abstract, as if the process of abstraction was something alien and unnatural for them. They are not right. If we didn't use abstract thinking, we would never learn to communicate. Sometimes someone says abstract thinking is impractical. This is also not true. The more practical a method is, the more abstractions you have to use to come up with and develop it. [10]' We owe the ancient Greeks that „... that numbers and their use became the subject of scientific inquiry." The first ones undertook "... attempts to classify numbers and study the relationships and dependencies between them, systematizing knowledge by means of proofs and theorems. The Greeks distinguished between logistike (hence the term „logistics"), involving notation of numbers and counting, and arithmetike or number theory [11]".

The number has been a tool for creating our vision of the world since ancient times. According to Pythagoras and his students, everything is organized by numbers - everything is a number [16]. His student, mathematician and philosopher, Filolaos of Cretan, was to say „Everything that can be known has a number, because nothing can be imagined without numbers [17]" For Euclid, number is „something" made up of units, for Aristotle, for Plato, „number is the essence of harmony, and this is the basis of the nature of the cosmos and of man [18]. The view of Aristotle and Plato was shared and propagated by Moderateus of Hades, he also believed that „... numbers are a symbolic expression of the principle that governs the universe. To these great Greek thinkers, numbers

represent conceptual entities.

In business, you can't do without numbers. Entrepreneurs need them, at least in order to plan a budget or compare the obtained sales results with the results of the competition. The resources listed in the plan must be assigned units and values expressed in money. In order to be able to compare the measurement results with each other, they must be organized. The first to introduce mathematical calculus into economics were Leon Walras and Antoine Augustyn, who developed „... a mathematical notation in the expression of general equilibrium, that is, in one of the processes that combines the analysis of supply and demand [15]”.

### **Lapidar**

In the  $\beta$ -business theory, numbers represent conceptual entities when they are given meaning (status). Until this is done, the number is like a hanging empty picture frame in a gallery. It is thanks to the status granted that it becomes „something” defined - it fills the canvas with a plot. It becomes a sensual number, called a lapidar in  $\beta$ -business theory, a number capable of associating itself with a mathematical structure to „make” history ex post. It is from the moment the number is granted status that stories can happen and be told, the plot of which is differentiated by the size of the lapidar. The mathematical structures of all stories are always the same, because the canvas is made of the same material. The entrepreneur and stakeholders, with their decisions, apply subsequent hedg ex post threads to this canvas. All plots have their own plot (stories), are interconnected, have their entire place, for which they happened - they were created.

In its DNA, lapidar hides stories whose plot is determined by the status, e.g. a physical, economic or biological entity. The number assigned the operational risk status is lapidar hedg. In his DNA there is information about the number of fixed cost units that should be involved (ex ante) or involved (ex post) in generating the operating profit unit.

The lapidar with the operational risk status in interaction with the mathematical structure initiates the happening of history, ie the constitution of the hedg - the structure of selling costs. Lapidar lends „themselves” to the mathematical structure - their status „, become one together. In order to be able to read what is „established” in this one by the lapidar and the mathematical structure, the  $\beta$ -business theory uses its own language. It was necessary to create this language so that what we perceive with our senses could be verbally expressed with

thoughts, dialogue with nature, so that our life could be easier.

The stimulus for the interaction of lapidar with the mathematical structure in the human dimension is stress triggered by a stressor in order to satisfy one of the human needs. In the cosmic dimension, the stimulus is the stress of Aristotle's „first mover” caused by the need to ensure that his work never reaches a state of equilibrium, because such a state always means death.

### **Mathematical structures in the theory of $\beta$ - business**

In the  $\beta$ -business theory, mathematical structures are mathematical formulas (formulas) that constitute phenomena appropriately marked with symbols - economic categories and relations between them determined by mathematical operations. Each mathematical structure is an autonomous algorithm. Depending on the real number introduced into the algorithm, the algorithm will generate a result determined by this number, which is another phenomenon perceived by our senses. The condition that the number gets the privilege of being a lapidary.

The mathematical structure, lapidar and algebraic operations enable the existence of a being - a phenomenon. This is possible due to the mind's ability to abstract, abstract and communicate with itself, with the metaphysical and physical world. Mathematical structures subordinated to an abstract system of rules fulfill two functions. The function of the depository of theoretical knowledge and the function of a normative model for empirical knowledge. Theoretical knowledge is an ideal normative model for empirical knowledge, this is a social fact referring to this normativity.

Empirical knowledge has its promoter, theoretical knowledge. In light of the above, *hedg ex ante* performs the function of the depository of theoretical knowledge and, at the same time, the normative model for *hedg ex post*, it is its beginning. History cannot be described or interpreted, as long as the mathematical structure will not interact with the lapidar, nor will it form with it a common intimate set of schemas of values proper to the nature of this set. In the case of *hedg ex post*, these are the histories (nature) of costs (fixed, variable and others) constituting the whole - the structure of costs of sales revenues. Algebraic operations are the source of communication exchange within the mathematical structure, beyond it and the lapidar. They colonize mathematical structures that meet the requirements of universalization just like individual ones, without depriving them of the normative meaning previously assigned to a single structure.

Mathematical structures are single mathematical rules. They have their first cause, Aristotle's „first mover.” Our mind is the prime cause of any abstract being - an idea. His potential manifestation of being. The mind triggers thinking resulting in an abstract status. Were it not for the existence of the mathematical structures of the „first mover” and the thinking ability of our mind, discovering and creating unreal (abstract) and real (empirical) beings would not take place. How this does integrated mechanism work? Is it similar to that of a small child who watches the world around him? Instinct triggers the urging to meet basic needs. By observing repeated events, the child notices and remembers the relationship between the instinctively triggered expectation and satisfaction. Without realizing it, it triggers a learning process which is then improved.

As soon as the child realizes the connection between the instinctive cause and the result resulting from this cause, he gives them symbols that make it possible to distinguish individual phenomena. Their mixing is fun, it breeds creativity. Over time, the child discovers that playing with phenomena that he initially gave his own articulations satisfies his curiosity about the repeatable result. This is how the rules of the game are born.

As a child interacts socially with other children and adults, his and others' articulations evolve towards consensus over time. From then on, this consensus becomes the language of social communication. This language is enriched with new linguistic symbols every moment. Moreover, he is intuitively aware of their functions. Each symbol becomes an actor to whom the child assigned a specific role.

Mixing the roles by a child creates not only the dramaturgy of the entire play, but also understanding, i.e. the message it carries. Over time, the child's intuition is exchanged for consciously undertaken actions. From instinctive articulation of an unconscious need to a conscious need. From that moment on, the child enters the world of metaphysics. His mind itself „produces” abstractions and makes them beings. In this way, events appear that surprises us. The child thus manifests to the environment that he is an innovator, interpreter, imitator, integrator, which makes him an equal adult. In adults, abstractions produced by the mind are often the product of the moment - the source of the stimulus (impulse) is not realized. We are pleased to understand and solve the problem that was most likely the stimulus.

And just like in the case of a child, the incubation of abstraction must go through a process of innovation, interpretation, imitation and integration in order to become a being (to be). All this is due to social and normative communication. The first one signals such a need. The second concerns activities related to



granting abstraction a status, being a being. Does a metaphysical and ontological phenomenon or groups of both phenomena communicate with each other in a similar way as described? What is the role of our mind in this „communication“? To answer these questions, we will resort to epistemological relativism.

The solution to the puzzle from the perspective of epistemological relativism involving the thinking of our mind is this. The secret is in the DNA of „that one“ ie the mathematical structure and the lapidar, „ONI“ make this one. Without this unification of both phenomena into one, they would remain in a lifeless state. They would be just a strange abstraction with communication potential, waiting endlessly for the first mover.

The communication potential is manifested by arithmetic operations, and iteration belongs to them. Lapidar, a number object with a specific status, introduced into mathematical structures (algorithms), after performing appropriate algebraic operations, reveals an encoded history - a number or a set of numbers. They can go back or be turned back to the algorithm. The process may repeat itself until the iteration is exhausted, or the result of the last one becomes the „first cause“ to iterate through the next mathematical structure. The final result of the iteration will confirm or not that our way of acting and thinking is consistent with what we see and feel - it will verify our hypothesis. Self-regulating iterations evolve towards the claim of the truth about history, the identity of which is shaped in relation to its abstraction, i.e. a metaphysical image. This is how we know and understand the being of being in both metaphysical and ontological dimensions.

Often, as a result of algebraic operations, a result that is diametrically different from the previous one appears. A result that would not produce the original result if the iteration was reversed. The truth of what the senses recorded at the entrance to the mathematical structure with what they recorded at the exit, the result of the last iteration, is not confirmed. Why? We suspect that from the last iteration a mathematical structure degenerates or becomes an impulse for the action of another. The process of building / expanding (colonizing) autonomous sets of structures that eventually integrate into one is launched. In the future, they will manifest their identity through being. They will make sense of the first iteration and their identity. It is the result of stabilization of iteration or deprivation of its dynamics - the vitality of algebraic operations. This new being can almost instantly revive other mathematical structures and, through them, legitimize new beings.

Imagine we built a circle / sphere field algorithm. The task is to increase the area of the circle / (volume of the sphere) by iteration by entering numbers from 1

to 10. After ten, the iteration works in the opposite direction. After reaching the number 1, iteration reverses again and so on tenfold. The image of the iteration is the alternately increasing and decreasing circle area / (sphere volume) - the field / sphere pulsates regularly. Now imagine an algorithm for computing the area of a circle / (volume of a sphere). The task is to increase the area of the circle / volume of the sphere by iterating ten times the radius from 1mm to 10 mm, increasing it each time by the root of the number two. Iterating is done in a loop. After the number ten plus the root of the number two, like all the previous ones, the iteration works the other way round, back to the beginning. After starting a new iteration, subsequent inversions, the iteration image is the circular surface / (sphere volume) pulsating irregularly. This is because the iteration results are different each time. The system pulses irregularly and vibrates.

### **Economic history of economic activity - hedg**

The economic history of a business (hedg) covers the operating selling costs of a business and its critical points. It is an economic category that expresses the future / past effects of the activities of the entrepreneur and his Stakeholders, the relations between them reflecting their decisions. Hedg ex post, in order for it to materialize, become a being, entrepreneurs must appear on the market scene and their Stakeholders, among them the number one - the customer!

Hedg ex ante (theoretical being) is a scientific truth - an axiom, hedg ex post (empirical being), a developed result of the intuition and experience of the entrepreneur and his stakeholders. Understanding the „message” of hedg ex ante is possible thanks to a mind capable of not only perceiving reality, but also creating it, of „producing” abstract beings and their transformation into real beings. Hedg ex ante is the beginning of a network of relations coordinating the intuitive and legal actions generated by the entrepreneur and stakeholders - a reference point for hedg ex post (lived history). Relationships that are normative and social. Normative - hedg ex ante determines the identity of hedg ex post. Social - hedg ex post meets the expectations of market participants. The distance between hedg ex ante and hedg ex post will significantly decrease and come closer to the ideal when actors, entrepreneurs and stakeholders keep their agreements - they will not compromise business ethics.

Hedg ex post (end of told story) is not possible without hedg ex ante (beginning of story), both form a whole. They bind a value that is not a simple sum of the effects between the initial state (hedg ex ante) and the final state (hedg ex post), and the resultant of the relationship between them. Hedg ex ante is a prerequisite

for hedg ex post, and when it does, it remains there.

Hedg ex ante becomes it when the lapidar is granted the status of operating costs of selling economic activities. From that moment on, hedg ex ante appears to us as a metaphysical entity. Something absent, let alone become present at the moment of becoming, to be finally present, i.e. hedg ex post. This becoming is a process that is triggered by the trader's decision making process about becoming an ex post hedg.

Common to both stories, ex ante and ex post, is the harmony that connects them. Thanks to this bond, when lapidar is given the appropriate status, hedg ex ante reveals itself to what is hidden in it, and hedg ex post can start to happen. Acting until it becomes history, and that the beginning of another story or it becomes non-existence.

Hedg ex post is a response to customer needs - a product, service, commodity, the result of relations created by the entrepreneur and his stakeholders. At the beginning of the chain of this story is hedg ex ante, the „zero” point. This is where hedg ex post started its story. More specifically, the entrepreneur began to manifest his power.

Stories, as is the case with hedg, have always found themselves inside a number (metaphysically). When a number „becomes” a lapidar, it is the key to deducing from mathematical structures everything that will happen or has happened. It reveals history, it manifests its being. In the case of business history, it is a kind of matrix of all possible hedges. „Casts” differ in blemishes, the characteristics of each individual, which is a single hedg. Only in the abstract world are there hedg that is identical, in the real world it is unlikely.

Hedg carries the mind from the world of metaphysics to the world of real beings (empirical beings). He, and only he, gives hedg existence. It combines single hedg and different hedg collections into a network. In this network, each hedg, even before disclosing its being (existence) in the real world, influences Stakeholders' decisions concerning the existence or existence of other hedges. The time, at which the hedg ex post will happen, ie the story fill is over, is the pivotal reference for her hedg ex ante which has „triggered” the clock that measures this time. This enables us to track the „becoming” of hedg ex post. We can reproduce this „becoming” endlessly, and retrace it again when the need arises.

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### Summary

Information is a special type of organizational resource. It influences its image and contributes to its culture. It contributes to its success or failure. It is a material for decisions made by management that implements its mission and vision. In enterprises, an important source of information is the structure of selling costs (budget). When planning selling costs, a company uses a large amount of data (this is also information), the reliability of which is often difficult to verify. Likewise the sources they come from. The less data an entrepreneur and his managers need to create a sales cost structure and determine its critical points, the greater the probability that this planning will be an entrepreneur-friendly process. Hence the question, is it possible to plan the operating cost structure of an economic activity and determine its critical points with the use of less economic data than is currently the case? We looked for the answer in mathematics; we found a numerical object, an ontological singularity those stores ex ante and ex post hedg history when the number (numerical object) is given meaning (status). We called this number a lapidar. This particular property of lapidar, the accumulation and storage of knowledge (history), is particularly interesting. It is because of this property that we have given business (economic activity) the status of a mathematical entity in the ontological sense in order to mathematize this idea, and then perform mathematical instruments for the design, analysis and evaluation of the structure of selling costs and determining its critical points.

In the  $\beta$ -business theory, reality (phenomena) is formed by single mathematical structures and relations between them based on a joint bond. The bond connects and holds in one place the common ontological plane for mathematical structures and lapidary. Together, they constitute reality in its most intimate and profound structure. This bond can be reconstructed. It manifests itself with the plot of the story, the sum of the causes and effects of decisions made by market participants gathered in one place, for a specific moment. Stories differ from one another, instead of isolating themselves from the rest; they put themselves in a potentially infinite web of relationships. It is not the „different story” that each story is, and

the difference between each story and all the others is their difference, not being „different” history.

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# ETHICAL DILEMMAS AND ANALYSIS OF ETHICAL STANDARDS OF A PROFESSIONAL SOLDIER IN THE SLOVAK ARMED FORCES

*MAREK GREJTÁK, SOŇA ŠROBÁROVÁ*

## **Abstract:**

Even in the 21st century, the world finds itself in a complicated, even confusing situation. The mutual relations of the countries of the international community are in a kind of anomic state. Value systems, political orientations, the social structure of the population are changing, new values are emerging and traditional ones are disappearing. Objective causes, sins of the past, unstoppable globalization, deviation from traditions, cultures, environmental difficulties, permanent crises. All this, to a greater or lesser extent, affects the internal dynamics of almost all states on the one hand, and on the person, individual, social individual on the other hand. This situation occurs in all areas of social, economic, social and economic life, not excluding such a specific area as the armed forces.

**Key words:** ethics, ethical dilemmas, professional soldier

The term ethics began to refer to a philosophical discipline that dealt with morality, human moral virtues or their opposites. On the other hand, the concept of morality began to be understood as a phenomenon that is investigated by this ethics. (Klimeková, 2005, p. 10, Jankovský, 2003, p. 21 – 23, Poláková, 2008, p. 12) The term military ethics has been used in the military since about the middle of this century, depending on how its importance has grown in the life of mankind military activity and the entire military for the life and further destinies of the entire contemporary civilization. Military experts have understood that preferring the military-professional side of this specific profession is simply not enough, that it is a multi-dimensional profession that, in addition to other aspects, also includes the human and ethical level. World War II, but even after it, the following local wars stimulated interest in the moral side of wars, in the

goals of individual wars, the ways of their conduct, but also in the actions of man in these wars. It is necessary to see a direct connection between the course of the war and the level of human preparedness. There was a need to deal with the moral context of the activities of the armies. The content of the ethical theory is the examination of all military activities from a moral point of view, when by military activity we understand the activity of the armed elements of society and the civilian population, aimed at preparing the defense of the country in times of peace and in times of war.

