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THE DOCTORAL SCHOLARSHIP
AT THE DOCTORAL SCHOOL
IN THE REPUBLIC OF POLAND
AS A WAY TO ENSURE A DECENT SUPPORT
FOR A CLERGY DOCTORAL STUDENT

Following the order of St. Paul of Tarsus: “O Timothy, guard what has been entrusted to you. Avoid profane babbling and the absurdities of so-called knowledge. By professing it, some people have deviated from the faith” (1 Tm 6:20-21),¹ from the very beginning of the Church, the bishops, the successors of the Apostles, attached great importance to the education of clergy. Of course, over the centuries, this matter, taking into account the circumstances of place and time, as well as the opportunities arising from the development of university studies, has changed, and was thus repeatedly regulated by popes and in ecumenical councils.²

Directing clerics to specialised studies, whether at national or foreign universities, is always involves the need for the diocesan bishop to provide the student priest with adequate funds, taking into account not only the costs arising from the necessary fees at the university, for board, lodging

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¹ Quote in translation: *The New American Bible*, Confraternity of Christian Doctrine, Washington 1991.

² See Bonnici 2002, 133-65; Marchisano 1973, 299-322; Sokolowski 2006, 827-46; Woestman 2006, 187-89.

and social security, but also providing for the acquisition of the necessary educational aids. If the diocesan bishop does not succeed in obtaining an external scholarship for this purpose, the financing of the studies is charged to the diocesan fund.

The reform of higher education in the Republic of Poland has implemented by the Act 2.0 (also known as the Constitution for Science)³ has introduced a number of changes in the field of university management, education of students and doctoral students, as well as conducting and evaluation of scientific research. In the field of doctoral studies, LHES has introduced doctoral schools, in which doctoral students receive a doctoral scholarship.

Considering the fact that the right to decent remuneration is one of the most basic human rights, and in the ecclesiastical space, in relation to the clergy, this right extends to a wider space,⁴ the purpose of this article is to answer the question: Can the doctoral scholarship at the doctoral school in the Republic of Poland ensure a decent support for a clergy doctoral student?

1. THE NOTION OF THE DECENT SUPPORT OF THE CLERGY

The code legislator⁵ promulgated numerous dispositions related to the question of decent support of the clergy, using different terminology.⁶ According to the teaching of the Fathers of the Second Vatican Council, decent support should be such that it might provide not only for the clergy

³ The Act of 20 July 2018, the Law on Higher Education and Science, Journal of Laws of 2018, item 1668 as amended [henceforth cited as: LHES].

⁴ A cleric is entitled not only to a remuneration, but to a support which should be decent. See Lewandowski 2019a.

⁵ *Codex Iuris Canonici auctoritate Ioannis Pauli PP. II promulgatus* (25.01.1983), AAS 75 (1983), pars II, p. 1-317 [henceforth cited as: CIC/83].

⁶ The two most frequent words which should be regarded as essential for this analysis are *sustentatio* and *remuneratio*. The word *sustentatio* is used twenty-four times in CIC/83: Can. 222 § 1; 230 § 1; 233 § 1; 263; 264 § 2; 269, 1°; 281 § 3; 282 § 2; 295 § 2; 384; 402 § 2; 538 § 3; 640; 696 § 1; 707 § 2 (2x); 800 § 2; 1154; 1186; 1254 § 2; 1274 § 1; 1350 § 1; 1650 § 2; 1689. In Latin, the word *sustentatio* is polysemic. It derives from *sustentare* and means 'support,' 'sustenance' [Lewandowski 2017, 132-33]. The word *remuneratio* is used nine times in CIC/83: Can. 191 § 2; 230 § 1; 231 § 2; 263; 281 § 1; 281 § 3 (2x); 418 § 2, 2°; 531. The noun *remuneratio* stems from the Latin word *remunere* and it denotes 'repayment,' 'reciprocation,' 'remuneration,' 'reimbursement' [ibid., 134].

