

EDUCATION AS A BASIS OF LEGAL CONSCIOUSNESS IN THE FIRST CZECHOSLOVAK REPUBLIC (1918-1938)

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Gromovchuk M. V. Education as a basis of legal consciousness in the First Czechoslovak Republic (1918-1938).

The purpose of the paper is to clarify the place and role of religious and secular education in the process of intercultural dialogue in the formation of the legal culture of the transitional period in the state, in particular the period of activity of the First Czechoslovak Republic. Methodological basis – the basis of the methodology of the research is the general theoretical methods, principles and approaches to the definition of the constitutionally-legal consolidation of the state and church status in the First Czechoslovak Republic. In particular, the formal-logical method was used to study the conceptual apparatus defined by the article's theme. Functional and comparative legal methods are used for comparative analysis of legal culture and legal consciousness in the First Czechoslovak Republic. In the process of studying legal culture and legal awareness as an element of culture in the state a structural and functional method was used. The most important is the historical-retrospective method. This method has allowed to specify the previously mentioned methodological principle of historicism and to know the laws of the genesis of legal culture and legal consciousness in the First Czechoslovak Republic. Scientific novelty consists in the systematic analysis of the factors that influence the cultural and educational process in the formation of a citizens' sense of justice. At the same time, it was first established that the main factor of the historical and cultural process in the First Czechoslovak Republic, the formation of legal culture and legal consciousness was Catholicism. It was he who also influenced the constitutionally-legal consolidation of the right to education and upbringing, a change in the educational ideal took place: the spiritual life of man became the subject of in-depth study and acquired the highest priority of religious significance. Conclusions. In the First Czechoslovak Republic, the cultural-educational process served as a paradigm of intercultural dialogue for people of different ethnic, linguistic and religious backgrounds. The role of education in this context is defined as a strategic resource for improving the well-being of individuals in the formation of tolerance and mutual respect in the process of observance of fundamental rights and freedoms of citizens. Intercultural dialogue, in this case, is a combination of components, in particular spiritual and secular education, in shaping a person's respect for language, religion, culture, and world outlook.

Key words: religious education, secular education, intercultural dialogue, cultural and educational process, legal culture.

Громовчук М. В. Освіта як основа правосвідомості в Першій Чехословацькій Республіці (1918-1938).

Метою роботи є з'ясування місця та ролі релігійної та світської освіти у процесі міжкультурного діалогу у формуванні правової культури перехідного періоду в державі, зокрема періоду діяльності Першої Чехословацької Республіки. Методологічною основою – основою методології дослідження є загальнотеоретичні методи, принципи та підходи до визначення конституційно-правового закріплення державно-церковного статусу в Першій Чехословацькій Республіці. Зокрема, формально-логічним методом було досліджено понятійний апарат, визначений темою статті. Для порівняльного аналізу правової культури та правосвідомості Першої Чехословацької Республіки використовуються функціонально-порівняльно-правові методи. У процесі вивчення правової культури та правосвідомості як

елемента культури в державі використовувався структурно-функціональний метод. Найважливішим є історико-ретроспективний метод. Цей метод дозволив конкретизувати вищезгаданий методологічний принцип історизму та пізнати закономірності генезису правової культури та правосвідомості в Першій Чехословацькій Республіці. Наукова новизна полягає в системному аналізі факторів, що впливають на культурно-освітній процес у формуванні почуття справедливості громадян. При цьому було встановлено, що основним чинником історико-культурного процесу в Першій Чехословацькій республіці, формування правової культури та правосвідомості був католицизм. Саме він також вплинув на конституційно-правове закріплення права на освіту і виховання, відбулася зміна виховного ідеалу: духовне життя людини стало предметом поглибленого вивчення і набуло вищого пріоритету релігійного значення. У Першій Чехословацькій Республіці культурно-освітній процес був парадигмою міжкультурного діалогу для людей різного етнічного, мовного та релігійного походження. Роль освіти в цьому контексті визначається як стратегічний ресурс підвищення добробуту особистості у формуванні толерантності та взаємоповаги у процесі дотримання основних прав і свобод громадян. Міжкультурний діалог у даному випадку — це поєднання компонентів, зокрема духовної та світської освіти, у формуванні в людини поваги до мови, релігії, культури, світогляду.

Ключові слова: релігійна освіта, світська освіта, міжкультурний діалог, культурно-освітній процес, права культура.

Today, scientists are forced to recognize the fact that from ancient times the education and upbringing of the younger generation was and is a sphere of social life, where the interests of the state and the church intersect [1, p. 49]. In building modern church-state relations, believers and non-believers are concerned with the existence, on the one hand, of forms of optimal interaction between secular and religious education and upbringing, on the other – acceptable limits of religious education on the educational process in secular schools. These problems were relevant in the period of the First Czechoslovak Republic [2, p. 86].