Military practice puts a military professional every day in many situations that can be considered problematic or conflicting. Morality arises when it was necessary to start regulating relationships between people. From this point of view, it is a historically extremely old phenomenon that develops, becomes more and more important, but often also more complicated, as society develops. It should be seen that the level of morality corresponds to the quality of social relations. That is, how complex these relationships are, the quality of moral relationships corresponds to them. And it is history that convinces us that the moral relations of some social systems in history and in the present supported lawlessness and crime more than they regulated relations for the benefit of members of society, for the benefit of its positive development, as is the case in the conditions of non-democratic regimes.

Many countries are increasingly turning to institutes of morality and ethics. It is from these mechanisms that they expect the correction of deformed relationships and a change in the thinking and behavior of individuals. Sometimes they even expect a miraculous transformation of the entire society, but they do not realize that the change in the moral behavior of individuals is linked to many other areas, such as education, upbringing, the quality of the legal system, the economic situation and the political climate, which significantly contribute to the formation of human characters. interpersonal relations forming a desirable level of social life. The condition is that the transformation processes must take place in all areas of social life, otherwise it is impossible to expect success.

The level of ethical theory also naturally corresponds to this, because ethics represents a theoretical reflection of morality. Ethics not only justifies, but also establishes certain moral principles by which society is governed. However, it is nowhere given whether this theory always follows the correct social development and the well-being of society members. It must be understood that if the basic views on morality are wrong, they are distorted in every part of the social system. But this is no longer just a theoretical question, but a practical one, because it also creates the image of that company on the outside. Thus, moral behavior is largely the result of the individual's free choice. Accordingly, it is possible



to characterize morality as a social phenomenon, as an area of human activity defined by the opposition of good and evil and the associated norms of human behavior in society (Hulan, B. - Wagnerová, S., 2007, p. 5). The French sociologist G. Friedmann understands morality in the usual sense as the mental state of an individual or a collective, either in relation to a certain goal (in most cases) to be achieved - for example in war - or even without any precisely defined relation (1; s 317).

It is the ethical theory that justifies the principles and norms of moral behavior. Historically, ethics arises later than morality, as the condition for its emergence is the existence of theoretical thinking. Ethical theory cannot be expected to be a complete guide to human behavior, but it can be expected to define certain boundaries within which a person can move without fear of being sanctioned by society for acting against its interests. Ethics is the science of moral activity, moral relationships and moral consciousness (Hulan, B. – Wagnerová, S., 2007, p.11).

Connecting the military organism with morality is not a new matter, but has long-term historical roots since the time of the first armed forces. With their development, the importance of morality continued to grow, gradually it even became one of the basic attributes of their successful operation. The phenomenon of values accompanies man since the dawn of civilizations and their cultures, but the term value itself appears as an axiological concept only at the end of the 19th century. It was taken from economic science, in which, in the form of the so-called of utility and variable value was connected with the principles of the market economy. For the emerging axiology, it was suitable as an expression that can be used to express the fact that things, events and our ways of acting have or do not have value for us. Ethics and morality are closely related to philosophy, because they are about man and his relationship to the world, society, other people and himself.

By the term military morality, we usually mean a set of standards declared by society, originating in social morality, but functionally referring specifically to military activity carried out in a military environment (Ethics and the Army, 1992, p. 61).

Professional moral awareness is reflected in the theory of military ethics, which specifies the knowledge of general ethical theory with regard to the functions that the army performs in the interests of social goals. Its subject is:

- the moral dimension of military activity,
- specific manifestations and functions of morality in the process of training military professionals and soldiers in basic service for the defense of the

homeland and the fulfillment of the peace-making task,

- ways of forming moral relationships and moral consciousness of members
- armed forces,
- the content of moral categories in the conditions of the armed forces and their importance for the moral training of members of the armed forces.

The current military-ethical theory consists of the following components:

- the history of the origin and development of military ethics according to individual stages and periods. Each of them is characterized by certain regularities resulting from the way of social life, transforming into the conditions of the military. In this part, it is possible to confirm the conditionality of the success of military activity not only on the military-technical level, but also on the dependence of the results on the level of morale;
- another part of the military-ethical theory examines the essence and structure of moral consciousness and its transformation into the conditions of the military;
- in military ethics, corresponding attention is paid to moral relations and moral practice in the army. It deals with a specific aspect of the mutual relations between military professionals and soldiers of the basic service, the peculiarities of the implementation of moral principles and standards in military conditions, in connection with other social contexts (Hulan, 2010).

If we follow efforts aimed at strengthening the role of morality in people's lives, we need to think about whether this process will also affect the military as a whole, individual armies, and above all, what will be the mechanism of these fundamental changes.

The current state of development of ethical theory shows that moral principles are among the most important standards by which people are guided in the performance of their profession, and it is in military practice that morality has stood and always stands at the forefront of the qualification requirements binding on its members. There are multiple paths to making moral principles a standard part of a military professional's qualifications, but there can only be one outcome, and that's why the whole process is extremely challenging. In advance, it is necessary to emphasize the need to build on the internal identification of members of the armed forces with the demands of the profession, on creativity and positive approaches to the fulfillment of military duties, and to reject the currently often overrated path of mechanical reminders and emphasis of duties, sometimes even mentoring, which turns out to be a path that is not very effective and incorrect.

Military professional ethics is therefore a part of current professional ethical teachings. These teachings are often understood under the term professional ethics in two meanings:

1. These are general theories about the specifics of the morality of that profession, they are actually teachings about morality in the conditions of specific professions. This is how specific professional ethics are created.
2. They are understood as sets of norms (codes) of morality, valid for a specific profession. It is a system of specific requirements of morality resulting from the peculiarities of individual professions, when traditions, experiences and specificities of individual professions are also taken into account (Hulan, 2010).

The foundations of morality appeared only with the need for a certain moral regulation, which came with the development of more complex social relations in society (division of labor according to gender), that is, in the period of gender society. Moral concepts were created based on the experience of useful and harmful. Imitation, customs, myths, songs and rituals were the basis of morality in this period, which was characterized by the principle of equality between family members (Poláková, 2008, p. 19). This period of moral development is referred to by Lillie (1966, p. 47) as the level of habit.

By the term military morality, we usually mean a set of standards declared by society, originating in social morality, but functionally they only apply to military activity carried out in a military environment. Because society is interested in its security, because it is interested in the highly qualified activities of its security and defense institutions, it is interested in their high professional level and their high level of morality. Therefore, it declares these requirements in the form of demanding standards, having a distinct legal character. The individual's free attitude towards these standards is thus considerably limited, no less feasible. We especially understand the morality of a soldier and a military professional as the morality of a citizen in equal measure, when the military professional is the dominant bearer of the values of military morality. (Hulan, 2002)

For a member of the Slovak Army, the basic moral obligation is the military oath, which emphasizes the basic postulates of military morality: civic and patriotic duty, loyalty to the homeland, bravery, discipline, conscientiousness and readiness for self-sacrifice.

These moral obligations are extensive and other moral standards can be derived from them. For military professional morality, the most important terms are military duty, military honor, strict and fair decision-making and action, self-control, the ability to make demanding self-evaluations and the resulting ability to self-regulate one's own behavior, being an example to those around you, and

the need for lifelong qualification growth. These are extremely important values that must be continuously worked with. (Hulan, 2010)

Wars gradually became one of the accompanying phenomena of human development and under the influence of politics. Wars in certain phases of human existence were and may still be considered an attribute of human life, and in some cases they are even presented as a condition for social progress. It is not surprising that even in ethical literature they are evaluated in a contradictory way. However, the reality is that in social, political and ideological aspects, the moral orientation of people in military and combat activities is inseparable from the processes taking place in society. Only the method of implementation of individual principles is specific in the conditions of combat activity. However, the specificity of military morale lies not only in the demand for these special qualities, but also in the special nature of their formation and expression.

Military-ethical views are connected with military science, especially with learning about strategy and tactics, and the investigation of the moral training of troops is based on pedagogical and psychological disciplines. Military science and military-ethical theory is significantly historically conditioned, and therefore historical sciences also participate in its improvement. Military ethics does not solve the issue of homeland defense only from the point of view of the military, but also from the positions of all people. (Hulan, 1998) The defense of the homeland, especially in modern history, cannot be considered only the task of the troops, but it has a distinct universal character. However, even in peacetime, a military professional must study the international law of war, and knowledge of the issue of war ethics must become part of his moral preparation for the performance of his profession. For the above reasons, war ethics should be considered an inseparable part of military professional ethics,

- moral assessment of wars and war conflicts in terms of their course and consequences;
- moral assessment of the means of conducting combat activity;
- moral principles of conducting an armed struggle;
- moral relations to the wounded and killed;
- moral relations to captured soldiers;
- moral principles of conducting combat activities by the armed forces (army, partisans, movements, etc.);
- moral attitudes towards defectors, traitors and spies;
- moral relationship to the civilian population, material and cultural values in the enemy's territory.

Naturally, moral qualities cannot be formed only on their own, but must cross-sectionally and systematically intertwine with the entire system of education and training of military professionals. It may not be a problem if the condition of high-quality staffing of the training system is met.

Professional moral consciousness is reflected in the theory of military ethics, which specifies knowledge of general ethical theory with regard to the functions performed by the military in the interests of social goals. Its subject is:

- the moral dimension of military activity in the sense of a specific professional activity,
- specific manifestations and functions of morality in the process of training military professionals to fulfill the tasks of homeland defense, which in the current conditions, it takes on global dimensions, specifically the dimension of the peace-making task,
- ways of forming moral relationships and moral awareness of members of the armed forces at the individual and social level as the basis of their effective activity, the creation of the content of moral categories in the conditions of the armed forces and their importance for the moral training of members of the armed forces,
- creation of an effective system of ethical training of members of the armed forces so that the moral dimension becomes part of their professional preparation (Ethics of the military professional. 1992, p. 58).

## **Conclusion**

The basic principles of military professional morality in our army are formulated on the basis of the norms of social morality. Even the most representative documents in this area must be created in the process of creative application of the principles of social (civic) morality in the conditions of a military environment. This process is characterized by certain principles that must be respected if we want to preserve the functionality of the army built on humanistic principles. When drafting the „Professional Soldier’s Code“, certain principles must naturally be respected:

- the global character of the military and its tasks and possibilities in the current era;
- the profession of a military professional as a soldier and peacemaker;
- direct connection of the profession of a military professional with national and

state interests;

- high demands on the physical and spiritual qualities of a military professional (Hulan, 2010).

A professional soldier should not be judged only by his top military and professional level. Since professional soldiers in the overwhelming majority also act as leaders of their subordinates and are affected to a greater or lesser extent by the official and personal problems of these people, they must, or should be, aware of the responsibility for their lives, for their survival in the event of a threat or war status. That is why soldiers - professionals are to a large extent responsible for peaceful development and non-escalation of tension in the world as such and in specific risk areas. So we can perceive the professional ethics of soldiers as a theoretical approach to military activity - both peaceful and wartime. This ethics should not be seen as something self-serving or useless, it should become an integral part of the training of professional members of the armed forces, without connotations of the previous strongly ideological period. The ideal state would be to achieve rejection of the routine performance of the function and at the same time accept the equal status of education in the ethical field, which is (should be) an organic part of it.

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# THE PRECIOUS ANNIVERSARIES OF THE TWO CATHOLIC COUNCILS – 1470<sup>TH</sup> ANNIVERSARY OF THE SECOND COUNCIL OF CONSTANTINOPLE (553) AND THE 900<sup>TH</sup> ANNIVERSARY OF THE FIRST LATERAN COUNCIL (1123)

FRANTIŠEK DLUGOŠ

## **Abstract:**

The Christian world and the Catholic Church are commemorating the anniversaries of two Councils of the Catholic Church. Although the two Councils were separated by 570 years, they were of great importance in developing religious life. The Councils took place in difficult historical epochs. The Church was wracked by its internal contradictions, and pressures from the worldly powers of the time were bearing down on it from the outside.

In addition to the problems of the Catholic Church's relations with the world, the study characterizes the significant figures of theology, spiritual life, and religious philosophy at the time. It pays particular attention to the contradictory popes who deepened rather than successfully resolved the crises of the time during their papal tenure. Despite all the vicissitudes of history, however, both councils strengthened the authority of the Church, even though, for example, the Lateran Council did not adopt any final dogmas.

**Keywords:** Bishop, Church, Emperor, Priest, Council, Church, Pope, Pastoral Care, Diet.

## **Introduction**

*„This sacred Council has several aims in view: it desires to impart an ever increasing vigor to the Christian life of the faithful; to adapt more suitably to the*

*needs of our own times those institutions which are subject to change; to foster whatever can promote union among all who believe in Christ; and to strengthen whatever can help to call the whole of mankind into the household of the Church.”*

**(Paul VI: *Sacrosanctum concilium*. Constitution on the Sacred Liturgy, Rome, 4 December 1963)**

From the earliest dawn of its history, the Catholic Church has focused intensely on developing education and upbringing in the Christian spirit and according to the revealed truth of the Gospel. In parallel with its progress, the Church has had to solve theological problems, confront heresies, and strengthen the confidence of the faithful in the teachings of the Magisterium. Catholic upbringing, education, and the social activities of the Church were to be rigorously analyzed by the delegates of the General Councils of Constantinople and Lateran.

With the current level of knowledge, information, and structuring of the Catholic Church, returns to the two councils of the 6th and 12th centuries, or they may seem of little relevance or even unnecessary. Some periods of history, however, repeat themselves in cycles. Thus, for example, the Second Council of Constantinople and the First Lateran Council dealt with problems sometimes found in the Church today in varying degrees and forms.

One should not make forced analogies or equate the time-space in which the Church lived during both Councils with the present. One cannot mechanically take the conclusions of the Council of Constantinople or the Lateran Council and apply them to contemporary Catholicism. However, it is necessary to recall the events that have played a history-making, social, and Christian significance in the *Historia Ecclesiae Christi*.

## **SECOND COUNCIL OF CONSTANTINOPLE (553)**

### **Pre-conciliar Conditions in the Church**

In the sixth century, the Church in the West succeeded in winning over rebellious barbarians to its faith by steady and patient efforts, as most strikingly evidenced by the baptism of Clovis, one of the leaders of the barbarian tribes, in 499.<sup>1</sup> Gregory, bishop of Tours, describing this event 80 years later, sees the

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1 ELSER, M. – EWALD, S. – MURRER, G.: *Encyklopedie náboženství*. Kostelní Vydří : Karmelitánské nakladatelství 1997, p. 113.

baptized barbarian as a “new Constantine”, and Avitus, bishop of Vienne wrote to the king: “*Vestra fides nostra victoria est - your faith is our victory*”.<sup>2</sup>

Monasticism, initiated by St Benedict<sup>3</sup> and his first monastery at Monte Cassino (529), played a major role in converting the barbarians to Christianity.

Nevertheless, the Church has not escaped the test of its unity and internal cohesion. Even after the Council of Chalcedon, Eastern thinking, traditionally oriented towards unity, did not get rid of the tendency to recognize the Monophysite doctrine, or at least some parts of it.<sup>4</sup> Monophysitism did not only reach into the sphere of Christological theology but also penetrated the political sphere and influenced even the personal Christian life of believers. The West adopted a *dualism in unity* based on the Christological declaration of the Council of Chalcedon. The East, however, was inclined to so-called *political Monophysitism*.<sup>5</sup>

The Nestorian heresy persisted despite the clear condemnation at the Council of Chalcedon, mainly due to the efforts of the Monophysite-oriented patriarchs who managed to occupy important positions in Antioch, Jerusalem, and Alexandria.<sup>6</sup> Because of power disputes, the emperors were unable to take a principally anti-Monophysite position. Emperor Zeno (474-491), urged by Acacius, Patriarch of Constantinople, issued the unifying document *Henoticon* in 482, which sought to unite Catholics with the Monophysites. However, the document tactfully bypassed the essential thesis of the doctrine of nature in Jesus Christ and was limited only to the Nicene-Constantinopolitan creed.<sup>7</sup> This theological inconsistency could

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2 FRÖHLICH, R.: *Dva tisíce let dějin církve*. Praha : Vyšehrad, 1999, p. 63.

3 ST BENEDICT – He was born in 480 in Norcia (Nursia) Italy. He had a twin sister, St. Scholastica. After his school age, his parents sent him to Rome for studies, which he did not complete because of the scandalous way of life of his classmates, and he withdrew himself to the solitude of the Sabine mountains. The year 529 was another important period in Benedict’s life. He left Subiaco, where two monasteries exist until today (the Monastero di S. Scholastica and the Monastery of St Benedict, with its magnificent frescoes and the only painting of Francis of Assisi). In the Monastero he wrote his *Regula Benedicti*, which became the foundation of all the Benedictine monasteries of the West. Ora et labora - Pray and work, the motto of the founder of the Benedictine Order and father of Western monasticism, became the credo of the Benedictine Order and contributed greatly to the culture of the Middle Ages. Benedict became the ‘builder of the Christian West’. Benedict died while praying at the altar of the monastery church at Monte Casino on Maundy Thursday, 21 March 547. The monks buried him next to his sister Scholastica. (Cf.: SCHAUBER, V. – SCHINDLER, H. M.: *Hellige und namens patrone*. Augsburg : Welbild Verlag GmbH 1993, pp. 346 – 349.)