but also those lay faithful who provide their services to them, as well as those who need such assistance.⁷ In a similar way, decent support is interpreted by the Congregation for Bishops: “This regards remuneration which should be sufficient – taking into account the evangelical spirit of poverty – to ensure decent support, protect apostolic freedom, and give presbyters an opportunity to personally support the poor in some way.”⁸ The assurance of such support will allow clerics to avoid situations in which they will not “find themselves having to seek additional income through activities outside their ministry, which might well obscure their chosen state of life and reduce their pastoral and spiritual activity.”⁹

Decent support embraces all that is needed by a cleric to be able to carry out his ministry properly: board, lodging, clothes, health care, social security, annual vacation, assistance for his parents or the closest family members,¹⁰ remuneration for those who help the cleric, or further intellectual development (the last one should be emphasized in the conducted analysis). Obviously, this enumeration is not a closed set [Lewandowski 2016, 57; Idem 2019a, 48].

With respect to the amount of support, the code legislator lays down a general rule whereby it should be ‘appropriate’ to the clerical status, and two factors which will allow this ‘appropriateness’ to be determined exactly, namely: the nature of their functions and the conditions of places and times (can. 281 § 1).¹¹ What in one country or region of the world may be consi-

⁷ Sacrosanctum Concilium Oecumenicum Vaticanum II, *Decretum de presbyterorum ministerio et vita Presbyterorum ordinis* (07.12.1965), AAS 58 (1966), p. 991-1024, no. 20.

⁸ Sacra Congregatio pro Episcopis, *Directorium de pastoralis ministerio Episcoporum Ecclesiae imago* (22.03.1973), Typis Polyglottis Vaticanis, Romae 1973, no. 117.

⁹ Congregazione per i Vescovi, *Direttorio per il ministero pastorale dei vescovi Apostolorum successores* (22.02.2004), Libreria Editrice Vaticana, Città del Vaticano 2004, no. 80.

¹⁰ Ioannes Paulus PP. II, *Epistula La Sede Apostolica* (20.11.1982), AAS 75 (1983), pars I, p. 122: “Spetta ad essi una remunerazione proporzionata ai compiti svolti e tale da assicurare un decoroso sostentamento e consentire l’adempimento dei doveri del proprio stato, comprese anche quelle responsabilità che in certi casi possono avere di venire in aiuto ai propri genitori o ad altri familiari a loro carico.”

¹¹ Can. 281 § 1: “Since clerics dedicate themselves to ecclesiastical ministry, they deserve remuneration which is consistent with their condition, taking into account the nature of their function and the conditions of places and times, and by which they can provide for the necessities of their life as well as for the equitable payment of those whose services they need.”

dered luxurious and strongly opposed to the evangelical counsel of poverty may in another be considered normal and acceptable [Lynch 2000, 371].

2. SUPPORT OF CLERGY DOCTORAL STUDENTS IN THE REPUBLIC OF POLAND FROM CHURCH FUNDS

Particular legislators in the Republic of Poland promulgated a few norms in relation to the analyzed matter. Perhaps this issue is each time arranged in singular decrees of diocesan bishops sending clergy to specialised studies.

In the Archdiocese of Gniezno and the Diocese of Kalisz, student priests receive scholarship from diocesan funds.¹² It is similar in the diocese of Sandomierz, where the financial resources for this purpose are distributed by the department of the diocesan curia for economic affairs.¹³ Material resources gathered in the Priestly Fund in the Diocese of Elk are allocated to financing clergy who find themselves in urgent need, e.g. in illness, and student priests.¹⁴ The funds obtained for the special Science Fund in the Archdiocese of Warmia support, among others, priests sent to specialised studies.¹⁵

