



Paulina JABŁOŃSKA:
Dziecko jako podmiot wolności religijnej
[The Child as a Subject of Religious Freedom]
Warszawa: Wydawnictwo Naukowe UKSW, 2023

The proclamation of the Universal Declaration of Human Rights in 1948 marked a watershed moment. It emphasized universal values rooted in the dignity of every human being. This catalogue of human rights applies to children, who are part of the broader category of all people and are further recognized in Article 25 as entitled to special care, assistance, and social protection. In 1959, the United Nations General Assembly proclaimed the Declaration of the Rights of the Child, which comprises ten principles outlining the scope of child protection across various aspects of life. A pivotal moment in the international arena occurred with the Polish government's submission of the draft Convention on the Rights of the Child to the United Nations in 1978. The Convention has since established itself as a universal international agreement, encompassing numerous civil, political, economic, social, and cultural rights to which children are entitled. Within both the catalogue of human rights and of children's rights exist the rights to education — covering cultural, scientific, and religious learning — and the right to freedom of thought, conscience, and religion, which includes the extent of support that parents or other legal guardians may provide in helping the child choose the best possible path for their development (Articles 14 and 29).

Paulina Jabłońska's monograph, *Dziecko jako podmiot wolności religijnej* (The Child as a Subject of Religious Freedom), with a subtitle: *Nauczanie religii w polskiej szkole publicznej a wolność sumienia i wyznania*

osoby małoletniej w świetle prawa świeckiego i kanonicznego (Teaching Religion in a Polish Public School and the Freedom of Conscience and Religion of a Minor in the Light of Secular and Canon Law) is, as announced in the introduction of the monograph, a dogmatic-legal analysis covering the legislative status as of 2023. The topic undertaken is another study by Jabłońska exploring the issue she is an expert in, namely the right to religious freedom. In the reviewed publication, the emphasis is on discussing the right of minors to freedom of conscience and religion, as well as issues related to the teaching of religion in Polish public schools.

Reading the monograph in question shows that the analysis conducted therein is comprehensive and up-to-date. In her introduction, the author noted that “observation of the political and social events taking place in Europe provokes the claim that the issue of religious instruction and freedom of conscience and religion of minors is becoming increasingly important” (p. 16). Introducing the topic, the author shows the historical background of the introduction of religious lessons to Polish schools and statistics on the participation of children and adolescents in them. Noting the impact of globalization and secularization, she describes the current, albeit limited, media trend of discouraging attendance at religious classes in Polish public schools, which seems to be a repetition of government-driven actions that already took place during the communist era.

The main section of the publication focuses on analyzing the legal regulations related to the issues outlined in the title, discussed from both canon law and Polish civil law perspectives. The approximation and clarification of the provisions of the 1997 Constitution of the Republic of Poland, the 1993 Concordat between the Holy See and the Republic of Poland, the Law on the Educational System, the Code of Canon Law, the Catechetical Directory, as well as rulings by the Constitutional Tribunal and others, were undertaken just prior to the surge of public interest topic, which has arisen due to recent announcements regarding changes in the number of hours and the scheduling of religious instruction in Polish schools.

In the context of the discussed topic, it is extremely important to explain in detail the terms used, such as religion, creed, conscience and freedom of conscience and religion, among others, as well as child, minor, juvenile and others, which terms as used in different legal orders are not always consistent in meaning. In this context, the clear definition of terminology strengthens the debate on the rights of the child to freedom of conscience, religion, and religious instruction.

The study provides answers and legal justification for many topical themes and questions that recur again and again in history: should there be religious lessons in school at all, should the state pay catechists for their

work, should a grade in religion be written on a school certificate, should a cross be displayed on walls in public school classrooms, is knowledge or faith evaluated, and does participation in religious lessons violate the right to secrecy about one's views and religion?

The etymology of the words: religion, denomination, freedom of religion, freedom of conscience and religion, conscience and freedom of conscience; the analysis of the legal facts and specific case studies and court judgments make it possible to assess the study as comprehensive. The objective of the work set and achieved, as well as the tools used to achieve it, raise no doubts. The monograph is up to the standards of the field, which is confirmed by proper references to the up-to-date literature on the subject in both, the book's footnotes and bibliography. The sources listed in the book are selected adequately, and the sources of law, which form the basis of the analysis, are duly underscored. and the literature on the subject, consisting of commentaries and studies, only supplement it. The presentation of currently enforceable legal norms is clear, and the historical context provided allows a broader view of the current problem. Conclusions are clearly and lucidly placed at the end of each chapter and in the conclusion of the monograph. The monograph is written in communicative style clearly designed for a wider audience.

A gentle remark can be made about the book's organization, where at the beginning the historical description of the issues is interspersed with the etymology of words and explanation of concepts, which could have been a stand-alone chapter. This suggestion of slight change by no means undermines the value of the work. If implemented, it would simply improve its readability at the outset.

Bearing in mind the currently ongoing debate on the teaching of religion in Polish public schools, the described monograph is worth recommending. It helps familiarize readers with current legislation and its sources, avoiding non-substantive arguments related to the welfare of the child and their fundamental rights.

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