4 ELSEY, M. – EWALD, S. – MURRER, G.: *Encyklopedie náboženství*. Kostelní Vydří : Karmelitánské nakladatelství 1997, p. 224.

5 BÉCHEAU, F.: *Histoire des Conciles*. Toulouse 1993, p. 65.

6 JEDIN, H.: *Kleine Konziliengeschichte 8. Auflage*. Freiburg im Breispau 1978, p. 23.

7 FRANZEN, A.: *Malé církevní dějiny*. Praha : Zvon, české katolické nakladatelství 1995, p. 69.

satisfy neither the Catholics nor the Monophysites. Moreover, it resulted in the thirty-five-year **Acacian schism** in Constantinople.<sup>8</sup>

Emperor Zeno's intervention in the sensitive and complex issue of religion brought more chaotic disruption instead of peace. Catholics could not accept the Henoticon because it repudiated the Council of Chalcedon. Pope Felix II<sup>9</sup> excommunicated Bishop Acacius, the author of the writings, which led to the first-ever schism between Rome and Byzantium. The Egyptian and Syrian Monophysites did not want to recognize the Henoticon because this unifying document condemned Eutyches.<sup>10</sup>

In an attempt to win the favor of the Monophysites and restore the empire's threatened unity, Emperor Justinian (527 - 565) condemned three theologians of the Antiochian school, Theodore of Mopsuestia, Theodoret of Cyrhus, and Ibas of Edessa. Justinian's decision was the beginning of the *Three- Chapters controversy*, the essence of which was the rejection or acceptance of the emperor's intervention against the Antiochian theologians.<sup>11</sup>

Justinian wanted to 'correct' the anti-Chalcedonian views of the Monophysites, Jews, pagans, and other religiously diverse communities in his empire. The emperor failed with political argumentation, so he tried to solve the problem theologically.<sup>12</sup> Justinian issued a dogmatic edict against Christological heresies and a polemic *against Origen* (543), in which, without understanding the essence of the teachings of this great third-century Church Father, he denounced heretics who referred to Origen but purposely distorted his ideas.<sup>13</sup>

In order to obtain ex post approval of the edict concerning the Antiochian

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8 ŠPIRKO, J.: *Cirkevné dejiny, zv. I. Turčiansky sv. Martin* : Neografia 1943, pp. 128 – 129.

9 FELIX II. – He was originally a Roman of an aristocratic family. He was elected pope on 13 March 483. His advisor, Gelasius, was one of the most capable men in the papal office and later pope. During his pontificate, Felix II sought help from Emperor Zeno for the Catholics in North Africa persecuted by the Arian Vandals. Compared to his predecessor Simplicius, he acted much more firmly and confidently. He supported Chalcedonian Christology, warning the emperor not to interfere in matters which belonged exclusively to the bishops: "The emperor is neither a son of the Church nor a bishop of the Church. In matters of faith, he must teach, not instruct." Felix III had a reputation for being an authoritarian, harsh man, and he was uncompromising during the first schism between East and West. He died on 1 March 492, and was buried in St. Paul's Basilica, and his feast day falls on 1 March. (Cf.: KELLY, J.N.D.: *Pápeži dvoch tisícročí*. Bratislava : Roal 1994, pp. 39 – 40.)

10 HERTLING, L.: *Dejiny katolíckej cirkvi*. Samizdat. p. 106.

11 JUDÁK, V.: *Učebné texty z cirkevných dejín*. Bratislava : Univerzita Komenského 1995, p. 42.

12 ŠPIRKO, J.: *Cirkevné dejiny, zv. I. Turčiansky sv. Martin* : Neografia 1943, pp. 130 – 131.

13 BÉCHEAU, F.: *Histoire des Conciles*. Toulouse 1993, p. 69.

theologians by Pope Vigilius<sup>14</sup>, Emperor Justinian invited the Pope to Constantinople. The Pope arrived on 25 January 547 and 11 April 548. Despite the protests of the West, he issued the *Judicatum*, confirming the resolutions of the Council of Chalcedon but condemning the *Three Chapters*.<sup>15</sup> The bishops of the West turned away from the Pope, but the East remained loyal to him. The African bishops expelled the Pope from ecclesiastical unity. Vigilius took refuge in the Church of St. Euphemia in Chalcedon, where on 5 February 552, he solemnly withdrew the *Judicatum* and condemned the emperor's advisors, both Theodore Ascidas and Mennas, patriarch of Constantinople.<sup>16</sup>

### Convocation and Course of the Council

Pope Vigilius was under intense pressure. The emperor treated him practically as a prisoner. In the asylum of the Council of Chalcedon's church, he withdrew his original consent to attend the Council. Despite the Pope's protests, the council was convened as the Fifth General Council of Constantinople<sup>17</sup> on 5 May 553. The first session was opened by Patriarch Eutychius before 150 bishops.<sup>18</sup>

Following the his predecessors, the Pope did not attend the Council in person, although he was present at Constantinople. Despite Vigilius' dissent, the council proceeded because it desired to preserve unity with the Apostolic See, although the resolution *inter sedem et sedentem*<sup>19</sup> was adopted at the session. Under severe

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14 VIGILIUS – The pontificate of this pope has been one of the most problematic in the history of the Church. Vigilius, originally from a noble Roman family, had already been appointed by Pope Boniface II as his successor in 532, but the bishops of Rome rejected Boniface II's decision outright. Vigilius, driven by excessive ambition, finally achieved his goal and became pope in 537 thanks to the support of the empress Theodora, but after the unjustified deposition of Pope Silverius. He promised the empress that he would push for the recognition of Monophysitism, but he met with a disgrace that no other pope had encountered. In May 551, an ecclesiastical council at Constantinople, with the majority support of the Greek bishops, again condemned the *Three Chapters*. The Pope, who did not attend the council, opposed the so-called *First Protocol*. Emperor Justinian published the Pope's promises to Theodore, thus making a perfect mockery of Vigilius. Instead of honestly choosing the career of a martyr, he changed his mind again and, in the so-called *Second Protocol*, expressed his agreement with the Council's conclusions. This internally divided Pope is one of the most tragic figures in the history of the Apostolic See. (Cf.: GELMI, J.: *Papežové od svatého Petra po Jana Pavla II*. Praha : Mladá fronta 1994, pp. 43 – 44).

15 KUMOR, B.: *Cirkevné dejiny – kresťanský starovek*. Levoča : Polypress 2000, p. 209.

16 KUMOR, B.: *Cirkevné dejiny – kresťanský starovek*. Levoča : Polypress 2000, p. 210.

17 RAK, P.: *Historia soborów*. Kraków 1998, p. 69.

18 JEDIN, H.: *Kleine Konziliengeschichte 8. Auflage*. Freiburg im Breispau 1978, p. 25.

19 KUMOR, B.: *Cirkevné dejiny – kresťanský starovek*. Levoča : Polypress 2000, p. 210.

pressure from Emperor Justinian, Pope Vigilius finally recognized the Council but reserved the right to issue his own self-adapting decree. The Council lasted from 5 May to 2 June 553.<sup>20</sup>

### Resolutions and Outcomes of the Council

From a theological point of view, the Council did not elaborate any new theological definitions. However, it set a definitive boundary for orthodoxy, making a possible relapse, i.e. a return to Nestorian doctrine, practically impossible. The Council made three fundamental decisions:

- a) it condemned the *Three chapters*,
- b) it condemned the fallacies of *Origen*,<sup>21</sup>
- c) it condemned the doctrines of *Didymus* of Alexandria and *Evargius* of Ponticus who proclaimed the pre-existence of souls and the end of eternal punishment.<sup>22</sup>

20 MAXWEL-STUART, P.G.: *Papežové – Život a vláda od sv. Petra k Janu Pavlu II.* Praha : Svoboda 1998, p. 44.

21 ORIGEN – He was one of the most famous disciples of Clement of Alexandria and later a representative of the Alexandrian school. He is the first of the ecclesiastical writers about whom more precise biographical data have been preserved. He was born in Alexandria in 185 into a Christian family. His father Leonides provided him with the foundations of his education. Even as a boy, Origen sought deeper connections in the text of the Holy Scriptures. During the persecution of Christians under Septimius Severus, he longed for martyrdom. After his leaving Alexandria, Bishop Demeter appointed the not-yet 18-year-old Origen as superior of the catechetical school. By day he taught; by night he devoted himself to studying the Holy Scriptures. In his excessive asceticism, he fell into mutilation, misinterpreting the Gospel message (Mt 19:12). Bishop Demeter, therefore, did not want to ordain Origen as a priest. On one of his trips to Italy, Origen was ordained a priest in Caesarea in Palestine in 230 without the consent of his bishop. For the illicit ordination and teaching that was not always in accordance with the doctrine of the Church, the bishop suspended Origen. The excommunicated Origen took refuge in Caesarea and founded a school on the Alexandria's model. Among his pupils were Gregory Thaumaturgus, Athenodorus, and Firmilian, bishop of Caesarea. Origen was imprisoned and tortured during the persecutions of the reign of Decius. After long suffering, he died at Tyre in 253. The historian Eusebius, in his catalogue, credits Origen with the authorship of 2,000 books; Epistophanes even lists as many as 6,000 literary works. In spite of all that has happened, Origen is still held in high esteem, and his sayings are still often quoted in the Liturgy of the Hours - the Breviary. He is not ranked among the Church Fathers, teachers or saints because of some of his errors: theoretical (he preached the doctrine of the pre-existence of the soul, which was never accepted by the Church); practical (he had castration performed on himself). Origen's pre-existence view was rejected in 553 at the Second Council of Constantinople. (Cf.: McGREAL, I.P.: *Great Thinkers of the Western World.* USA : Harper Collins Publishers 1992, pp. 87 – 91).

22 KULISZ, J.: *W kręgu zagadnień i problemów teologii fundamentalnej.* Warszawa 1994, pp. 84 – 85.

However, Origen's supporters rightly pointed out that this author strictly separated his theological hypotheses from Church doctrine and emphasized the uncertainty of his reasoning at the moment when he distanced himself from the Church's teaching. Origen's humility and his sincere love for Christ cannot be compared to heretical pride, which is why he was wronged when he was declared a formal heretic.<sup>23</sup>

The results of the Council in the ecclesiastical-political field were poor. Instead of restoring unity in the Church, the course of the Council ultimately led to a deeper schism. Indeed, the theological divisions between the opponents of the Council of Chalcedon and its supporters escalated. The ambitious Emperor Justinian, whose theology was superficial and lacking in depth, shared much of the blame for this crisis.<sup>24</sup>

Regardless of Justinian's rather unfortunate political style towards the popes, this emperor cannot be denied his indisputable statesmanship. The Code of Justinian contains wise regulations of the ruler. The Collection of Laws - Justinian's legislation - is actually the Roman legal system imbued with the Christian spirit. Hagia Sophia, the Church of Divine Wisdom, built by this emperor in Constantinople, symbolizes the Greek spirit that loves beauty, truth, and goodness.<sup>25</sup>

Considerable difficulties accompanied the adoption of the Council's resolutions. The Council, which was of a general character, was accepted as general in the East and acknowledged in the West by Pope Pelagius I.<sup>26</sup> Pope Vigilius issued a special decree *Constitutum*<sup>27</sup> on 14 May 553 condemning the Christological doctrine of Theodore of Mopsuestia, but after further talks with

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23 KADLEC, J.: *Dějiny Katolické církve*. Olomouc : Univerzita Palackého, 1993, p. 84.

24 KUMOR, B.: *Cirkevné dejiny – kresťanský starovek*. Levoča : Polypress 2000, p. 210.

25 ŠMÁLIK, Š.: *Boží ľud na cestách. Cirkve v 49 pokoleniach*. Bratislava : Lúč 1997, p. 166.

26 PELAGIUS I. – He was a Roman, from a wealthy aristocratic family. He was elected pope in his advanced years on 16 April 556. His pontificate lasted 4 years, 10 months and 17 days. Pelagius I ascended to the papal throne under extraordinarily complicated circumstances. Emperor Justinian had him imprisoned to undermine the stubbornness of Pope Vigilius. After Vigilius' death, Pelagius I was sent to Rome as the emperor's candidate for the papal office, but no one greeted him with much joy. He was not elected to the papal throne. However, after hard pressure from the ruler Justinian, two Roman bishops consecrated Pelagius I. Despite the adverse beginning, the new Pope worked extremely hard, first and foremost, to reorganize papal finances, reform the religious orders, and improve the internal discipline of the clergy. Pelagius I largely restored the reputation of the papal office, which had suffered greatly during the pontificate of Vigilius. (Cf.: MAXWEL-STUART, P.G.: *Papežové – Život a vláda od sv. Petra k Janu Pavlu II*. Praha : Svoboda 1998, pp. 44 – 45).

27 GELMI, J.: *Papežové od svätého Petra po Jana Pavla II*. Praha : Mladá fronta 1994, pp. 45 – 46.



the emperor, he accepted the resolutions of the Council.<sup>28</sup>

Only after this papal decision the Council of Constantinople of 553 could officially be considered the *Fifth General - Ecumenical Council*.<sup>29</sup> When the emperor received formal satisfaction from Pelagius I, he allowed the Pope to return to Rome. Vigilius, however, died on the return journey in Syracuse in 555. Undue ambition on the one hand and hesitancy on the other eventually proved fatal to Pope Pelagius I.

Africa acknowledged the resolutions of the Council one year later. In the West, however, Milan and Aquileia did not accept the conclusions of the Council and broke with Rome.<sup>30</sup> In 568, Milan recognized the Council and returned to the communion of the Church. Aquileia did not follow Milan's example until 700.<sup>31</sup>

## FIRST LATERAN COUNCIL (1123)

The First Lateran Council began a series of five ecumenical councils held in the Lateran, in Rome, then the seat of the Pope.<sup>32</sup> It was the ninth general council, but the first to be held in the western part of the Christian world.<sup>33</sup>

### Genesis of the First Lateran Council

The First Lateran Council marked the beginning of a complex process of fundamental change the Church had been dealing with for over half a century, namely introducing the Gregorian Reform into religious life. The Gregorian

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28 KUMOR, B.: *Cirkevné dejiny – kresťanský starovek*. Levoča : Polypress 2000, p. 210.

29 BÉCHEAU, F.: *Histoire des Conciles*. Toulouse 1993, pp. 72 – 73.

30 JUDÁK, V.: *Kristova cirkev na ceste*. Trnava : Spolok sv. Vojtecha 1998, p. 51.

31 ŠPIRKO, J.: *Cirkevné dejiny, zv. I*. Turčiansky sv. Martin : Neografia 1943, p. 130.

32 JUDÁK, V. – ČEKOVSKÁ, E.: *Prehľadné cirkevné dejiny*. Bratislava : Lúč, 1996, p. 75.

33 DYL, J. : *Sobory powszechnie w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, p. 11.



Reform, named after its main representative, Pope Gregory VII<sup>34</sup>, meant a new period in the history of the Christian West and is considered one of the most groundbreaking achievements in the history of the Catholic Church.<sup>35</sup>

Gregory VII formulated his ideas on the dominance of the popes of the Christian world in the document *Dictatus papae* (1075), which contained 27 brief sentences.<sup>36</sup> Part of the document concerns the relationship of the pope to the bishops, which Gregory VII understood as a universal papal primacy of unlimited power. The pope, according to Gregory VII, is *episcopus universalis*, the universal bishop, who may judge anyone, but he himself may be judged by no one. He can depose bishops, make laws, establish abbeys, divide and unite dioceses, lead synods himself or through his legates, convene general councils, and sign conciliar documents, which become binding by his signature.<sup>37</sup>

The second part of the document *Dictatus papae* dealt with the Church's relations with secular power. The most important is the sentence *quod a fidelitate iniquorum subiectos postest absolvere*, according to which the pope may absolve subjects from their oath of allegiance taken to an unworthy sovereign, and the sentence *quod illi liceat imperatores deponare*, concerning the right of the pope to depose emperors. The main point of Gregory VII's pontifical program was the fight against clerical marriages and simony.<sup>38</sup>

With the ascension of Henry IV to the throne, a fight for investiture broke out. The young king remained in the view of the Ottonian-Salian imperial theology on a sacral, almost clerical (priestly) kingdom and considered himself to be *rex et sacerdos* - ruler and priest. To Pope Gregory VII, however, a secular ruler was as

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34 GREGORY VII. – He was a plebeian, born in 1021 in Soane, Tuscany. He went to Rome as a boy and became a monk, probably in the monastery of Our Lady at Aventine. Pope Gregory VI chose him as chaplain. Under the name of Hildebrand, Gregory VII accompanied his predecessor into exile. After the death of his priestly benefactor, Gregory VII withdrew himself to the monastery of Cluny, and returned to Rome in 1049, where he held important positions, especially in the financial offices of the Church. He was elected pope on 22 April 1073 at the age of 53. He died on 25 May 1085. His pontificate lasted 12 years, 1 month and 3 days. Gregory VII's fundamental reforms provoked enthusiastic approval as well as equally fierce opposition, but in any case they had considerable influence throughout western Europe and the British Isles. Historians are divided in their assessments of the personality of this Pope. Some have labelled him an ambitious tyrant, 'Holy Satan', others have praised his reforming efforts. His name was included in the Roman Martyrology in 1583 and canonized in 1606. The veneration of his feast day, 25 May, was extended to all Christian countries by Pope Benedict XIII in 1728. (Cf.: DRĄCZKOWSKI, F.: *Patrologia*. Lublin : Pelplin 1999, p. 393.