Analysis of recent research. The problem raised by the author has not yet been the subject of a separate study in both domestic and foreign historiography. Analyzing scientific works on this topic, we note that only a small number of scientists have studied its individual aspects in the context of the study of broader thematic blocks. Thus, the problem is partially revealed in the works of scholars who studied the religious policy of Czechoslovakia in the interwar period and its impact on state-church relations. In particular, these issues were considered by Czech and Slovak scientists I. Byte, F. Vashecka, I. Vanat, T. Masaryk, M. Pehr, J. Shebek, M. Schmid, M. Sidor, K. Pavlik, L. Skula, M. Chaplikova, as well as Ukrainian – M. Boldizhar, V. Bondarenko, Y. Bisaga, V. Bed, V. Burega, A. Voloshin, Y. Gadzhega, A. Gain, V. Gaeva, M. Delegan, O. Dekhtereva, V. Yelensky, L. Kompaniets, V. Lubsky, M. Onishchenko, M. Palinchak, E. Sabov, G. Sergienko, O. Stoyka, S. Fentsyk, P. Yarotsky, L. Yarmol.

Presenting main material. Religious education is, first of all, an activity carried out by professionally trained persons (clergy, religious teachers), which is designed to transmit religious doctrines, religious experience, liturgical practice, as well as to train teachers for the system of religious education. Among the most important functions inherent in religious education, we can highlight the following: 1) the natural reproduction of religiosity; 2) involvement through religious education and education of new believers in a particular denomination; 3) socialization of the believer's personality throughout his life; formation and development of spiritual and moral culture of believers, influence on the culture of non-religious people, first of all – their moral and patriotic positions; 4) improvement of specialized religious education, which would be based on the positive experience of the past and modern scientific and methodological achievements, in order to prepare worthy candidates for pastoral ministry [3, p. 80].

Religious education is one of the fundamental principles of religious freedom. The right to teach religion in Western European countries includes the right to establish private schools controlled by one church or another, and the right to study religion in public schools. It should be noted that the right to teach religion is enshrined in the constitutions of many European countries (Italy, Spain, Germany, Poland, etc.), as well as the right to establish private schools. The freedom to teach religion is confirmed by Art. 2 of the First Protocol to the European Convention on Human Rights [2, p. 87].

T. Aquinas, a famous theologian and philosopher, notes that man achieves freedom as he makes free choice, perceives values that he has learned to define. Constantly confronted with situations of specific choice between good and evil develops the habit of moving towards a certain good. The habit of giving preference to good develops virtue in a person, as a result of which the choice becomes easy, creative and satisfying. If

this process is joined by an act of faith that provides support and enlightenment by God's grace, then creative activity becomes an act of virtue blessed by God. Thus, according to T. Aquinas, the habit of virtue develops freedom of choice and inner freedom of a mature person [4, p. 93].

Based on this, the process of intercultural dialogue in a situation of interaction of people with different ethnic, linguistic, religious and cultural heritage is quite appropriate. This important determinant is a strategic resource in ensuring the national interests of citizens in the transition period, and strengthening the authority of the state as a whole.

It should be noted that in Ukraine the scale of discussions on this issue is due to the following factors:

- 1) Ukrainian society in the period of democratic transformations has not avoided the negative phenomena associated with the devaluation of individual, family and social morality based on universal values. Moral values such as justice, mutual respect, honesty, solidarity, decency, dignity often give way to inherently inhumane mass culture. Under such conditions, religious institutions tend to act as correlators of the situation, referring to the fact that they are the bearers of spirituality, to which they are ready to involve Ukrainians through the education system;
- 2) churches and denominations throughout the history of their existence have always been engaged in pedagogical activities. The Holy Dormition Kyiv-Pechersk and Pochaiv Lavra, Vydubychi Monastery, Lviv and Kyiv Orthodox Brotherhoods (since its founding) were distinguished not only by their religious activities, but also by significant cultural, educational centers, and carriers of intellectual potential. At their initiative, well-known schools, colleges, and academies (Ostroh Academy, Kyiv-Mohyla Academy) were founded and functioned throughout Europe at that time. Based on historical tradition, religious organizations at the beginning of the third millennium want to launch a full-scale educational work;
- 3) Ukraine's European choice imposes a number of specific requirements. One of them is the establishment of the principle of worldview pluralism. In fact, we are talking about the implementation in practice of the requirements of an open society. In a democratic society, denominations, like other civil society actors, have the right to participate in the development of the education system in order to educate the spiritually mature generation. Thus, the process of religious awakening continues in Ukraine: the institutional network of denominations is expanding, the authority of churches in society is growing, their international activities are intensifying, which strengthens parents' desire to raise their children according to their religious beliefs. Therefore, the legal field for the implementation of the prospects of such education needs serious refinement [5, p. 132].