In the Archdiocese of Kraków, priests who do not go to study outside the diocese, but study in Kraków itself, are assigned to parishes in Kraków or in the surrounding vicariates forane. The following rules for their involvement and support have been established: student priests participate in the general pastoral work, weekly and Sunday, and teach catechesis 6-9 hours a week. The parish priest covers the costs of their board

¹² *III Powojenny Synod Archidiecezji Gnieźnieńskiej z okazji Milenium jej powstania* (08.12.2000), Prymasowskie Wydawnictwo Gaudentinum, Gniezno 2001, stat. 328; *Pierwszy Synod Diecezji Kaliskiej (2007 – 2009). Prawo diecezjalne Kościoła Kaliskiego* (25.03.2009), Kuria Diecezjalna, Kalisz 2009, stat. 762.

¹³ Bishop of Sandomierz, *Dekret* (09.11.2017), "Kronika Diecezji Sandomierskiej" 11-12 (2017), p. 699. Clerics who in a given academic year received material help from the aforementioned department of the diocesan curia are assigned to pastoral work in the period from July 15 to September 15, thus having the obligation to execute for the assistance received. *Ibid.*, p. 700.

¹⁴ Bishop of Elk, *Komentarz do wprowadzanego aneksu do dekretu ekonomicznego* (24.03.2010), "Kronika Urzędowa Diecezji Elckiej" 1-2 (2010), p. 49.

¹⁵ Metropolitan Archbishop of Warmia, *Ustanowienie Archidiecezjalnego Funduszu Nauki* (31.12.2005), "Warmińskie Wiadomości Archidiecezjalne" 81 (2006), p. 58.

and lodging from the parish fund, and they keep the school salary for themselves and are entitled to a pastoral visit (kolęda).¹⁶ This status gives the student priest the possibility of scientific work to which he is directed, and at the same time does not create unclear situations in relation to other vicars. On the part of the parish, it is a form of a scholarship to support the necessary promotion of scientific staff for the Pontifical University of John Paul II in Kraków and the Archdiocese of Kraków. Possible corrections in the status of a student priest require the approval of everyone in the pastoral team and must be made without prejudice to the academic work undertaken.¹⁷

The analyzed matter also includes exemptions from diocesan tax.¹⁸ In the diocese of Legnica, priests delegated to full-time studies are exempt from taxation for the benefit of Fraternal Priestly Aid and from the obligation to pay *donum charitativum*.¹⁹

3. SUPPORT OF CLERGY FROM OTHER SOURCES

Although the concern for the decent support of clergy is a grave duty incumbent on all faithful Christians (can. 222 § 1; 1261 § 1),²⁰ the legislator leaves a wide range of ‘sources’ from which the cleric can obtain the *quantum* necessary for his support. A hint in this matter is provided in can. 1274 § 1, in which the legislator obliges the diocesan bishop to establish a diocesan fund for the support of the clergy, “unless provision is made [...] in another way.”²¹ On this basis, the Pontifical Council for Legislative Texts concludes that means to ensure the decent support of clergy can come from various ‘sources,’ taken individually or in combination. The Pontifical Council schematically indicates three groups of sources: 1) ecclesiastical entities for which the priests exercise their ministry,

¹⁶ See Lewandowski 2018, 95-113.

¹⁷ Metropolitan Archbishop of Kraków, *Dekret ustalający zasady utrzymania księży pracujących w duszpasterstwie parafialnym*, “Notificiones e Curia Metropolitana Cracoviensi” 147 (2009), no. 1-3, p. 54.

¹⁸ See Renken 2009, 78-95; Kaleta 2014, 91-100; Idem 2019, 25-29.

¹⁹ Bishop of Legnica, *Aneksy do dekretu Biskupa Legnickiego z dnia 1 listopada 2005 r.*, “Legnickie Wiadomości Diecezjalne” 15 (2006), no. 1, p. 99-101.

²⁰ See Calvi 1989, 95-99.

