

Introduction

Every law enacted has, at its core, a specific concept of man and a value system related to it, no matter whether lawmakers are aware of it or not. Over many years of studying labour law I have been repeatedly confronted with the difficult question of what the concept of man and values related to this concept are all about in Polish labour law. Bearing in mind the fact that the Polish cultural sphere belonging to the Western European Christian tradition has been influenced by the social teaching of the Church, which through the person of Pope John Paul II has gained particularly strong recognition in Poland as reflected in its Constitution, I decided that it would be worth considering to what extent this teaching is reflected in the Polish system of labour law.

I was particularly concerned about this question during my work on the monograph titled *Zatrudnienie niepracownicze* (Work without employment) which, incidentally, brought about many controversies. Being subconsciously inspired by the papal teaching, I tried to point out that man, carrying out his work in person, or, to quote the eminent French scholar Professor Alain Supiot: man who, as it were, is working using his own body only, could not remain outside employment. Consequently, I tried to prove that there are only two settings in which human labour can be provided: in the form of employment or in the form of the provision of services in the framework of business activity. At that time, I had not yet had any deeper thoughts leading me to conclude that the above observation is determined simply by the inherent and inalienable dignity of man. I am aware that in writing this book, I am once again taking up an unusual topic. I realise that some theses formulated in this work are in opposition to certain views and may be considered controversial. It will suffice to say that in many studies on Polish labour law the approach to human work as an “ordinary” operating cost of a given economic entity still holds sway. It is not uncommon either to come across a description of labour law where the use of the term labour market or human resources in the context of labour law does not arouse any negative feeling.

However, I sincerely hope that the deliberations contained in this book will in some way contribute to the development of a discussion on the axiology of Polish labour law. There is no doubt that the scope of my research presented here still

leaves a huge area of unexplored issues. In my work I have focused only on determining whether there is any visible influence of the Catholic Church's social thinking on the fundamental institutions of Polish labour law. I am aware that this matter should be explored even more deeply, reaching out to individual institutions. In my opinion, however, it is worth answering the question of whether Polish labour law reflects the social doctrine of the Church in its basic assumptions. Only later, in a way as a consequence of the recognition of the potential adoption by the legislator of the basic theses of Catholic social teaching, may one seek an answer to the question of whether the influence of the social thinking of the Church is also evident on the deeper "levels" of legislative solutions pertaining to labour law. This line of reasoning seemed justified to me from the point of view of the assumption that a legal system is closed and coherent. Yet, this second stage of research I consider to be a subject worthy of another comprehensive monograph.

When I was embarking on the work on this book, I did not have any idea of how difficult it would be for me to express my thoughts. The attempt to perceive the value of a human being in labour law made me realise that I should first of all learn a language which would be appropriate in this respect. Many years of dogmatic analyses in certain conceptual schemes meant that I often hesitated to formulate my thoughts, and then even when I did, it was with some unreasonable, but nevertheless ever-present feeling of shyness that always accompanied me. I was stuck in the narrative where work was merely a commodity, and where dignity or reference to dignity was an embarrassment or even a confession of weakness. I therefore ask for my reader's understanding.

At this point I would like to extend very many thanks to my reviewers: Professor Grzegorz Goździewicz, Professor Zbigniew Góral and Professor Michał Seweryński for the time they devoted to reading my book and for the valuable comments that they were willing to give me. At the same time, I would like to express my gratitude to the Rev. Professor Tomasz Barankiewicz who reviewed my manuscript and offered valuable suggestions. I also wish to express my gratitude to Professor Alain Supiot, for the conversations I had with him during my scholarship at the Collège de France in 2014 and 2015, which were a source of inspiration for me, and which, above all, showed me the depth of the problems related to the philosophical foundations of labour law.

This book, however, would not have been possible without the scientific output of Professor Arkadiusz Sobczyk. His scholarly insights into, particularly, respect for the dignity of the working person and also for the workplace as a community of people based on solidarity, were for me the starting point for many of my subsequent reflections.

My very personal thanks go to my loved ones and friends. In particular, I thank my father, whose attitude to life, choices he made and values, only years later allow

me to understand the comfort that comes to man when he is faithful to the truth, for which he sometimes has to pay the highest price.

I cannot personally thank my mentor, the late Professor Andrzej Kijowski, which is why I dedicate this work to him. It was Professor Kijowski, the supervisor of my Master's thesis and my PhD dissertation, who always encouraged me to take up difficult and controversial topics, seeing it as the only chance for the development of scholarship.

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