

Summary of Doctoral Dissertation

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Infant Baptism and Act of Apostasy and the Principle of Religious Freedom in Selected Legal Systems

For centuries, religion has been and remains an important element in the lives of individuals and entire societies. It is therefore not surprising that state authorities have tried in various ways for centuries to arrange relations with religious entities. The principle of religious freedom, which was not obvious at first, was developing over a long period of time. There are various threats to religious freedom. One such threat is sometimes considered to be the inclusion of infants as members of a particular church or religious association, based on the decision of their parents. An example is infant baptism, practiced in various Christian churches, including the Catholic Church. Whereas Leaving the Catholic Church is called apostasy - however, even despite the apostasy, the apostate is still considered a Catholic, and his or her data are not removed from the baptismal book, only the appropriate annotation is made there.

The dissertation presents theological arguments to justify infant baptism and Catholic regulation of apostasy, and examines the formation throughout the history of the Church's current understanding and teaching. The formation throughout history of current legal understanding and teaching was examined using the historical-descriptive method. Finally, theological arguments to justify infant baptism were cited, and thus the axiological method was applied. The dissertation also examines the legal regulation of religious freedom, baptism and apostasy as a derivative of Christian culture. Canon law was subjected to in-depth scrutiny regarding the meaning of baptism and the act of apostasy in the Catholic Church. By way of comparison, the regulations of apostasy from Islam in Shariah have also been analysed. In order to find the exact meaning of the applicable legal norms the linguistic-logical method was applied, and in the case of apostasy from Islam also the historical-descriptive method. The legal systems of individual countries regulate the status of religion differently. One of the purposes of this dissertation is to review legal systems of various countries, in which religious relations has been regulated differently, from the point of view of realisation of the right of a person baptized in the Catholic Church to withdrawal from it and remain a non-believer or to profess a different faith or religion. The Republic of Poland, Egypt, USA, France and Germany were selected for the study. Each of these countries has a different system of state-religion relations



and a different religious structure of society. International law, European law and law of the European Union were also analysed. The legal and religious regulations in each country were analysed using the linguistic-logical method and the historical-descriptive method. The regulations in force in the selected countries were also examined at the sociological level and phase.

Social research was also conducted. A survey of particular groups - Catholics, converts and atheists (analysis on the psychological ground and phase) in all the countries studied was applied. The population of respondents was selected in a random - team manner. At least one Catholic parish, one evangelical church and one atheist organisation or community were selected for the study in each country. The opinions and knowledge of the representatives of each group on the issues studied were examined. In addition, a comparative analysis of the views of various political and legal thinkers on the principle of religious freedom was conducted. The dissertation also includes a comparative analysis of Catholicism and Islam in terms of their approach to religious freedom.

The conclusions analyse, using the comparative law method, the regulations in force in all the countries studied. They were also referred to the existing international, European and EU standards. The protection of religious freedom in international law, EU law and internal legal orders, as well as the results of the survey, were referred to Catholic teaching on baptism and apostasy and legal and canonical regulations on this subject. The regulations on apostasy and freedom of religion in Sharia law were evaluated negatively. In the case of the Catholic Church, infant baptism was considered allowable, however the procedure of apostasy was deemed to require changes. As a result of conducted studies the need for a number of amendments to the individual legal acts was also identified. Thus, *de lege ferenda* postulates were formulated in domestic, international and EU law, as well as in canon law.

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