35 DYL, J. : *Sobory powszechne w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, p. 11.

36 KELLY, J.N.D.: *Pápeži dvoch tisícročí*. Bratislava : Roal 1994, pp. 132 – 133.

37 BANASZAK, M.: *Historia Kościoła katolickiego, tom. 2*. Warszawa : Akademia Teologii Katolickiej Warszawa 1989, pp. 144 – 145.

38 KADLEC, J.: *Dějiny Katolické církve. II. zv*. Brno : Univerzita Palackého 1993, p. 117.

much a layman as all Christians subject to the Church and bound to obedience to her.<sup>39</sup>

The successors of Gregory VII sought to eradicate the three worst moral evils from the life of the Church: simony, clerogamy, and secular investiture. The desire to restore the moral condition of the Church was a significant cause of the convocation of the First Lateran Council.<sup>40</sup>

Simony consisted in buying high ecclesiastical positions and the material benefits coming from these positions. These practices were at least as old as Christianity itself, but by the beginning of the second millennium, they had reached almost monstrous proportions.<sup>41</sup>

Clerogamy, also called nicolaism, was the second great vice in the Church in the described period. It was a severe violation of celibacy by priests who lived with their own families. These priests did not favor the reform and, of course, could not help the reform. Virginity and celibacy belonged to the canonical order of Western Christianity in this period. In the East, celibacy remained voluntary.<sup>42</sup>

Clerogamy became dangerous also from the material point of view because the church property was many times inherited (the problem of benefices) based on wills and deeds of gift<sup>43</sup>

The third vice that led to the convocation of the First Lateran Council was secular investiture.<sup>44</sup> When the papacy is weak, secular power interferes too much in the affairs of the Church. Princes, kings, or even the Roman emperor himself, Charles the Great's successor Otto I granted bishops and the pope a 'pastoral staff and a ring' in Rome from 962 onwards. He divides parishes and abbeys. The investiture is in the hands of the laity. The emperor appoints the pope, and the pope appoints the emperor.<sup>45</sup> There is an inconvenient union of the temporal and the spiritual. By appointing persons to administer religious affairs, the political power also confers the material benefits associated with it - benefices.<sup>46</sup>

Sacramental ordinations are performed by order of the prince. The Church is

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39 FRANZEN, A.: *Malé církevní dějiny*. Praha : Zvon, české katolické nakladatelství 1995, pp. 136 – 137.

40 DYL, J. : *Sobory powszechnie w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, p. 15.

41 ŠPIRKO, J.: *Církevné dejiny, zv. I. Turčiansky sv. Martin* : Neografia 1943, p. 335.

42 DYL, J. : *Sobory powszechnie w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, pp. 13 – 14.

43 RAK, P.: *Historia soborów*. Kraków 1998, p. 115.

44 ELSER, M. – EWALD, S. – MURRER, G.: *Encyklopedie náboženství*. Kostelní Vydří : Karmelitánske nakladatelství 1997, p. 120.

45 BÉCHEAU, F.: *Histoire des Conciles.*, c. d., pp. 113 – 114.

46 MALÝ, R.: *Církevní dějiny*. Olomouc : Matice cyrilometodějská 2000, p. 116.

subordinated to political power and loses its integrity.<sup>47</sup>

The dispute over the investiture made it impossible to convene the repeatedly proposed conciliation council. The Pope would have had to submit to its decisions, which Gregory VII refused to do. He died, seemingly defeated, in exile.<sup>48</sup> On the question of investiture, Gregory VII and his successors maintained a more amicable attitude towards France and England than towards the Roman Empire. Due to the activity of the monastery of Cluny, the reform programs of the Church were gaining an increasing number of adherents and courageous supporters in France.<sup>49</sup> After long talks with French Pope Urban II<sup>50</sup>, Philip and the other rulers of France renounced the investiture of the ring and the crosier from 1098. On the other hand, they wanted to achieve the right to allow and approve ecclesiastical election.<sup>51</sup>

Callixtus II<sup>52</sup>, an uncompromising supporter of ecclesiastical principles who put an end to the papal schism, was elected pope at Cluny. After long and complex consultations, the Concordat, also called the *Pactum Calixtinum*, was signed at Worms on 23 September 1122. The agreement took into account the dual status of the German bishops and abbots. The result of this compromise was published in two documents: imperial and papal.<sup>53</sup>

The struggle over the investiture lasted for nearly 50 years and only came to an acceptable conclusion thanks to the sense of compromise on both sides. The

47 ELSER, M. – EWALD, S. – MURRER, G.: *Encyklopedie náboženství*. Kostelní Vydří : Karmelitánské nakladatelství 1997, p. 120.

48 JEDIN, H.: *Kleine Konziliengeschichte 8. Auflage.*, c. d., p. 31.

49 ELSER, M. – EWALD, S. – MURRER, G.: *Encyklopedie náboženství*. Kostelní Vydří : Karmelitánské nakladatelství 1997, p. 58.

50 URBAN II. – original name Odo, born in 1038 in Châtillon-Sur-Marne, France. He studied under St Bruno, the founder of the Carthusian school at Reims, where he was a canon and later archdeacon. He was elected pope on 12 March 1088. During his pontificate, the papal curia was enlarged. He launched the most successful crusade and became the founder of the Apostolic Chamber. Two weeks after the fall of Jerusalem, Urban II died in the Pierleoni Palace on Tiber Island on 29 July 1099. His pontificate lasted 11 years, 4 months, and 17 days. He is buried in St Peter's Basilica in Rome. (Cf.: DUFEK, P.: *100 nejvlivnějších osobností dějin*. Praha : Knižní klub 1994, pp. 198 – 200).

51 DOLINSKÝ, J.: *Dejiny cirkvi – stredovek*. Bratislava : Aloisianum 1997, pp. 142 – 144.

52 Callixtus II. – born Guido of Burgundy. He was born in 1050. In 1088 he became Archbishop of Vienne. He was elected pope on 2 February 1119. He tirelessly promoted the reform of the Church. Through judicious diplomacy, he was instrumental in concluding the Concordat of Worms, which temporarily ended the long struggle for investiture. He had the Lateran decorated with frescoes to mark the Concordat of Worms. He died on 13 December 1124, his pontificate lasted 5 years, 10 months, and 11 days. He is buried in the Lateran Basilica of St John in Rome. (Cf.: GELMI, J.: *Papežové od svatého Petra po Jana Pavla II*. Praha : Mladá fronta 1994, pp. 106 – 107).

53 DOLINSKÝ, J.: *Dejiny cirkvi – stredovek.*, c. d., pp. 145 – 146.

election of bishops and abbots, as well as the power to order the symbols of the clerical office, were returned to the Church, and the trusteeship of temporal power over the clerical power was finally broken.<sup>54</sup>

Pope Callixtus II convened the important First and Ninth Ecumenical Council at the Lateran in 1123 to approve and solemnly proclaim the Concordat of Worms. Its convocation and presidency, unlike the previous councils, concerned the Pope alone.<sup>55</sup>

### Convocation and Course of the Council

The Council solemnly opened on 18 March 1123 in the Lateran Basilica of St John.<sup>56</sup> Nearly 300 bishops and over 300 abbots attended. Unlike the councils of Christian antiquity, this council was convened and governed solely by papal authority.<sup>57</sup>

At the very beginning, the Council ratified the resolutions of the Concordat of Worms. It confirmed the distribution of rights arranged in the Concordat of Worms of 1122 during the period of truce between the pope and the emperor, which at the same time solved the problem of investiture.<sup>58</sup>

Similarly, the election of the pope by the cardinals, established in 1059, was upheld. The long-standing controversy between the archbishops of Pisa and Genoa over the right to consecrate the bishops of Corsica was also resolved. The conciliar commission granted this right to the archbishop of Genoa.<sup>59</sup> The Council dealt with the moral situation in the Church rather than dogmatic questions. The Council Fathers reaffirmed the ideals of the reform of Gregory VII, condemned the indiscipline of some priests, and proposed to deepen discipline in the Church.<sup>60</sup>

In addition to confirming the agreement between the State and the Church in the Empire, the Council also dealt with the question of the filling posts in ecclesiastical offices, the Crusades, and 25 reform canons against simony, clerogamy, the interference of the laity in the affairs and administration of the

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54 DYL, J.: *Sobory powszechne w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, p. 17.

55 DOLINSKÝ, J.: *Dejiny cirkvi – stredovek*. Bratislava : Aloisianum 1997, pp. 147 – 148.

56 JUDÁK, V.: *Dejiny mojej Cirkvi, II. diel*. Trnava : Spolok sv. Vojtecha 2004, p. 23.

57 BÉCHEAU, F.: *Histoire des Conciles*. Toulouse 1993, p. 114.

58 ŠPIRKO, J.: *Cirkevné dejiny, zv. I*. Turčiansky sv. Martin : Neografia 1943, p. 336.

59 BANASZAK, M.: *Historia Kościoła katolickiego, tom. 2*. Warszawa : Akademia Teologii Katolickiej Warszawa 1989, p. 150.

60 DYL, J.: *Sobory powszechne w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, p. 19.

Church, and undermining the ‘peace of God’ were issued.<sup>61</sup> The Council dealt with the pastoral aspect of the episcopal office. Freed from the burden of state, social, and feudal duties, bishops could from now on be, above all, shepherds in their dioceses directly involved in the living life of the Church.<sup>62</sup> The Council, therefore, stipulated that without the bishop’s knowledge and consent no one else could distribute the lower ecclesiastical offices in the diocese, and to him were subordinated all pastoral matters.<sup>63</sup>

According to the canons of the Council, the diocesan bishop was the chief pastor in the whole diocese, and the pastoral leadership in the monastic churches also depended on him. He alone had the right to consecrate altar stones, bless oils, ordain priests, and nominate parish priests. The priests and religious were to be accountable to the bishop for their pastoral work.<sup>64</sup> The Council decreed that the office of parish priest should be accepted only from the hands of a bishop and not a secular dignitary. Further, in its resolutions, the Council forbade priests to cohabit with women and ordered that marriages already contracted by priests, even if valid, be annulled.<sup>65</sup>

The Council explicitly forbade priests, deacons, and subdeacons to live with concubines or wives or to live with other women, except those whom the Council of Nicaea allowed living with them out of necessity, that is, with a mother, sister, aunt on the father’s or mother’s side, or another such person against whom no suspicion can be raised.<sup>66</sup> The Lateran Council approved the reforms sought by Gregory VII which he could not introduce. Misbehavior of priests, nicolaism, and simony were condemned again: We forbid to confer ordination or appoint anyone in the Church for money.<sup>67</sup>

The Council also strengthened the material independence of the Church.<sup>68</sup> It recalled the rights of the bishop over the Church’s properties and forbade any interference with these properties. It also dealt with general discipline: the prohibition of marriages between blood relatives, the diligence of commercial transactions, penalties for forging official documents or money counterfeiting,

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61 MALÝ, R.: *Církevní dějiny*. Olomouc : Maticе cyrilometodějská 2000, p. 116.

62 KADLEC, J.: *Dějiny Katolické církve. II. zv.* Brno : Univerzita Palackého 1993, p. 145.

63 KUMOR, B.: *Církevné dejiny – zlaté obdobie kresťanského stredoveku*. Levoča : Polypress 2001, p. 28.

64 RAK, P.: *Historia soborów*. Kraków 1998, p. 113.

65 DOLINSKÝ, J.: *Dejiny cirkvi – stredovek*. Bratislava : Aloisianum 1997, pp. 147 – 148.

66 KUMOR, B.: *Církevné dejiny – zlaté obdobie kresťanského stredoveku*. Levoča : Polypress 2001, p. 29.

67 KUMOR, B.: *Církevné dejiny – zlaté obdobie kresťanského stredoveku*. Levoča : Polypress 2001, p. 30.

68 BAGIN, A.: *Církevné dejiny – stredovek*. Bratislava : CMBF 1982, p. 92.

and ensuring inheritance rights.<sup>69</sup>

Even this Council was not without difficulties and problems. The Pope faced opposition from the orthodox Gregorians over the terms and conditions of the Concordat of Worms.<sup>70</sup>

The First Lateran Council completed and amended the numerous General Synods the Popes had convened since the pontificate of Leo IX (†1054) in order to establish a closer connection with the individual bishops in Christian society. The Council ended on 6 April 1123 with the canonization of St Conrad (†976)<sup>71</sup>, the bishop of Constance,<sup>72</sup> the eldest son of King Henry IV who belonged to the reformists.

### Contributions and Conclusions of the Council

The delegates of the First Lateran Council did not adopt or define any new dogma or approve any new resolutions.<sup>73</sup> The sessions of the Council were not influenced by any secular interference; on the contrary, it was presided over exclusively by Pope Callixtus II.<sup>74</sup>

The Council was instrumental in consolidating the hierarchy and the position of the Catholic Church and became a model for the general councils of the Middle Ages that followed.<sup>75</sup>

The First Lateran Council was a significant event in the history of the Catholic Church, which was confirmed in the following period when it was recognized as general.<sup>76</sup>

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69 BÉCHEAU, F.: *Histoire des Conciles*. Toulouse 1993, p. 114.

70 KADLEC, J.: *Dějiny Katolické církve. II. zv.* Brno : Univerzita Palackého 1993, p. 147.

71 KUMOR, B.: *Cirkevné dejiny – zlaté obdobie kresťanského stredoveku*. Levoča : Polypress 2001, s. 30.

72 ST CONRAD - was the son of the count funders of the abbey in Weingarten. He was educated at the cathedral school. After his studies, he became provost of the cathedral and was appointed diocesan Bishop of Constance in 934. He had several churches, monasteries, and hospitals built. He made three pilgrimages to the Holy Land. He was not involved in politics but participated in the councils of Ingelheim (948) and Augsburg (952). In 962, he accompanied the emperor on his journey to Rome. He died on 26 November 976. He was buried in the church of St Maurice, and in 1089 he was transferred to the cathedral church. In 1526 he was exhumed by the Protestants and thrown into a lake. (Cf.: FROSS, H, SJ – SOWA, F.: *Księga imion i świętych. Tom 3. H – L*. Kraków : WAM, 1998, p. 513.)

73 FRÖHLICH, R.: *Dva tisíce let dějin církve*. Praha : Vyšehrad, 1999, p. 89.

74 FRÖHLICH, R.: *Dva tisíce let dějin církve*. Praha : Vyšehrad, 1999, p. 90.

75 DYL, J. : *Sobory powszechné w drugim tysiącleciu chrześcijaństwa*. Tarnów : Biblos, 1997, p. 21.

76 JUDÁK, V. – ČEKOVSKÁ, E.: *Prehľadné cirkevné dejiny*. Bratislava : Lúč, 1996, p. 74.

## Conclusion

Both councils were undoubtedly necessary, especially to resolve intra-ecclesiastical disputes, problems and individual failures of key figures. The Councils of Constantinople and Lateran were severely affected by the interference of secular power, so there was no shortage of dramatic reversals. However, it was not only the relational problems of the contemporary Church with the potentates that were the issue. The Council Fathers had to cut the theological Gordian knots of heresies or deviations from true doctrine.

Many centuries later, in the present situation of the Catholic Church, the most significant result of both the General Councils of Constantinople and the Lateran can be considered the consolidation of the discipline of the clergy and the categorical determination of the boundaries between the doctrine of the Magisterium and heresy. The First Lateran Council was historically groundbreaking in this respect.

At the semi-centenary anniversary of the Second Vatican Council, reflections on the future Third Ecumenical Council were being heard. In the context of the Councils, many opinions have been discussed, for example, whether the clergy should turn to Christianity of the early times, make their best efforts to maintain the status quo or seek a new path and new horizons.