Examining the issues of cultural and educational processes in the First Czechoslovak Republic, it should be noted that the factor of historical and cultural process was Catholicism. He also influenced education and upbringing. There was a change in the educational ideal: the spiritual life of man became the subject of deep study and acquired paramount religious significance. The leading place in the national and cultural life of the Ukrainians of Transcarpathia was occupied by the Greek Catholic Church. The school became a valuable treasure of the Greek Catholic Church. Emphasizing the merits of O. Dukhnovych, O. Pavlovych, I. Silvai, M. Luchkai and other conscious Greek Catholic priests in the development of national culture, including schools, the church often acted as a defender of national culture [6, p. 62] According to Law № 11/1918, Slovak laws and regulations in school education from 1868 and 1891 applied to Slovakia. According to the original levels, the school structure was divided into state, municipal, church and private. In particular, church schools accounted for almost 80% of all primary schools and formed the majority of general public primary education in the former Austro-Hungarian Empire. The most noticeable in the region were the successes in the development of national education [7, p. 575]. This contributed to the economic and cultural development of society.

Today, the issue of state and legal regulation of the formation of national education in the Czechoslovak Republic in the interwar period (1919-1938) remains poorly studied. The cultural heritage preserved from the Austro-Hungarian Empire in Transcarpathia proved to be difficult. The issue of clergy lessons in schools and the status of theological faculties caused major problems. Immediately after November 25, 1918, the Ministry of Education issued an order introducing voluntary participation of students in church lessons. However, some school principals have interpreted this order in their own way and have banned pre-school prayer in many schools. Such actions, which restricted church (spiritual) freedom, caused interpellations of people's representatives in parliament. According to the law № 226 of July 13, 1922. children were exempted from religious lessons in schools at the written request of their parents [8, p. 535].

The next component in the cultural and educational process is language. In this context, education has

not the least role, because language is usually an obstacle to intercultural dialogue. Using an intercultural approach, the value of languages used by different national groups is determined. The importance of learning a language is to enrich one's knowledge by analyzing the social and cultural identity of others, as well as to be able to relate to the citizens of the country where the person is for a certain period of time.

It should be noted that during the First Czechoslovak Republic this obstacle did occur, as two important trends were evident at the lower level of education: the steady decline of church schools and the significant growth of Czech-speaking ones. Researchers often call this process the "Czechization" of education and point out that these actions were a deliberate and deliberate step by the Czechoslovak government. This was especially influenced by the decision of the Supreme Administrative Court of the Czechoslovak Republic of June 28, 1925 to recognize the Ukrainian language "foreign" to the population of Transcarpathia, after which the attack on Ukrainian schools began [9, p. 51]. As for church-parish schools, the situation was the same, from 1922 to 1938 their number decreased significantly, while the number of Czech-speaking ones increased. Schools were managed primarily by the state.

At that time, the law № 38 of 1868 continued to apply in Transcarpathia, paragraph 10 of which allowed schools, except for the state, to be maintained by rural communities, churches, and individuals. However, despite accusations of excessive "Czechization", the Czechoslovak government allocated a lot of money for the construction and repair of schools, so in the first decade for the repair, modernization and construction of new (built 52 schools) Czechoslovak government allocated more than 41 million crowns [4, with. 50]. According to the source of funding, schools were divided into public, church (Roman Catholic, Greek Catholic, Evangelical, Jewish), public and private. Everyone went to "their" schools on religious or national grounds. In addition to public (primary) schools, the education system of the Czechoslovak period (1919-1938) included secondary schools (gymnasiums, seminaries, schools), a trade academy, boarding schools, county schools, children's (preschool) institutions, specialized educational courses and civic. incomplete secondary) schools. The Czechoslovak government did not stay away from the debate between Ukrainophile, Russophile and Ruthenian orientations. He provided support to each of them in turn, stopping in the mid-30's of the twentieth century. on the latter, as the first two posed a threat to the territorial integrity of Czechoslovakia. Under this policy, the political and cultural development of Transcarpathia took place mainly within the boundaries between Czechoslovak centralism and local autonomy [10, p.28]. A whole system of government was created for the management of parish schools. The school church apparatus performed its functions independently. The Minister of Education had the right only to general supervision of church schools. The Greek Catholic Diocese of Mukachevo had a school department, which was to ensure that religion was taught at the appropriate level in church schools. In 1922, the so-called "Small School Law" № 226 was adopted, the main tasks of which were carried out by the Ministry of Education and Public Education of the Czechoslovak Republic. Education and schooling in Transcarpathia was managed by the Department of Schools and Public Education with its center in Uzhhorod. The Small School Act introduced compulsory eight-year education, and children of non-denominational parents or children whose parents were in non-state denominations between the ages of 7 and 14 were exempted from compulsory study, subject to their written application. But this law was valid only in the Czech Republic and Moravia. Civic education lessons have been introduced as a new compulsory subject. However, if the educational process in the primary grades was gradually developing, then in the territory of Subcarpathian Russia after the rule of the Austro-Hungarian government remained a significant part of the illiterate adult population. To address this gap, the Czechoslovak government has introduced so-called adult courses for the region.