²¹ See Domaszek 2016, 169-77; Kaleta 2017, 53-57; Lewandowski 2019b, 119-34.

whether full-time or part-time; 2) subjects from which the priests receive what corresponds to a true and proper stipend, or a pension, according to the norms in force of the relevant juridical order; 3) the diocesan institute or fund.²²

Although the Pontifical Council for Legislative Texts in the *Decretum de recursu super congruentia inter legem particularem et normam codicalem* analyzes the legal situation of a fund for the support of the clergy, the indicated legal principle also extends to other situations in which clerics find themselves. The Church is called upon to guarantee to the cleric decent support, whatever might be the assignment (or assignments) that he receives from the diocesan bishop, so that he might continue to exercise his service, requiring the total giving of himself and his time, in serenity and complete liberty (no. 4.1; 4.2). Undoubtedly, this obligation can be performed using non-church funds, e.g. in relation to a clergy doctoral student in the Republic of Poland such a source may be the doctoral scholarship at the doctoral school.

4. SUPPORT OF CLERGY DOCTORAL STUDENTS IN THE REPUBLIC OF POLAND FROM THE DOCTORAL SCHOLARSHIP AT THE DOCTORAL SCHOOL

LHES has made profound organizational changes in education at the doctoral level in the Republic of Poland. These changes were primarily related to the establishment and organization of doctoral schools.²³ As of October 1, 2019, the current doctoral studies were replaced by educating doctoral students in doctoral schools. The doctoral school is run not by the authorized university unit, but by the entire university (Art. 198 LHES). The place of the doctoral school in the structure of the higher education institution, the norms of its establishment, internal structure, school bodies and their competences remain to be regulated in internal regulations and doctoral school regulations.

²² Pontificium Consilium de Legum Textibus, *Decretum de recursu super congruentia inter legem particularem et normam codicalem* (29.04.2000), "Communicationes" 32 (2000), no. 2, p. 164-65.

²³ See LHES, Part V: *Degrees and titles in the system of higher education and science*, Chapter 2: *Degree of doktor*, Unit 2: *Doctoral education*.

From the point of view of the conducted analysis, it is important that according to Art. 209, sect. 1 LHES doctoral scholarship is generally awarded to each doctoral student who does not hold a degree of ‘doktor.’²⁴ So also a clergy doctoral student. The scholarship is granted to a clergy doctoral student throughout the entire period of education at the doctoral school, also during the holiday period, for a maximum of four years. The period of education at a doctoral school is not included in this period, if the education in it ceased and there is no other doctoral school providing education in a given discipline, and the entity operating a doctoral school covers the costs of the procedure for proceedings for the award of a degree of ‘doktor’ in extramural mode (Art. 209, sect. 2-3 LHES).

The amount of the doctoral scholarship for a given academic year is established by the rector of higher education institution. According to Art. 209, sect. 4 LHES, the amount of a monthly doctoral scholarship shall be at least: 1) 37% of a professor’s salary – up to the month in which the mid-term evaluation was conducted; 2) 57% of a professor’s salary – after the month in which the mid-term evaluation was conducted. From October 1, 2018, this means successively the following amounts: 1) 2371,70 PLN; 2) 3653,70 PLN.²⁵ For comparison of the indicated amounts, it should be noted that the Council of Ministers adopted a regulation on the amount of the minimum wage for work in 2021, setting it at 2800 PLN.²⁶ After a mid-term evaluation with a positive result, a clergy doctoral student may be employed as an academic teacher or researcher, however, in the case of employment for more than half of the full-time equivalent, the scholarship shall amount to 40% of the monthly scholarship referred to in Art. 209, sect. 4, point 2 LHES (Art. 209, sect. 10, point 2 LHES). The doctoral

²⁴ According to Art. 200, sect. 1 LHES, a person holding ‘magister’ degree, ‘magister inżynier’ degree, or an equivalent degree, or a person who does not meet the requirements set out in Art. 186, sec. 1, point 1 LHES, who completed first-cycle programme, or who completed the third year of long-cycle programme may be admitted to a doctoral school (Art. 186, sect. 2 LHES).