The possible convening of a Third Council will be more or less intensely debated and disputed all the time. A process of synodality is underway from the level of the Apostolic See down to the rural parishes. It is the synodality that aims to deepen spirituality, ecumenism, and solidarity. Although the tasks of the synodal process are not expressis verbis, they correspond to the main conclusions and documents not only of the Second Vatican Council but also of previous General Councils of the Catholic Church. It also explains the opinion that the synodality could theoretically be a preparation or a prologue of the next Council.

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# PROBABILITY THEORY IN TRANSPORT MODELLING PROCESS

*LUBOMÍR VOLNER*

## **Abstract:**

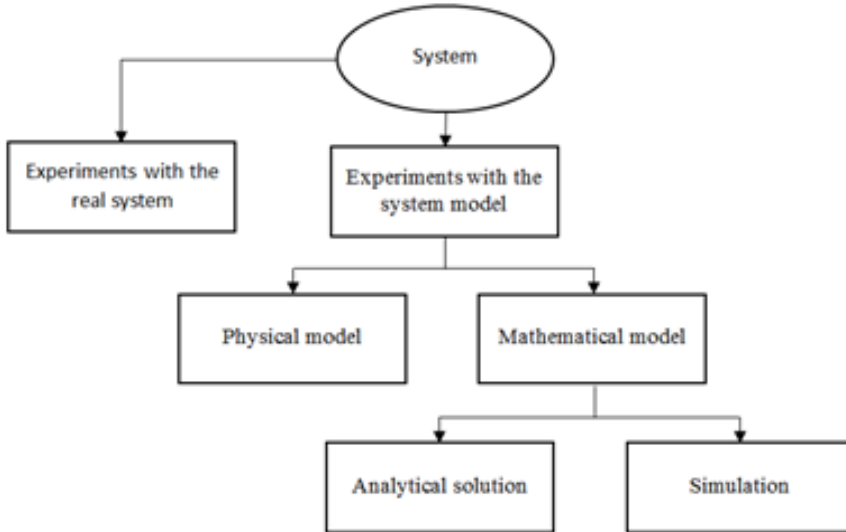
Today's world is accelerating and the need to transport goods and people is growing enormously. This leads to the need to think about the possibilities of transport systems with special attention to transport processes. The article presents a basic view of the possibility of modelling transport as such, with an emphasis on the basis of the theoretical possibility of a solution. Many of these external and internal forces produce fluctuations so complex that we are forced to classify them as random and express them by the theory of probability. Therefore, it is important to create a dynamic theory that can predict the behaviour of the system under the influence of these fluctuating forces, and the prediction can be given by probabilistic expressions. This paper describes some basics for the probability features of transport models and also provides an application example of a practical application of probabilistic theory in traffic modelling.

**Keywords:** transport; transport modelling; probability theory

## **Introduction**

The system is defined as a collection of entities, such as people or machines, who act and work together to achieve a common logical goal (Law A., 2007). You can create a very diverse range of systems. From relatively simple ones, which can be different abstract systems (family system or literature system) or physical systems (house, car, production line) to very complex, complex systems such as natural systems (weather system, universe) (Siebers, P-O 2011), shown in the Figure 1.

**Figure 1 Methods of examining a system**



Source: Author, modified by Law A., 2007

The model means a collection of objects, concepts or ideas, arranged in some form and with some bonds other than the model object itself (system) (Shannon, R., 1998). The model thus represents a system under examination (object, problem). It is necessary to specify the important elements of the system that affect its state. Other elements that are not so important for running and describing the system can be ignored in the created model. Such simplification is called abstraction.

Because the world is very large and contains a plethora of different objects, it is possible to create a huge number of different models representing these objects. For this reason, there must be a large number of criteria for their proper distribution, like for example symbolic, dynamic or continuous models. Of course, there are many goals and criteria by which decisions are evaluated in real life. However, until these criteria are reduced to a single objective function, the goals are not well defined for decision-makers (Bukvič L., et al., 2021).

Symbolic models they are the opposite of physical models. While it is possible to carry out physics experiments with physical models (measurement, weighing,...), symbolic models are not possible. Symbolic (abstract) models are based on the principle of a formalized description of the model system. As a rule, a mathematical description is chosen using different types of equations. However,

the abstract model may not be described only mathematically; different diagrams can also be used to describe it (Borshchev A, 2020). The main difference between abstract models and physical models is that physical models can directly obtain information about the model system, but the abstract must be solved in some way, either mathematically or logically.

Dynamic models consider output values of the model dependent not only on inputs but also on time, that means these models monitor system development over time.

To predict the future state of the model it is necessary to perform simulation. Various experiments are performed with the model, from changes in input variables to model configuration changes. By observing these changes, we are able to identify possible future states of the model. In railway transport, simulation modelling is one of the tools for assessing capacity (throughput performance), traffic efficiency, and reliability on railway lines (Široký J., et. al., 2021).

Continuous models changes state variables continuously, respecting the time, so that state variables change with the evolution of time.

## **2. Probability theory in transport modelling**

A large number of different models emerged in the first half of the 20th century (Křivda, V., et. al., 2011). Some of these models are even used today to simplify the status of traffic. All of these models are based on the same fundamental relationship between velocity and density of traffic flow, resulting in the intensity of traffic flow. The speeds indicate in kilometres per hour, the density as the number of vehicles per one lane of the road and the intensity as the number of vehicles passing through the lane in one hour. The models in the order in question were created over time as they were re-examined to improve some of their predecessors' deficiency. Therefore, if we want to create a fairly accurate model of traffic flow today for the broadest possible spectrum of conditions, we use so-called multi-mode combined models (Křivda, V., et. al., 2011) that combine different models, i.e. their suitability for certain situations, together.

Types of models by abstraction level - The basic purpose of creating simulation transport models is in particular modelling of the movement and mutual interaction of the participants. The main criterion in the development of transport models is primarily the extent of the model environment, while the scope of the model covers the level of detail the model should represent. Depending on the scale of the model environment, the models can be divided into macroscopic,

mesoscopic and microscopic (Křivda, V., et. al., 2011).

The systems were designed to be used by humans. In this use, the resulting human activity and device is referred to as an operation. The dynamic properties of the operating system are only partly defined by the physical properties of the devices that the system contains, but are also, and often above, the human characteristics of the operators, the directives of the administration concerned, and the requirements imposed on the operation by external influences. For example necessary input data for the construction of timetable and, for microsimulation of railway traffic, are, among other things, data on railway infrastructure (Vávra, R., et. al., 2021). Also the majority of related research in the field of mixed and freight railway timetabling and operation can be characterized by quantitative approach (mathematical modelling, network timetable optimization, various optimization of partial problems, etc.) (Drábek, M., et. al., 2021).

Many of these external and internal forces produce fluctuations so complex that we are forced to classify them as random and express them by the theory of probability. Then it is important to create a dynamic theory that can predict the behaviour of the system under the influence of these fluctuating forces, and the prediction can be given by probabilistic expressions.

For this purpose, we assume that the operating system may exist in different states. In a number of cases, these states will form an incomprehensible set and in some cases will be final. If the system reacts to the external and internal forces acting on it, its state changes with time. The theory must be able to predict these changes in terms of probability distribution, with the  $p_i(t)$  probability that the system is in the state  $i$  at time  $t$ .

In time  $t = 0$ , we can claim that the system is in the state  $j$ . This is defined by asking  $p_i(0) = 0$  and  $p_j(0) = 1$ , if  $i = j$ . Later at time  $t$ , due to the change of forces, we can no longer be sure what the system is. The only thing we can do is predict the probability  $p_i(t)$  that it will be in the state  $i$  at time  $t$ . The system of probabilities  $p_i(t)$  is limited in size by the requirement that probabilities cannot be negative and that their sum must be 1.

$$p_i(t) \geq 0 \quad \sum_i p_i(t) = 1 \quad (1)$$

which are actually the basic requirements of any probability distribution. Dynamic theory for stochastic systems must define equations that allow the calculation of changes of these probabilities as time processes. The probability of the condition is related to the probability of transition  $P_{i,j}(t_0, t_1)$ , that the system will be in the state  $j$  in time  $t_1$ , when it is in the state  $i$  in time  $t_0$ .

In the case of restrictions:

- if the transition probability from the initial state to the end state is only one period,
- if it is independent of time  $t$ ,
- the past state,

then such a system is called Markov, and its behaviour is referred to as Markov's process.

Examples of discrete time are useful as simple examples and correspond to some operations that are virtually occurring. However, in many operating systems, system state changes may occur at any time, not only at the end of discrete periods. The effects of external errors are recorded and decisions are made with respect to the resulting system activities at any time if the impacts do not occur at the end of the predetermined periods. The use of the Markov model for such systems assumes the time division for infinitesimal periods with a length  $dt$ , and the matrix elements  $M_{ij}$  must be equal to the probability of transition from state  $i$  to state  $j$  in time  $dt$ . If the events that cause this change are randomly distributed over time, then these probabilities should be proportional to  $dt$ , except the transition  $i \rightarrow j$ .

$$M_{ij} \rightarrow R_{ij}dt, \quad i \neq j \quad (2)$$

$$M_{ij} \rightarrow \sum_{i \neq k} R_{ik} dt, \quad i = j \quad (3)$$

where the average change rate of the system from state  $i$  to state  $j$ .

If the Markov system is to be,  $R$  must be independent of  $t$ .

Previous considerations have suggested that the dynamic behaviour of the stochastic operator system is determined by the interaction between the incoming data streams to be served and the operation of the data stream. Arrivals and operations are commonly subjected to random changes and the effect between these two stochastic flows creates changing queues and delays. It is therefore necessary to determine the statistical values of these two processes.

Nepoissonian arrivals can be simulated in a similar way if we imagine them as an infinite number of data flows that must pass through the „Poisson door“ system before they are released to get into the operator's facility. Poissonian arrivals can be obtained using a „simple door“ with a medium speed  $\lambda$  that would open and let a simple flow of data pass in a random time.

$$A_n(t) = U_n(t) = \frac{(\lambda t)^n}{n!} e^{-\lambda t} \quad (4)$$

Erlang arrivals can be simulated by a sequence of  $k$  doors, each of which has a speed  $k \lambda$  and which should release the data stream before this flow of data was free for „arrival“ and before another data stream could enter the sequence. Hyperexponential arrivals could be simulated using two alternating randomly selected doors so that the door allows the closest exit flow, while the other door would be closed to use the second flow until the nearest flow of data passed through the door.

The reason for simulating the general distribution of arrivals or operators by combining exponential elements is to use the equation

$$p_j(t + dt) = [1 - \sum_{i \neq j} R_{ji} dt] p_j(t) + \sum_{i \neq j} p_i(t) R_{ij} dt \quad (5)$$

to reduce the system to an equivalent Markov system. However, this equation can be used only if all the transitions from the state to the state defined by the matrix  $R$  are randomly distributed over time with respect to the probability set as in equation (4).

It is clear that the dynamic characteristics of the stochastic operator system are determined by interactions between the incoming data stream statistic and the operator equipment statistics adapted to the rules that describe the behaviour of the incoming data streams before they are comprised i.e. the order in the queue. In fact, the calculation of distribution functions  $A_0(t)$  and  $S_0(t)$  or densities  $a(t)$  and  $s(t)$ , plus order specification in the queue plus the indication of incoming data streams are in an unlimited number or not, and whether the operator can handle several flows in parallel (multiple operator channels) or not, all must be given or anticipated before we can develop the dynamic characteristics of the system.

There are many examples of how to arrive, which are between free and bound cases. E.g. we can limit the length of the queue, so incoming data streams (if the queue length is less than a certain  $N$  value) enter the queue and remain there until they are computed, but the incoming flows if the queue length is  $N$  does not exist. In other cases, flows may show impatience by leaving the queue (fall off) if the delay is too high. Individual flows may vary in their behaviour, so the effect can be expressed in terms of probability.

The simple system has poisson-bound data stream arrivals that are left in the queue until the operator is executed by individual operator devices with



an exponential time slot layout. By such a system, we find that by reducing the average delay time or the average length of the queue, the ratio  $\rho$  between the average arrival speed and the average speed of the operator is reduced and thus the average value of the time  $1 - \rho$  during which the operator's equipment is ineffective. Due to variability in arrival and service times, the operator must be inactive in time to eliminate random arrivals or delays in the operator without showing the wait time in the queue. It is therefore advisable to consider whether there are other options, apart from influencing, to make the desired change.

E.g. we can test what effect the change in the operator operation's statistical expression would have by treating the operator operations more regularly (by reducing scattering) but without changing its average speed, thereby reducing the average length of the queue. This effect can be expressed by simulating non-exponential operation in terms of the combination of exponential phases. E.g. the Erlang operator of the operator time to  $k$ , i.e.  $E_k-1(k\mu t)$  corresponds to the phases of the operator phase's  $k$ , each of which is at a speed  $\mu$  that must be terminated gradually before the flow is released and another flow can be served. In this case, the state of the system can be denoted by  $n$ , which is the number of flows in the system (in the queue or in the operator) and the variable with the flow phase in the operator, the flow being processed in the phase and proceeding in stages to Phase 1, (in state 0, the operator is ineffective and irrelevant).

In designing systems may be used in essentially two approaches, i.e. direct measurement and experimentation with the real system or modelling. Real system measurement, however, remains an integral part of system models because it provides important inputs to the model and also allows for model validation. Based on the model description approach, we divide the models into analytical or simulation.

The basis for the formulation of the analytical model is usually the representation of the original as a Queuing system (QS). QS consists of:

- devices that provide the operator with data flow,
- data stream queues that are waiting for the operator.

In analytical models, we represent the load in the form of data flows that are required from system resources. From the QS point of view, it is intervals, respectively. Probability distribution of intervals between the arrivals of data streams requesting the service at a given service centre and the operating time; Probability of distribution of the service life of the service centre.

According to the method of analytical solution QS, analytical models can be divided into three groups:

- deterministic models - Middle value models, Extreme models,
- probability models – models with one service centre, service networks,
- models based on the assumptions of the operational analysis.
- The principles of modelling can be divided into two basic parts:
- defining the problem of interest and gathering important data,
- create a mathematical model.

### 3. Application example of probability distribution of statistical random variables

The example focuses on the analysis of train arrivals and their processing at marshalling yard A in terms of statistical random variables. The refereed observation period of entry requests to the station represented working days, a total of 200 trains.

Within the example, statistical hypothesis testing was performed on:

- input demand stream (train arrivals),
- requirement handling (train preparation for marshalling).

The above testing will be performed using Pearson's chi-squared test. The Pearson chi-squared test is usually used to assess the similarity/difference of the observed distribution (observed frequencies) from the theoretical distribution (expected frequencies). The chi-square test of independence is suitable for comparing two categorical features (Štefancová, V., et. al., 2022). The hypotheses of the test can be formulated as follows:  $H_0$ : there are no statistically significant differences between the compared distributions,  $H_1$ : there are statistically significant differences between the compared distributions. There is always a comparison  $\chi^2_{TAB}$  and  $\chi^2_{VYP}$ . The test statistic of the Pearson chi-squared test calculated ( $\chi^2_{VYP}$ ) takes the form

$$\chi^2 = \frac{[n_i - f(x_i)]^2}{f(x_i)} \quad (6)$$

Theoretically, the Pearson  $\chi^2$  test statistic asymptotically has  $\chi^2$  - distribution with  $(k - r - 1)$  degrees of freedom, where  $p$  is the number of parameters of the theoretical probability distribution of chi-square tabular ( $\chi^2_{TAB}$ )

$$\chi^2_{\alpha} (k - r - 1) \quad (7)$$

Testing the statistical hypothesis that the random variable of trains arriving

within one hour has a Poisson probability distribution at a significance level of  $\alpha = 0.05$ .

The Poisson distribution is given by the probability distribution:

$$p(x_i) = \frac{\lambda^k \cdot e^{-\lambda}}{k!} \quad (8)$$

where

$\lambda$  – estimated parameter

$$\lambda = \frac{\sum(n_i \cdot x_i)}{\sum n_i} \quad (9)$$

The functional value  $f(x_i)$  for each probability  $x_i$  is calculated according to the following relation:

$$f(x_i) = p(x_i) \cdot \sum n_i \quad (10)$$

The observed statistical data and the results of the above computational steps are shown in the following table, where  $x_i$  represents the hours when 0-6 trains entered the system and  $n_i$  the number of hours when 0-6 trains entered the system.