Considering the period during which Transcarpathia was part of the First Czechoslovak Republic and analyzing the educational process of 1919-1938, we can conclude that the Government of the Czechoslovak Republic provided favorable conditions for training of different nationalities of Subcarpathian Russia. In its policy, the government sought to ensure secular education by reducing the number of church schools and increasing public schools. However, a significant shortcoming of education was that in Subcarpathian Russia in the period of the 1920s and 1930s, education developed under the influence of the Russophile trend, which was intensified by Russian emigrants living in Transcarpathia. As for religious education, it should be said that the Orthodox lagged behind Catholics and Greek Catholics, as most schools where they had the opportunity to teach religion were subordinated to them [14, p. 27]. As for the cultural and educational sphere in general, the cooperation between the Czechoslovak authorities and the leaders of Subcarpathian Russia developed more dynamically. At least in this area there were far fewer contradictions than in the political sphere. The first steps of the new government were aimed at ensuring the loyalty of the population by ensuring its rights

and communication. First of all, it is a language problem. Prior to that, the Hungarian language was officially used, but the Czechoslovak authorities refused it in principle. As for local dialects, there were many, so the problem of language became acute on December 4, 1919. The Ministry of Education and National Education of Subcarpathian Russia convened a “special meeting of members of the Czech Academy of Sciences. These recommendations are reduced to the following provisions: 1) to decide on the literary language of a nation or tribe belongs primarily to its members; 2) to create an artificially new literary language for the Slavic population of Carpathian Russia would be not only very difficult, but also quite dubious, and from a political point of view – an undesirable task; 3) given that the local “Ruthenian” dialect in Carpathian Russia is definitely a dialect of Ukrainian (“Little Russian”), it is necessary to recognize the literary language for the local population Ukrainian (“Little Russian”) literary language used by its closest neighbors and fellow tribesmen. , ie “Galician Ukrainian language”; 4) in order for the inhabitants of Carpathian Russia not to lose consciousness of the fact that, like the Ukrainians, they belong to the great Russian people, it is recommended to study Russian in secondary schools as well; 5) for scientific and political reasons, it is necessary that specialists analyze and evaluate literary attempts to create a separate literary language for the Carpatho-Russian people [13, p. 27]. Taking into account the recommendations of specialists, the new Minister of Education K. Croft sent to the command of Subcarpathian Russia the recommendations of scientists. This gave some scholars the opportunity to talk about the pro-Ukrainian national policy of Czechoslovakia [14, p. 211]. However, in our opinion, the situation was not so clear-cut, as the language recommendations were quite contradictory. It was recommended to introduce the Ukrainian literary language, but with an etymological spelling that has not been used anywhere, and at the same time it was proposed to evaluate attempts to create a separate literary language – that is, in principle, the possibility of such a language was allowed. The local population was recognized as part of the Ukrainian nation, but, as shown in the recommendations, “Ukrainians were part of the great Russian people” [15, p. 91]. According to Ladjun Yu.Yu. this situation illustrates the emergence of three possible vectors of Czechoslovak national policy: 1) focus on supporting the Ukrainian national and cultural vector; 2) focus on supporting the “all-Russian” (Russophile) national-cultural vector; 3) an attempt to form a separate identity in the population, not related to the first two vectors and focused on kinship and commonwealth with the Czechs and Slovaks [15, p. 92].

Conclusions. Thus, as we see in the First Czechoslovak Republic, the educational and cultural process served as a paradigm of intercultural dialogue of people with different ethnic, linguistic and religious backgrounds. The role of education in this context is defined as a strategic resource for improving the well-being of individuals in the formation of tolerance and mutual respect in the process of respect for fundamental rights and freedoms of citizens. Intercultural dialogue, in this case, is a set of components, including spiritual and secular education, in the formation of human respect for the language, religion, culture and worldview of others.

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