²⁵ From the date of entry into force of the Regulation of the Minister of Science and Higher Education of 25 September 2018 on the amount of the minimum monthly basic salary for a professor at a public university, Journal of Laws of 2018, item 1838, § 1, the amount of the minimum basic monthly salary for a professor at a public university is 6410 PLN. The legal act is still in force.

²⁶ The Regulation of the Council of Ministers of 15 September 2020 on the amount of the minimum remuneration for work and the amount of the minimum hourly rate in 2021, Journal of Laws of 2020, item 1596, § 1.

scholarship may be increased if the higher education institution has adequate financial resources and may also be differentiated according to the achievements of individual doctoral students (Art. 209, sect. 5 LHES).

Additionally, the doctoral scholarship in the amount increased by 30% of the amount equal to 37% of the professor's remuneration is awarded to a clergy doctoral student who has: 1) a disability certificate; 2) a certificate on the degree of disability; 3) a certificate on total, partial incapacity for work or inability to independent existence according to Art. 5 of the Act of 27 August 1997 on vocational and social rehabilitation and employment of disabled persons;²⁷ 4) a decision on passing to one of the groups of disabled persons according to Art. 62 of the Act of 27 August 1997 on vocational and social rehabilitation and employment of disabled persons (Art. 209, sect. 7 LHES).

A clergy doctoral student who submits his doctoral dissertation earlier than the date of completion of education provided for in the curriculum, receives the doctoral scholarship until the date of expiry of the deadline for the completion of education, but not longer than for six months (Art. 209, sect. 8 LHES). It should be remembered that the total period of receiving the doctoral scholarship in doctoral schools may not exceed four years.

It is also important that according to Art. 208, sec. 2 LHES, a clergy doctoral student has obtained the degree of 'doktor' as a result of graduation from a doctoral school, the period of education at that school, not exceeding four years, shall be included in the period of work on which employee entitlements depend.

The doctoral scholarship at the doctoral school is tax-free but subject to the social security system. As of July 1, 2020, entities running doctoral schools have been released from the obligation to pay contributions to the Labour Fund on the amount of the doctoral scholarship.²⁸ A clergy doctoral student, if is under the age of thirty-five, may apply for a student loan only once in the period of education at the doctoral school, for no longer than four years (Art. 210 LHES). A clergy doctoral student may also apply for accommodation in a student dormitory of the higher education insti-

²⁷ Journal of Laws of 1997, no. 123, item 776.

²⁸ The Act of 5 June 2020 amending the act on personal income tax, the act on corporate income tax, the act on flat-rate income tax on certain revenues earned by natural persons and certain other acts, Journal of Laws of 2020, item 1065, Art. 6.

tution or catering in the student canteen of the higher education institution (Art. 211, point 1 LHES).

CONCLUSIONS

The analysis carried out in this article leads to the following conclusions:

1. From the very beginning of the Church, great importance was attached to the education of clergy.

2. Directing clerics to specialised studies, regardless of the location of the higher education institution, in the country or abroad, always requires that the student priest be provided with adequate financial resources that will cover the costs resulting from the necessary fees at the university, for board, lodging, social security, and allow for independent studying, including acquiring necessary educational aids. In practice, if the diocesan bishop does not obtain an external scholarship for this purpose, the financing of the studies is charged to the diocesan fund. If the diocese educates several clerics, the burden can be considerable.

3. A clergy doctoral student admitted to the doctoral school has the right to support, which should be provided at a decent level.

4. A clergy doctoral student who does not hold a degree of 'doktor' receives the doctoral scholarship throughout the entire period of education at the doctoral school, also during the holiday period, for a maximum of four years. The monthly doctoral scholarship shall be at least 2371,70 PLN up to the month in which the mid-term evaluation was conducted and 3653,70 PLN after the month in which the mid-term evaluation was conducted. The amount of the doctoral scholarship may depend on the achievements of a clergy doctoral student.