**Table 1 Calculation table for Poisson probability distribution**

| The observed statistical data and the results of the Poisson probability distribution |       |                 |          |          |          |
|---|-------|-----------------|----------|----------|----------|
| $x_i$   | $n_i$ | $x_i \cdot n_i$ | $p(x_i)$ | $f(x_i)$ | $\chi^2$ |
| 0   | 17    | 0               | 0,19     | 23,17    | 1,64     |
| 1   | 49    | 49              | 0,32     | 38,30    | 2,99     |
| 2   | 32    | 64              | 0,26     | 31,65    | 0,00     |
| 3   | 11    | 33              | 0,14     | 17,44    | 2,38     |
| 4   | 7     | 28              | 0,06     | 7,21     | 0,01     |
| 5   | 4     | 20              | 0,02     | 2,38     | 1,10     |
| 6   | 1     | 6               | 0,01     | 0,66     | 0,18     |
| Total   | 121   | 200             | 1,00     |          | 8,30     |

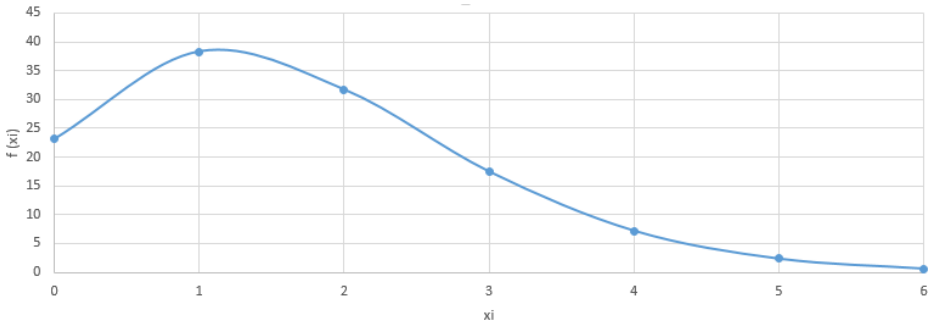
Source: Author

Estimated parameter  $\lambda$  has, when added to formula (9), the value  $200/121 = 1.65$ .

According to the critical value table  $\chi^2_{\alpha}$  at  $\alpha = 0.05$  considering  $\chi^2_{0.05 (7-1-1)} = \chi^2_{0.05 (5)} = 11.1$ .

It is clear from the result of the calculation that  $\chi^2_{TAB} > \chi^2_{VYP}$ .

**Graph 1 Graphical progression of values for the Poisson distribution calculation table**



Source: Author

We can conclude that we accept the hypothesis that the number of trains arriving within one hour has a Poisson probability distribution at the 0.05 significance level (train arrivals at the marshalling yard meet the criteria of a Poisson distribution on  $\alpha$ ).

The second statistical hypothesis to be tested, is to verify that the random variable of the train service in the entrance track group of yard A has an exponential probability distribution at the significance level  $\alpha = 0.05$ .

The exponential distribution is given by the probability distribution:

$$p(x_i) = \int_a^h b \cdot e^{-b \cdot x} \cdot dx = e^{-bd} - e^{-bh} \quad (11)$$

where

d - lower limit of the specified interval,

h - upper limit of the specified interval,

b - estimated parameter, which is calculated as:

$$b = \frac{1}{\bar{x}} = \frac{1}{\sum(x_i \cdot n_i)} \quad (12)$$

The functional value  $f(x_i)$  for each probability  $x_i$  is calculated:

$$f(x_i) = p(x_i) \cdot \sum n_i \quad (13)$$

The observed statistical data and the results of the above computational steps are presented in the following table.

**Table 2 Calculation table for Exponential probability distribution**

| The observed statistical data and the results of the Exponential probability distribution |           |            |       |                  |          |          |          |
|---|-----------|------------|-------|------------------|----------|----------|----------|
| i   | $x_i$     | $x_{istr}$ | $n_i$ | $n_i * x_{istr}$ | $p(x_i)$ | $f(x_i)$ | $\chi^2$ |
| 1   | <0;10)    | 5          | 0     | 0                | 0,13     | 26,51    | 26,51    |
| 2   | <10;20)   | 15         | 3     | 45               | 0,11     | 22,71    | 17,11    |
| 3   | <20;30)   | 25         | 34    | 850              | 0,10     | 19,46    | 10,86    |
| 4   | <30;40)   | 35         | 20    | 700              | 0,08     | 16,67    | 0,66     |
| 5   | <40;50)   | 45         | 25    | 1 125            | 0,07     | 14,29    | 8,03     |
| 6   | <50;60)   | 55         | 20    | 1 100            | 0,06     | 12,24    | 4,92     |
| 7   | <60;70)   | 65         | 22    | 1 430            | 0,05     | 10,49    | 12,64    |
| 8   | <70;80)   | 75         | 18    | 1 350            | 0,04     | 8,99     | 9,04     |
| 9   | <80;90)   | 85         | 15    | 1 275            | 0,04     | 7,70     | 6,92     |
| 10  | <90;100)  | 95         | 9     | 855              | 0,03     | 6,60     | 0,88     |
| 11  | <100;110) | 105        | 13    | 1 365            | 0,03     | 5,65     | 9,55     |
| 12  | <110;120) | 115        | 4     | 460              | 0,02     | 4,84     | 0,15     |
| 13  | <120;130) | 125        | 7     | 875              | 0,02     | 4,15     | 1,96     |
| 14  | <130;140) | 135        | 2     | 270              | 0,02     | 3,55     | 0,68     |
| 15  | <140;150) | 145        | 3     | 435              | 0,02     | 3,05     | 0,00     |
| 16  | <150;160) | 155        | 3     | 465              | 0,01     | 2,61     | 0,06     |
| 17  | <160;170) | 165        | 1     | 165              | 0,01     | 2,24     | 0,68     |
| 18  | <170;180) | 175        | 1     | 175              | 0,01     | 1,92     | 0,44     |
| Total   |           |            | 200   | 12 940           | 0,93     |          | 111,09   |

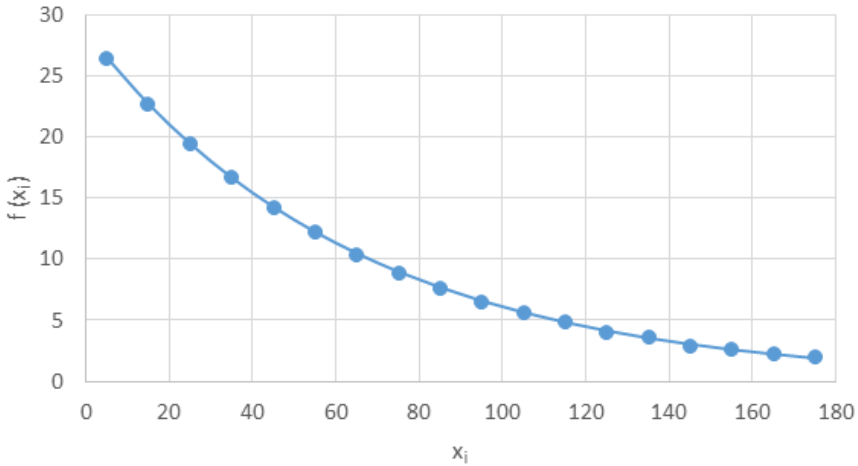
Source: Author

Estimated parameter  $b$  has when added to the formula (12) value  $200/12,940 = 0.015$ .

According to the critical value table  $\chi^2_{\alpha}$  at  $\alpha = 0.05$  considering  $\chi^2_{0.05}(18-1) = \chi^2_{0.05}(16) = 26.3$ .

It is clear from the result of the calculation that  $\chi^2_{TAB} < \chi^2_{VYP}$ .

**Graph 2 Graphical progression of values for the Exponential distribution calculation table**



Source: Author

We can conclude that we reject the hypothesis that the train service time in the entrance track group has an exponential probability distribution at the 0.05 significance level (train arrivals at the marshalling yard do not meet the critical values of the exponential distribution at  $\alpha$ ).

## Conclusion

The complex phenomenon that a transportation system undoubtedly is in the context of traffic model building requires the use of probability theory in many cases to estimate the dynamic evolution of the behaviour of the elements of the system variables over time and to estimate the states of the system over time. For the process of traffic modelling, knowing the probability of occurrence of states of some parameters is crucial in terms of knowing their influence on other elements of the system and the results of the model as a whole. Outputs that can be considered relevant, describing the real system as accurately as possible, are key for the evaluation of the model and at the same time a basic prerequisite for adequate decision making on the chosen solution of the problem in the context of financial, socio-economic and environmental aspects of transport projects.

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LUBOMÍR VOLNER:

*Probability theory in transport modelling process*

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## SOCIAL SECURITY FOR FAMILIES OF MILITARY PROFESSIONALS OS SR

SOŇA ŠROBÁROVÁ, MÁRIA MARTINSKÁ

### **Abstract:**

Within the framework of social security for professional soldiers, social security services are its support subsystem, from which spa care (support and maintenance of good health), recreational care (creating conditions and support for quality of life and family background) is provided, and this also includes security the funeral of a former professional soldier.

**Keywords:** social security, professional soldier, family

The armed forces of the Slovak Republic have created a relatively stable structure of social support and motivational programs for their professional soldiers. Through its activities, it tries to create a stable background for professional soldiers, the goal of which is to ensure acceptable conditions for the performance of their work, but also for family care.

In the military organization, we distinguish between mandatory and voluntary care for professional soldiers.

*Mandatory care* is primarily regulated by Act no. 281/2015 Coll. on the state service of professional soldiers and on the amendment and supplementation of certain laws as amended (hereinafter referred to as „Act No. 281/2015 Coll.“), Act No. 328/2002 Coll. on the social security of police officers and soldiers and on the amendment and supplementation of certain laws as amended (hereinafter referred to as „Act No. 328/2002 Coll.“) and Act No. 463/2003 Coll. on war veterans and on amendments to Act no. 328/2002 Coll. on the social security of policemen and soldiers and on the amendment of certain laws, as amended, as amended.

According to the current legislation, care for a professional soldier can be

divided as follows: general and health care, preventive rehabilitation, special conditions for the performance of state service, social security, care for war veterans and also other care for professional soldiers, which is provided through internal regulations of the Department of Defense.

*Further care for professional soldiers* is currently ensured in the following areas: care for the families of professional soldiers sent to fulfill tasks outside the territory of the Slovak Republic, psychological care for professional soldiers, spiritual care for professional soldiers, gender equality in the defense sector and, finally, prevention of socially undesirable phenomena in the defense sector (crime, extremism and radicalism, mobbing, corruption, alcoholism and other manifestations of drug addiction...).

### **Caring for professional soldiers and their families in the Empire**

Regular surveys among professional soldiers enable us to find out their opinions on current social issues. The most complex research to date, which dealt with the life needs and interests of professional soldiers (on which we collaborated in the form of consultations and joint research), was carried out in 2017 under the title *Quality of life of professional soldiers*, where one of the domains of quality of life was investigated „Care for professional soldiers and their families“. (Čukan et al. 2017a)

In addition to dissatisfaction with the financial evaluation of the work of a professional soldier, this domain was shown to be one of the most significant sources of dissatisfaction among professional soldiers, or sources of tension between satisfaction and importance in this area. It turns out that there is a certain shift in the area of care for families, as well as in the issues of social assistance to the soldiers themselves, and this area is gaining importance in the entire spectrum of the quality of life of professional soldiers. (Czirák, 2018)

The greatest dissatisfaction was with help when leaving the Slovak Armed Forces (searching for a new job), with support and assistance to professional soldiers when they arrive at a new unit (help with finding jobs for family members, schools for children, housing) and with planning a military career (having an idea, how your own career will develop in the near future).

Professional soldiers also perceive the care of a soldier's family during normal peacetime life and during deployment to international crisis management operations (hereinafter referred to as „OMKM“) as problematic. The range of problem areas was also confirmed indirectly through the answers given by the

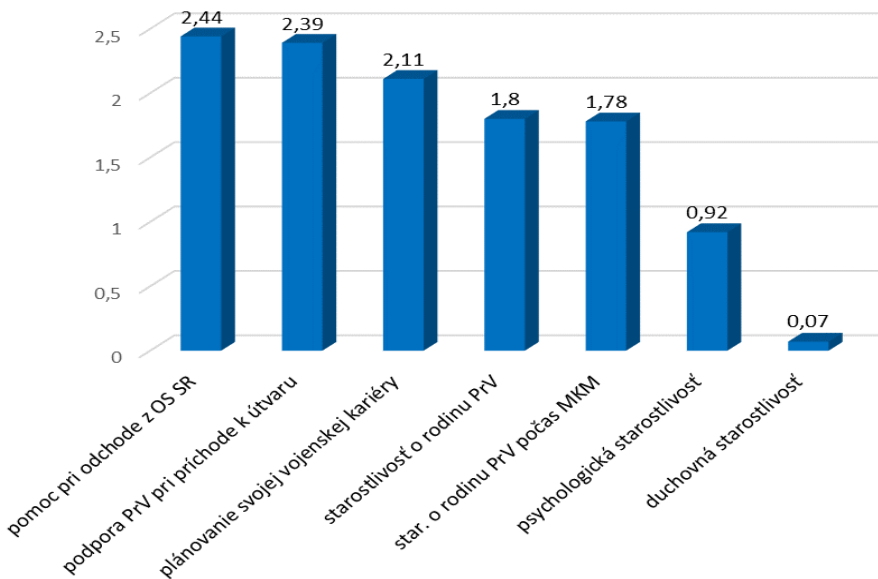
respondents as suggestions within the answers to the open questions.

According to them, it is necessary to improve the care of professional soldiers and their families, not only during participation in OMKM, but also during service in Slovakia and especially when arriving at a new unit (Chart No. 1).

### Graph no. 1

Experiencing the tension of PrV in the area of quality of life „care for PrV and their families“

(n = 583; stress level: 0-0.99 - weak; 1-1.99 - moderate; 2-2.99 - strong)



Source: (MO, 2018)

Another important area is the military career of the respondents, in which they would like to have a greater degree of certainty resulting from a better knowledge of their career in the short and medium term, a greater degree of stability in the place of service and at the end of their career they would welcome much more help from the armed forces in the transition to the labor market. In accordance with the research methodology, project questions were used, in which the respondents had the opportunity to assign a specific degree of importance/unimportance to the selected ones that did not yet exist in the conditions of OS SR, respectively. rare, but possible, concrete forms of care for professional soldiers

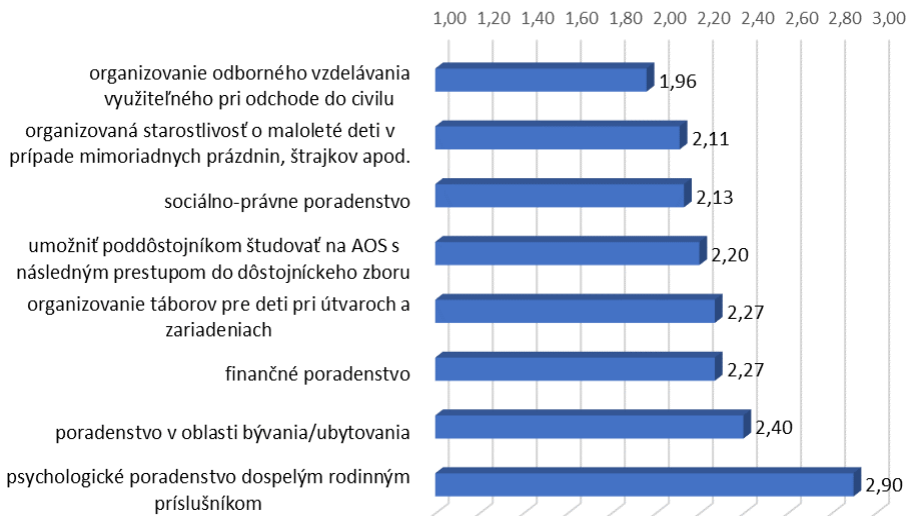
and their families.

All the offered options were addressed to the respondents, while the options that interested them the most were: organizing vocational training that can be used when leaving the civil service; organized care for minor children in case of, for example, special holidays, strikes, etc. and providing social and legal advice.

They were least interested in the possibility of providing psychological counseling to adult family members (Chart No. 2).

### Graph no. 2

Importance of selected forms of care for professional soldiers and their families according to respondents (n=583; scale: 1 - most important, ..., 5 - least important; arithmetic mean)



Source: (MO, 2018)

In the second projection question, professional soldiers had the opportunity to comment on potential measures to support the harmonization of work and family life and potential care programs for professional soldiers and their families. The respondents had to choose the three most important from the group of measures and programs.

Of the potential measures to support the harmonization of work and family life, more than half of the interviewed professional soldiers prefer the following:

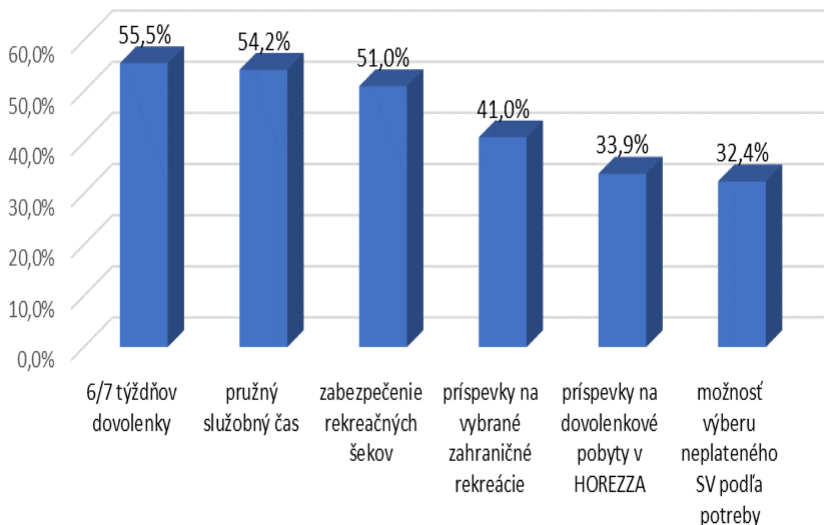
6/7 weeks of vacation - 55.5%, flexible duty time - 54.2% and provision of recreation checks (voucher for reimbursing a recreational stay in another as a military recreation facility - at home or abroad) - 51.0% (Graph No. 3).

At the end of this, the respondents answered which of the offered potential care programs they would prefer and should be implemented in our armed forces as a matter of priority. Almost half of respondents favor the following potential care programs for professional soldiers and their families:

- support for vocational training of one's own choice (49.3%),
- family programs (family service, own preschool facilities for children of soldiers, etc. (48.8%),
- support for obtaining a higher level of education according to one's choice (48.4%).

### Graph no. 3

PrV preferences for potential measures to support the harmonization of work and family life (n = 583)



Source: (MO, 2018)

## **Direction and development of care for professional soldiers and their families**

Caring for soldiers in our conditions has its own history and tradition (system of social management; system of education and culture), which, however, were primarily aimed at soldiers of compulsory (basic) service. With the onset of the professionalization of the armed forces, this system did not adapt to the new conditions until it finally dissolved definitively in the structures of personnel management. In the eyes of the commanders, this element had no merit, as they believed that the new professional soldiers who joined the armed forces voluntarily could take care of themselves and there was no reason for the existence of a special care system. However, ongoing researches constantly signaled that a large part of the command corps for the care of subordinate soldiers,

Personnel management, which took over the previous elements of the system of education and culture, formally preserved them within the defined Doctrine of Personnel Management (SVD-10 B), where two pillars of personnel security are defined: personnel administration and quality of life assurance. Ensuring the quality of life can be defined as a complex of activities connected with the care of social security, cultural and sports activities and activities, psychological support and care, relaxation, appreciation and remuneration of personnel and care for the families of professional soldiers. In practice, however, the situation is problematic and also in the entire armed forces.

Certain elements of the quality of life, or of care for professional soldiers are included in some documents, or were even conceptually developed (e.g.: Concept of stimulation and motivation), but in practice their fulfillment was not monitored, controlled, and this whole area was underappreciated. about professional soldiers and their families through the professionalization of activities, as also stated in the document „Model of the quality of life of professional soldiers and its monitoring and assessment mechanisms“ (Čukan, K. et al., 2017b and Internal document. Bratislava: Mo SR, 2017 ) where one of the tasks is to introduce experts for social services and counseling, care for professional soldiers and their families, and gender equality into the personnel management structures of military units from the battalion level.

This system should cover the following basic areas:

- monitoring of social processes in military units and proposals for socio-technical measures to the commander,
- counseling service and care programs,
- management of culture and education.



The mentioned basic areas should be realized through the following possibilities:

- ascertaining the state of the quality of life, proposing measures to increase it and solving shortcomings for commanders,
- monitoring and optimization of the level of leadership of people and relations in military units,
- the development of military units as teams through educational activities,
- social counseling and social assistance,
- detecting and solving socio-pathological phenomena in the department (alcoholism, drugs, gambling, extremism, bullying, discrimination, harassment,...),
- application of support programs for professional soldiers and their families, war veterans and service pensioners,
- developing and strengthening the organizational culture of the unit (monitoring, proposals for measures and their implementation in the areas of: organizational climate, discipline, values and norms, specific social relations and activities, soldier's identity, structure /authority, power, control/, visions and goals),
- ensuring cultural and sports activities in the conditions of separation of military units as part of military exercises in training areas and during deployment in OMKM) and ensuring relaxation and regeneration of forces through department facilities, respectively. facilities of the Ministry of Defence,
- ensuring educational activities – social science seminars, education in the spirit of the traditions of the unit and the armed forces (hall of honor and glory).
- developing further education of experts for social services and counseling (VO-M10, ČŠp 473).

In order to exercise these abilities, it is necessary to acquire a certain amount of knowledge and, based on practical results, continue to transform it into further education.

### **Content and tasks of the care system for professional soldiers and their families**

Empirical research that was carried out in the Department of Defense shows that among professional soldiers there is a significant interest in providing services in the field of care for professional soldiers and their families, and at the same time

they consider the current situation to be very unsatisfactory. The existing care programs mainly cover their deployment phase in the OMKM and post-return psychological care, which is currently partially covered by various entities in their area of competence (commander, commanding non-commissioned officer, chaplain, psychologist, personnel specialist, physical trainer). In reality, however, there is no entity for which such care would be the main functional content and which would be responsible for its complex implementation in military units.

The content and tasks of the care system for professional soldiers and their families in our armed forces are determined by the critical situations to which this system and its individual elements respond. In particular, the following can be considered problematic situations arising from the performance of the state service of a professional soldier:

- transition to a new crew,
- sending a professional soldier to perform tasks outside the territory of the Slovak Republic,
- the return of a professional soldier from performing tasks outside the Slovak Republic,
- long-term sending of professional soldiers to SC/KOK/training,
- short-term sending of professional soldiers for SC/education/training,
- end of military career,
- life after the end of the military career.

Specific care programs that are one-time, short-term, or long-term should be directed to address these situations. These programs contain the goal, the actors who are involved in their solution, the individual steps of the activity and the timeline for their implementation. The focus of the system of care for professional soldiers and their families is the introduction into the life of a new functional element of personnel security, which should monitor individual areas of the quality of life of professional soldiers, guide the related processes and implement the activities themselves for the benefit of professional soldiers and their families - an expert for social services and counseling (VO-M10; ČŠp 473).

*Specialist for social services acounselings* should cover, ensure and manage the entire system of care for professional soldiers and their families, with the exception of specialized programs under the purview of the psychological, medical and spiritual service. Care for professional soldiers and their families should be part of a comprehensive system of social services and counseling.

*Centralization of care programs* and their transition under a new entity with professional competence should ensure the efficiency of the entire care system

for professional soldiers and their families. When providing care programs, an expert for social services and counseling should also use and develop cooperation with representatives of regional self-government and public administration, as well as with civil associations with a professional relationship with OS SR.

### **Care programs for professional soldiers and their families**

Currently, these concepts are already being implemented in OS SR, respectively, programs aimed at caring for professional soldiers:

- The concept of care for the families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic,
- Methodological guidance for commanders and designated teams of workers responsible for caring for the families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic,
- Program of psychological care for professional soldiers after returning from OMKM,
- Orientation program for professional soldiers upon arrival at a military unit.

So far, the Ministry of Defense has paid the most attention to support measures related to the deployment of professional soldiers in the area of OMKM. This area is addressed by the Concept of care for the families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic and the subsequent Methodological Guidelines for commanders and designated teams of workers responsible for the care of families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic. The purpose of these documents is to ensure the correct and uniform procedure of the commander ensuring the preparation of the members of the unit before deployment to the operation and also the implementation of care for their families before deployment, during the deployment and after the end of the deployment to fulfill tasks outside the Slovak Republic.

The procedures in these materials are based on common practice and available personnel, financial and material resources.

The care of the families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic is the responsibility of the commander and the team designated by him, which consists of a personnel management worker, a psychologist, a doctor, a legal advisor and a military chaplain. It is implemented through meetings with families, which are provided not only by the commander

responsible for pre-operation preparation, but also by the commander of the sending unit. It can also be implemented in the form of cultural-social and sports events or activities for children. Due to the fact that units are no longer sent to military operations from one unit, but from several units of the Armed Forces of the Slovak Republic, the attendance at meetings has naturally decreased. Therefore, the first and third meetings are carried out as part of the farewell and welcome, where it is assumed that the family will be present, and the second is organized by the sending commander, where it is assumed

The results of current empirical research carried out in the Armed Forces of the Slovak Republic show that there is a significant difference in the content of the care services offered to the families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic by the Department of Defense and the real needs of the families of these soldiers.

The concept itself states that professional soldiers would also welcome other forms of support that are more time-consuming and organizational, such as:

- direct assistance in case of need, specifically provision of child care and provision of assistance in case of emergency (e.g. assistance services in case of an accident, etc.),
- measures to improve the contact and awareness of professional soldiers and their family members, of which the most preferred were the improvement of the possibilities of contact with the family during deployment (internet, telephone),
- establishment of a website accessible only to deployed professional soldiers and their family members,
- events for wives/partners to meet - organizing cultural and social events, sports events for children, organizing meetings of partners for mutual exchange of experiences and information.

*The concept of care for the families of professional soldiers sent to perform tasks outside the territory of the Slovak Republic* also states that one of the tasks of the support teams is also the creation and strengthening of informal ties between the families of professional soldiers as a prerequisite for the emergence of self-help solutions to crisis situations within the military community, which, however, could not always be realized due to the great distance of the households of posted professional soldiers from the sending location department.

The aforementioned form of care is followed by the Psychological Care Program for professional soldiers after returning from OMKM. The aim of this program is mainly to improve the quality of the implementation of psychological

care for professional soldiers after the end of their deployment in the OMKM. The psychological care program represents three consecutive implementation phases. It provides psychological care for professional soldiers after the end of their deployment to OMKM and for professional soldiers of declared units of high readiness forces. The main priority of the Psychological Care Program is the provision of psychological care for professional soldiers in the risk period of 3-6 months after returning from OMKM.

Military psychologists are responsible for the Psychological Care Program for professional soldiers after returning from OMKM. This program is currently fully functional, but its amendment is being prepared due to the changed conditions in operations, the emergence of new operations and also in view of knowledge from practice. SR in 2017 by adopting the Orientation Program for professional soldiers upon arrival in the military. The purpose of this program is to ensure the preparation and recruitment of professional soldiers to the units, components and facilities of the Slovak Armed Forces.

The goal is to ensure an individual approach to each professional soldier by superior officials. The program establishes the procedure and set of activities that will be carried out in the orientation process after the arrival of soldiers to the military unit. Professional soldiers, however, demand significantly more help, which would also be aimed at their family members upon arrival at the new unit.

Given that organizations change in accordance with evolving political demands and tasks, it is essential that NATO diversify the qualifications and expertise of its staff. The key to inducing lasting structural change is organizational transformation. The first action plan covered the periods 2007-2010 and set the following goals:

- establish and maintain NATO's diversity and gender equality policy framework;
- take measures to improve NATO's working environment;
- support and improve NATO's image as an employer of choice.

For each of these goals, annual goals were set, for which the development of progress is monitored every year. The current action plan should include flexible forms of work and an effort to gain as much as possible from the inclusion of a diversity perspective. Diversity can be measured in numbers, but it should not limit efforts to achieve balanced statistics. More specifically, the goal would be mainstream inclusion, which in practice means that efforts are made to ensure that a diverse workforce works well together.

In this chapter, we have compiled knowledge from the given issue from current scientific and professional texts as well as legislative materials. In it, we also

provide an overview of research related to the given issue and a gender audit in the military organization of the Slovak Republic, in which we participated as expert scientific consultants or directly as solvers of these most important scientific research projects of the Department of Social Sciences and Languages of the Milan Rastislav Štefánik Academy of the Armed Forces in Liptovský Mikuláš and the Human Resources Section of the Ministry of Defense of the Slovak Republic:

- *Organizational culture in the armed forces of the Slovak Republic (2006-2009)* the aim was to identify the organizational culture of OS SR and the main types of subcultures occurring in its components. Based on this information, determine the impact of the organizational culture on the fulfillment of the goals and tasks of the OS SR and on the changes taking place in the OS SR. Compare the results found with the results found in Hungary and the Czech Republic.
- *The system of complete assurance of the quality of life of a soldier of the professional armed forces of the Slovak Republic (2008-2009)* the aim was to identify decisive determinants and factors that significantly influence the quality of life and career of a professional soldier of the armed forces of the Slovak Republic in general and by individual categories separately, with an emphasis on junior officers. Empirical research to find out the degree of their influence and propose measures to improve the quality of the comprehensive provision of military professional service of professional soldiers of the armed forces of the Slovak Republic.
- *Family of a professional soldier (2011-2012)* the aim was to find out empirically to what extent the family and the performance of the military profession influence each other, ie to what extent the private sphere interferes with the work sphere and vice versa. The intention is to find out the causes of uneven horizontal distribution of women in individual military specialties and to identify the advantages and disadvantages of equal access to service positions in the armed forces. Map the obstacles in the career of professional female soldiers within individual military specialties from the point of view of women and commanders.
- *Preparation of the officer corps of the armed forces of the Slovak Republic to assume the social position of the military elite in the armed forces of the Slovak Republic and in society (2016-2017)*, the aim was to define the current perception of the military elite in the armed forces of the Slovak Republic and in society, and to assess the level of all-round training of the military elite at the present time. To propose new approaches to the definition of the term military elite. Map elites and military elites from a gender perspective. To optimize the system of quality

training of military elites in the armed forces of the Slovak Republic.

- *Human-legal aspects of the organization and activities of the troops with an emphasis on issues of gender equality (2016-2017)*, the aim was to carry out a theoretically empirical analysis of the observance of human rights, including gender equality, acceptance of otherness and their institutional security within the framework of domestic and international crisis management. To provide expert arguments for a long-term conceptual solution to the issue of human rights aspects of the military organization and activities of the troops under the purview of the Human Resources Section of the Slovak Ministry of Defense.

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# PASTORAL CARE OF CHILDREN WITH SPECIFIC LEARNING DISABILITIES

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## **Abstract:**

This thesis deals with the issue of pastoring children with specific learning disabilities. It introduces the manifestations of specific learning disabilities and their basic classification, taking into account other types of learning problems and their framework characteristics. The uniqueness of pastoral work with children with specific learning disabilities is presented and examples of pastoral work are given. Emphasis is placed on creating a supportive environment with emphasis on the proclamation of God's Word. The Man was created in the image of God, endowed with God's love, and saved to eternal life in Jesus Christ. This message (the gospel) is also for the Man of today. However, it is also necessary to point out that each of us has different gifts, different abilities and different possibilities to receive this unique message. Therefore, when proclaiming the love of God, it is necessary to approach each person individually and to adapt the proclamation to the possibilities of the recipient of faith. Particularly with children, there is a need for a strong individualization of the approach, since the child's discovery of God and the child's journey to faith are very fragile.

**Keywords:** evangelism, pastoral care, children, spiritual care, learning disabilities.

## **The importance of spiritual care**

Since children with Specific Learning Disabilities (hereafter referred to as SLD) are less likely to experience educational success and more likely to experience setbacks or at least difficulties in integrating into society, it is important that the church provides an environment in which they can feel safe. A kind of protected

space where they can share their problems, express their emotions and, most importantly, feel empathy and a sense of being accepted for their difference. Children with SLD may be at increased risk of developing emotional disorders e.g. depression, anxiety disorders, and feelings of hopelessness. Emotional distress then affects overall mental health and physical well-being (Maturkanič, 2021).

### **Specific learning disabilities**

Specific learning disabilities refer to a heterogeneous group of cognitive disabilities that affect the acquisition, understanding and use of learning skills. Despite these difficulties, SLDs are not associated with low levels of intellect, mental retardation or sensory impairment. However, these impairments do result in difficulties in learning, the ability and subsequently the willingness to learn and succeed in school and, in adulthood, difficulties in everyday life. It is important to recognise that these are disabilities of neurological origin that affect how children acquire, process and use the information and often, although partially compensated for, persist throughout an individual's life. Processing and expression difficulties can affect their ability to communicate effectively and understand social interactions, which can affect their engagement with peers. At times, misunderstanding also leads to feelings of exclusion and consequently greater fear of communication and isolation. Sometimes children with SLD have narrow but more intense interests that also set them apart from their peers and make it difficult to engage in shared activities. Children with SLD may be more susceptible - in an attempt to fit in, to manipulation and are more vulnerable to bullying (Kolář et al., 2012).