5. Considering that the minimum remuneration for work in the Republic of Poland in 2021 was set at 2800 PLN, the amount of the doctoral scholarship is satisfactory. Undoubtedly, it makes a significant contribution to ensuring a decent support for a clergy doctoral student. It is also a serious relief to the diocesan fund.

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The Doctoral Scholarship at the Doctoral School in the Republic of Poland as a Way to Ensure a Decent Support for a Clergy Doctoral Student

Summary

Directing clerics to specialised studies, in the country or abroad, is connected with the necessity to provide the student priest with adequate funds to cover the fees at the university, for board, lodging, social insurance and educational aids. If, for this purpose, the diocesan bishop does not obtain an external scholarship, the financing of studies is charged to the diocesan fund, often in a significant way.

The reform of higher education in the Republic of Poland introduced by the Act of 20 July 2018, the Law on Higher Education and Science, in the field of doctoral studies has introduced doctoral schools in which doctoral students receive doctoral scholarships. It is also available to clergy doctoral students throughout their education at the doctoral school for a maximum of four years. The monthly doctoral scholarship shall be at least 2371,70 PLN up to the month in which the mid-term evaluation was conducted and 3653,70 PLN after the month in which the mid-term evaluation was conducted. In addition, the amount of the scholarship may depend on additional factors, including on the achievements of a clergy doctoral student. The doctoral scholarship at the doctoral school therefore significantly contributes to ensuring a decent support for a clergy doctoral student. It is also a serious relief to the diocesan fund.

Key words: the Act of 20 July 2018, the Law on Higher Education and Science; intellectual formation of the clergy; specialised studies; financing of the Church; *sustentatio; remuneratio*

Stypendium doktoranckie w szkole doktorskiej w Rzeczypospolitej Polskiej jako sposób zabezpieczenia godziwego utrzymania duchownemu doktorantowi

Streszczenie

Kierowanie duchownych na studia specjalistyczne, w kraju lub za granicę, wiąże się z koniecznością zapewnienia księdzu studentowi odpowiednich środków finansowych, zabezpieczających pokrycie opłat na uczelni, za zakwaterowanie, wyżywienie, ubezpieczenie społeczne, dających możliwość nabywania pomocy naukowych. Jeśli w tym celu biskupowi diecezjalnemu nie uda się pozyskać stypendium zewnętrznego, finansowanie studiów obciąża budżet diecezji, nierzadko w sposób znaczący.

Reforma szkolnictwa wyższego w Rzeczypospolitej Polskiej, dokonana ustawą z dnia 20 lipca 2018 r. *Prawo o szkolnictwie wyższym i nauce*, w zakresie studiów doktoranckich wprowadziła szkoły doktorskie, w których doktoranci otrzymują stypendium doktoranckie. Przysługuje ono również duchownym doktorantom przez cały okres kształcenia w szkole doktorskiej, maksymalnie przez cztery lata. Miesięczne stypendium wynosi co najmniej: 2371,70 PLN do miesiąca, w którym została przeprowadzona ocena śródkresowa i 3653,70 PLN po miesiącu, w którym została przeprowadzona ocena śródkresowa. Ponadto wysokość stypendium może zostać uzależniona od dodatkowych czynników, m.in. od osiągnięć duchownego doktoranta. Stypendium doktoranckie

w szkole doktorskiej znacząco przyczynia się zatem do zapewnienia duchownemu doktorantowi godziwego utrzymania. Stanowi także istotne odciążenie budżetu diecezji.

Słowa kluczowe: ustawa z dnia 20 lipca 2018 r. *Prawo o szkolnictwie wyższym i nauce*; formacja intelektualna duchowieństwa; studia specjalistyczne; finansowanie Kościoła; *sustentatio*; *remuneratio*

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