The most well-known specific learning disabilities include:

1. Dyslexia - here, reading skills are affected, such as problems with letter recognition (confusion) and the resulting difficulty in decoding words and overall comprehension of the text; this is one of the most common learning disabilities. If not diagnosed early, it causes serious difficulties in the initial practice of reading and understanding the meaning of sentences.
2. Dysgraphia - a specific disability of the graphic form of written expression that affects the ability to write, where the child has difficulty remembering the shapes of letters, often confusing them, difficulties can also manifest themselves in geometry, often occurring in combination with dyslexia.
3. Dysorthography - a specific spelling disability characterized by an impaired ability to learn to spell (grammatical rules, spelling, and punctuation).

4. Dyscalculia - a disability of mathematical skills, it is a less common disability that manifests itself in difficulties in basic mathematical operations, basic mathematical facts, and understanding value or abstract mathematical concepts.
5. Dyspraxia - a motor impairment, which includes, for example, difficulty in acquiring complex motor skills or general motor clumsiness (Kolář et al., 2012).

Along with specific learning difficulties, attention deficit disorder and developmental dysphasia must also be taken into account:

Attention Deficit Hyperactivity Disorder (ADHD) is not directly an SLD, but often co-occurs with other disabilities and inherently affects children's learning skills. It is manifested by hyperactivity, impaired concentration, and reduced ability to follow instructions and to perform or complete tasks.

Attention deficit disorder (ADD) has similar symptoms to ADHD but without the hyperactivity symptoms. Children, on the other hand, escape into daydreaming.

Developmental dysphasia - is a specifically disturbed development of speech, which is uneven and not age-appropriate, manifested by a difficult ability or inability to learn to communicate verbally (unintelligible speech, speech impediment, mispronunciation of consonants, agrammatism), even if the conditions for speech development are adequate. Difficulties in graphomotor, auditory and visual processing, disturbed spatiotemporal orientation, impaired motor skills, and possibly cross-laterality. Symptoms may partially persist into adulthood.

Children with SLD are often confronted with difficult acceptance in their environment. These problems stem from their special educational needs. They face these difficulties in both peer and social interactions, often there are communication misunderstandings - both verbal and non-verbal, and social clumsiness and inappropriate behaviour are often evident. Children with SLD are often unable to read and comprehend non-verbal communication and sometimes their responses are inadequate - this leads to rejection and exclusion from peer groups, followed by social isolation or outright ridicule and difficulty making friends. This results in a negative self-perception and lowered self-esteem and confidence. This in turn leads to reluctance or fear of joining a collective and social interaction. Subjectively, they perceive feelings of stress, anxiety and overload (Kolář et al., 2012).

For children with SLD, it is imperative to provide targeted interventions, adapt

the content of education to their capabilities in the educational process, or support with assistance, modification of tasks and assessments, and often individual education plans, where the possibilities of modifying the educational process are precisely described. It is also essential to recognise that although children with SLD have difficulties in certain areas of education, they often have artistic talents and these need to be strengthened and developed.

Addressing the specificities arising from the impact of SLD on the educational process involves a multifaceted approach such as early diagnosis, provision of appropriate intervention, individualised support and the creation of an inclusive learning environment. Often feelings of frustration will manifest themselves in behavioural problems such as disruptive behaviour or defiance. It is necessary to identify the source of these behaviours and provide appropriate support with targeted interventions when the behaviours can be alleviated.

Concerning as well children with SLD, it is necessary to take an individualized approach to gifted children, who are also at risk of certain segregation. Intellectually gifted or exceptionally talented children are those who show exceptional ability in one or more areas. These children have high intellectual abilities, strong curiosity and critical thinking skills. They often show an interest in particular topics or areas and can go to great depths in their exploration, devoting a great deal of time to this exploration and often making it the main topic of their conversation. Gifted children may experience heightened emotional sensitivity and intensity, may show strong empathy, and often have an extensive vocabulary. A highly individualised approach is required for such gifted children, providing more challenging educational stimuli, as - if their intellectual needs are not adequately met - they exhibit the symptoms of children with SLD, such as restlessness, disinterest and escape into the inner world. Social and emotional aspects are also specific - they may experience unique challenges as they may struggle with asynchronous development, often perceiving their difference (Kolář et al., 2012).

It is crucial to adapt the process to suit the child's needs, given that these children face different challenges, there is a need for support in building self-esteem and self-confidence, and an emphasis on promoting inclusion and emotional well-being.

## **Evangelism**

Although this work is primarily concerned with the pastoral care of children, it is impossible not to mention evangelism, at least in the basic definition, since it forms, together with pastoral care it creates the basis of the proclamation of the Word of God. It can be defined in a broader sense as a complex and dynamic act of spreading the message of the Gospel; it is an invitation and sharing of the Gospel, an experience of a personal relationship with Jesus Christ (Rahner, 2009). The primary task of evangelism is to proclaim the good news of salvation and to facilitate a personal relationship with Christ. To actively engage in evangelism - whether by giving a personal message, bringing the message of faith, or explaining Christianity in all parts of the world - in its diversity of cultures and peoples (cf. *Mt 28,19-20*). The process of evangelism is primarily about reaching those who have not yet heard or received the Gospel. It is about introducing them to the basic message of Scripture, offering them the opportunity to respond to the message of salvation and through that faith to receive eternal life, sometimes in a difficult season of life (Tomiczek, V., Thurzo, V., Dobříková, P., 2022; Dobříková, P., Horniaková, D, Thurzo, V., 2022). Especially now, Christians are in a situation where they are seeking a new evangelism of Europe - a renewal of their Christian roots. By evangelism, we mean sharing God's message and awakening faith in Jesus Christ as Saviour (Maturkanič, 2021).

## **Pastoral care**

It includes caring for an individual or community, providing spiritual support and guidance in spiritual life, and nurturing spiritual growth. In the form of preaching and worship, religious education, interpretation and teaching of the Bible, and administration of the sacraments. One of the basic tasks of pastoral care is also to support in times of crisis, whether of faith or life, to promote the spiritual growth of individuals and communities.

Pastoral care is understood as the ongoing spiritual guidance, support and care of the entrusted community. Pastoral care also includes possible therapeutic services, sometimes in collaboration with experts in the field. Sometimes pastoral care extends beyond the community in question to highlight and address social problems and promote social justice. Pastoral care supports people during transformational transitions e.g. birth, baptism, marriage etc.

Pastoral care can also be divided in terms of the individual:

1. Individual pastoral care - where personal support is provided, usually by the pastor (parish priest) and based on the personal and spiritual needs of the person being ministered to. This includes prayer, listening, guidance in matters of faith, counselling where appropriate, offering support in dealing with crisis, sacramental rites and rites of passage.
2. Congregational pastoral care - pastoral care is provided to everyone in the religious community, caring for the spiritual aspect of the community as a whole, creating an environment in which members have the opportunity to grow spiritually while receiving the support and encouragement they need. This includes pastoral visits, the formation of support and education groups (e.g. children's groups, youth groups, Bible classes, prayer times), and pastoral counselling.

In the context of pastoral care, it is also possible to speak of *crisis care*, where pastoral activity focuses on supporting an individual or a community in trauma. This includes prayer, offering comfort, and guiding needed spiritual care. This can also include the work of hospital chaplains, which involves working with doctors, or marriage counselling, which involves supporting couples in a time of crisis in their lives.

Pastoral care can also take place *outside the religious community*, then it is possible to talk about having a social outreach and social justice. This includes supporting the needy in the surrounding community by, for example, organizing a food bank, helping the homeless, helping to advocate for human rights, or organizing or supporting helping projects.

Pastoral care takes many forms and possibilities and *can be adapted to different religious traditions*, which may vary according to the needs of the community. Pastoral care and evangelism are interconnected vessels - both roles are essential in fulfilling the mission of the Church to proclaim God's Word and bring people to Jesus Christ (Maturkanič, P., Jiříšřťová, Gruber, Šuráb, Majda, 2023).

### **Specifics of spiritual care for children with specific learning difficulties**

When motivating children during spiritual care, it is essential to keep in mind the aspect of their spiritual growth. Due to the diversity of issues, it is necessary to consider appropriate practices:

- *Perception of individual specifics* - each child must be perceived as unique, as he or she has his or her perception of the world around them, interests, and experiences. It is necessary to get to know the child better to better understand

individual needs. In this way, we gain the opportunity to incorporate practices that reflect their experiences and opportunities to experience and fully embrace God's message.

- *Collaboration with special educators, teachers, or therapists* - to use their insights, knowledge, and procedures that would lead to grasping the process of working with a given child. The key is to adapt the methods used to the needs and abilities of the children.
- *A safe and supportive environment where they will not be afraid to express their opinions, ask questions, and share thoughts and feelings.* It is essential to encourage open communication without negative evaluative comments - this too leads to a greater willingness to engage in pastoral activities and so take an active part in their spiritual growth. To build a personal supportive relationship, to show sincere interest and willingness to help.
- *Positive reinforcement* - it is very important for children with SLD to experience success, so it is essential to highlight every success and skill, even small ones. The sense of success (which is often not experienced elsewhere, or minimally) is a source of self-confidence and willingness to engage in further activities.
- *Alternatively, in some cases, individualised or small group teaching is preferable, at least initially* - there is more room for creating a supportive environment, taking into account the individual pace, or removing shyness when asking questions (the child will not feel "stupid" for not knowing or initially not understanding something). Individual support, such as listening, empathy, and help with crisis management, is very important for children with specific learning difficulties, as their environment often fails to provide it.
- *Interactive activities link multiple senses such as sight, hearing, and touch, as more resources are more fun* - it's good to use visual aids such as pictures, movement, music, acting out stories, role-playing, and experiencing situations for themselves to help them experience and embrace biblical truths. Use of current technology e.g. appropriate videos, apps, and online resources.
- *A clear retelling of Bible stories and parables that bring out the lessons and truths of faith in an accessible way.* Using questions and encouragement to lead children to think and relate what is being told to their own lives and problems.
- *Addressing content* - it is essential that the topic discussed is relevant and graspable for the child in question, interconnectedness with everyday experiences - to show how God's guidance is evident in everyday situations and how He can be our conscious support and hope in concrete circumstances.
- *Alternatively, divide the tasks into several parts* - to track progress and experience a sense of achievement. Celebrate the completion of a unit to motivate a

desire for personal growth. It is also important to communicate clearly and simplistically, to use clear, concise and simplified language when introducing spiritual concepts, and to give concrete examples from everyday life - but care must be taken to ensure that the message is not lost. Frequent repetition and reinforcement are good, repeating the main message, stories, and Bible verses. It is best to do this in different contexts.

- *It is important to form peer groups and create an experience of belonging*, for example through Bible classes for children, worship services, interest groups, cooperation, and social connections, creating an environment where they can learn from each other, as well as be an emotional support in times of crisis. Also important is patience, empathy and understanding of the specific expressions of these children. Awareness and building a positive self-image, fostering a sense of belonging, and developing social skills such as experiencing (or practising) empathy, communication, cooperation and conflict resolution.
- *Involve the family in evangelism* by providing leadership or materials, workshops, and training sessions to continue the discussion, and spiritual direction and to ensure continuity and support beyond the formal setting. Encourage open discussion, collaboration and communication.
- *Experience prayer and prayer moments* where children can actively participate and experience faith. Use repetitive individual prayers or chants or songs.
- It is also necessary to emphasize that pastoral care does not only address educational or social needs but also and above all *involves the spiritual and moral growth of the child*.
- When pastoring children, it is important to use fun games and activities that *promote team cohesion*, serve as a tool to engage children in meaningful discussions, promote fun learning, and memorization, and illustrate the pastoral nature of pastoral care. They also help to reinforce spiritual learning and create a positive and welcoming environment for spiritual growth.
- *At the end of the meeting, I recommend creating a circle of children*, decorating the centre with pictures or visual aids on the topic discussed, or decorating it nicely. Then each child squeezes the hand of the child standing on his/her right side and wishes him/her something nice as a farewell - it should be personally related to the child, e.g. "Have a nice day and I wish you to stop having a toothache...", or "I wish you God's help in your maths exam". Wishes are to be received silently without comment. (Portmann, 2018, Šimonovský 2015).



### **Suggested games and activities to strengthen awareness of belonging**

- *Common puzzle* - a large e.g. quarter is cut into as many parts as there are children, everyone paints their part according to themselves, then everything is glued together like a puzzle and hung in a visible place - a demonstration that children belong together.
- *Bible riddles* - divide the children into teams and each team draws a story or character from the Bible and together they pantomime it and the others guess.
- *Memory Relay* - children divided into teams are given a verse to memorize. As the team recites the verse, each member says one word until the verse is complete. The length of the verses depends on the number and ability of the members.
- *Building a church tower* - children will be given blocks or materials for building (or they can get them on their own - as a symbol of their search for faith). The children then build the faith tower one by one and try to build a stable tower together, adding their own experiences or opinions about the importance of unity and working together as they lay their part in the construction.
- *Drawing* - the team draws a slip of paper with a word or name from the Bible (e.g. Bethlehem, Jonah, comet) and the members of that team draw one line from the picture on the paper and the other participants guess the concept, trying to be successful before the team draws the picture.
- *Collaborative art projects* - together they paint a picture on a given theme or create a collage, ceramic product, fabric product, etc., and each child contributes to the creation of a collaborative work.
- *Riddles* - solving a riddle together based on individual clues that team members have.
- *Knot* - children stand in a circle, hold hands with two different people in the circle and without letting go, try to untangle the “human knot”.
- *Minefield* - set up an obstacle course with objects scattered around the room, one child is blindfolded and the other child guides them through the “minefield” using instructions without the blindfolded child touching the objects.
- *Tug-of-war* - but teams do not tug and compete with each other, but work together to move a heavy object (Portmann, 2018; Šimonovský 2015).

### **Learning support**

- *Bible Crumbs* - a game based on stories, characters and teachings from the Bible. Using question papers, they repeat the stories they have read, discuss them and deepen their knowledge and understanding of Scripture (due to children with SLDs, pictures can be used instead of written text).
- *Search* - children search for relevant Bible verses or objects related to certain stories based on clues (again, it is possible to use pictures or physical objects hidden around).
- *Who am I?* - write the names of various biblical characters on pieces of paper and attach them to the children's backs and they, by asking questions to others, find out the name of the character. Again, the difficulty of knowing the characters must be adjusted to age and ability.
- *Storytelling Relay* - we will divide the children into teams and each team will be given a Bible story. The first child starts to tell (maybe one or two sentences), then storytelling continues with the next child, and so on...until the story is finished (Portmann, 2018, Šimonovský 2015).

### **Development of spirituality**

- *Parables* - on the themes of the selected parables, the children act out a skit, which they bring into their own lives, i.e. how they can use the lessons in their own lives.
- *Fruit of the Spirit* - write the fruits of the Spirit (cf. Gal 5:22-23): love, joy, peace, patience, kindness, goodness, faithfulness, gentleness, and self-control on individual relay batons and hold a race where each team member carries a baton labelled with one of the fruits - the passing of the baton demonstrates the passing of these gifts in our lives.
- *Another variation of the Fruit of the Spirit* - create cards - one set with the names of each gift and another set with representations of the gifts, children find pairs and discuss how they show up in our lives. These cards can be made by the children themselves - especially with the artistic representation, the children engage their imagination and spiritual perception.
- *Prayer circle* - sit in a circle and begin with a simple phrase e.g. Dear God... and proceed around the circle with each child adding their contribution to the prayer - either a personal short prayer or just saying what they can be grateful to God for. It is also good to include team sports, board and social games, and cooperative puzzles (Portmann, 2018, Šimonovský 2015).

All games must be adapted to the age of the children, the pastoral objectives and also to the possible manifestations of SLD. Playing games is fun for the children and in a non-violent way they acquire knowledge of the Bible, experience a sense of belonging to a Christian community and experience spiritual encouragement.

## **Conclusion**

It is not uncommon for children with SLD to experience feelings of frustration, feelings of inadequacy, failure, or low self-esteem, and to be at risk of social isolation or bullying. And it is pastoral care - outside the preaching of God's Word - that can provide a welcoming environment where they experience a supportive community, where they feel accepted and understood, and where they are not afraid to show their emotions, but can openly share their problems and concerns. Help build positive self-esteem and awareness of their worth as a unique image of God's presence. To create a supportive environment for them to integrate into social groups within the faith community and then master the transfer of this skill to other social groups (Akimjak, 2015). Pastoral care includes a spiritual and religious component that provides children with a sense of purpose, values and ethics. Providing total care and creating a supportive environment, helps to significantly improve the overall development and integration of children with SLD into society, developing their potential and enabling them to reach their full potential. Pastoral care conducted in this way can be a decisive factor in the overall development of a given child's abilities and play a crucial role in their overall future direction (Hlad, Konečná, Žalec, Majda, Ionescu, 2022; Hlad, Judák, 2019).

Comprehensive pastoral care is essential for children with SLD as it provides emotional support, contributes to building self-esteem and self-confidence, develops social skills, is based on individual support, and provides moral and spiritual guidance, which leads to the development of educational, emotional and social skills. Family connectedness and cooperation are also important (Judák, 2010).

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