

Summary

Local self-government, both due to its position in the legal order and its own competences, plays an important role in the state. Being a community of residents living in a given territory of a commune, poviát or voivodeship, it performs specific tasks in their local and regional shape in order to meet the needs of citizens. This gives a sense of security and identification with the place, as well as legally defined opportunities for residents to participate in the exercise of power and its control. Local government is an integral part of the state system, which performs the indicated public tasks. It is the foundation of a democratic state ruled by law, occupying an important position in its structure and numerous legal acts. However, focusing on the commune self-government in terms of their own tasks, special attention should be paid to the cooperation of these bodies with churches and other religious associations with a regulated legal situation in administering various forms of activity by them. Because in many places in the Republic of Poland you can meet with churches and religious associations, which have been run for centuries by: social assistance, cultural activities, educational institutions of various levels, educational centres, community centres, charitable, caring and humanitarian activities, as well as cemeteries, including burial dead and widely understood religious cult. It is worth noting that the majority of religious associations conduct the indicated forms of activity in the country, which are also part of the fundamental tasks of the commune. The systemic and political changes that took place after 1989 allowed churches and other religious associations to regulate their legal status and thus led to a return to the above-mentioned areas of activity, whose functioning for centuries was a community of dialogue between the state, local community, families and believers. In addition, by carrying out their activities, churches and religious associations with a regulated legal situation can effectively carry out their mission in cooperation with local government units. At present, fifteen churches and religious associations have a regulated legal situation. These are: the Catholic Church, the Polish Autocephalous Orthodox Church, the Evangelical-Augsburg Church, the Evangelical-Reformed Church, the Evangelical-Methodist Church, the Baptist Christian Church, the Seventh-day Adventist Church, the Polish Catholic Church, Jewish religious communities forming the Union of Jewish Religious Communities, the Mariavite Catholic Church, the Old Catholic Mariavite Church, the Pentecostal Church, the Eastern Old Believer Church without a spiritual hierarchy, the Muslim Religious Association and the Karaim Religious Association.

In the legal aspect, the activity conducted by churches and religious associations should be considered in the context of mutual respect for the order of state and local government law as well as individual norms of these churches and religious associations. Therefore, this area of their cooperation is regulated not only by generally applicable law, but also by the internal norms of these religious associations. This is rooted in the religious-political dualism, shaped by the command of Jesus Christ, who states: "Give to Caesar what belongs to Caesar, and to God what belongs to God" (Mt 21:21). The purpose and scope of the commune's own tasks, as well as the activities of churches and religious associations with a regulated legal situation, are of interest to both lawyers and canonists, which has been expressed in numerous scientific articles, publications and conferences. However, they do not deal with the issues of activities carried out by churches and religious associations within the scope of the commune's own tasks. Therefore, deepening this issue in the form of this doctoral dissertation, based on the analysis of current national, international and religious law, seems to be justified. Determining the legal situation of conducting this form of cooperation requires a detailed analysis of the provisions of state and local government law, as well as normative acts regulating the mutual relations of the Republic of Poland and individual churches and religious associations. Because both state and religious legislators provide for separate regulations in this matter. This doctoral dissertation also discusses the basic legal acts regulating the relations of churches and other religious associations with the Republic of Poland, with particular emphasis on the right of these religions to conduct various forms of activity with the simultaneous cooperation of the commune self-government, thus emphasizing the scope of the commune's own tasks and its specificity. Therefore, an attempt was made to address the issue of the activities of churches and religious associations with a regulated situation in the state in terms of own tasks of the commune self-government. Because the characteristic feature of each denomination is the care that religious values are also transmitted through the help provided. Therefore, in this study, the dogmatic and legal method, appropriate for legal sciences, was used in particular. On the other hand, the historical and legal method will also be used to show the origins of the normative status of various forms of activity carried out by churches and religious associations. The structure of the monograph has been divided into four chapters, introduction and conclusion. In addition, each chapter is crowned with a summary with appropriate conclusions. The content of the first chapter was to discuss the fundamental constitutional principles in the relationship between the state and churches and other religious associations. The scientific study of the activity of churches and religious associations with a legally regulated legal situation in terms of the commune's own tasks also required an approximation and discussion of the terms church and religious association, as well as an analysis of the concept of the commune's own tasks. On the other hand, the administrative system itself was shaped as a result of changes occurring in the state, law and religion. This fact is not always appreciated in history, but it is real and does not raise any doubts. The contemporary approach to

the activities of churches and other religious associations in the scope of the commune's own tasks has been regulated by the entirety of the etymological process, and shaped by elements of tradition and national attitude. Therefore, the genesis and development of the activities of churches and religious associations within the scope of the commune's own tasks became the subject of consideration in the second chapter. Poland was a multi-religious and multi-national state. Hence the need to take into account the territorial administration and normative acts in this field in the historical aspect. This chapter also shows the dynamism of the institutions of territorial administration and the legal system, as well as their interdependence with religion.

On the other hand, the foundation of every religion is a mission whose aim is to care for its faithful. Church institutions conducting the indicated spheres of activity contribute to the public good, and local government units, in particular communes, are obliged to implement them, which will be analyzed in the third chapter of this dissertation. Social activity is one of the basic functions of local governments and religious associations. On the other hand, social assistance is one of the commune's own tasks pursuant to Art. 17 of the Act of 12 March 2004 on social assistance. However, pursuant to Art. 25(1) of this Act, a commune, as a local government unit, cooperates with other entities to which it delegates the performance of a specific task in the field of social assistance. Therefore, these functions are most often entrusted to churches and religious associations with a regulated legal situation in the Republic of Poland. In addition, this part of the dissertation was completed by indicating the specificity of the commune's own tasks in the case of protection of cultural and art assets, which is revealed in maintaining these objects in proper physical condition. On the other hand, the activities of churches and religious associations in this category of activity manifested themselves in the protection of these places, as well as the running of museums, libraries and archives. In addition, the collective needs of the community, the satisfaction of which manifests itself in organizing a funeral, have also been shown as obligatory tasks of the commune. It is characteristic in this respect that in the absence of a communal cemetery, and in the case of a cemetery owned by a church or religious association in a given commune, the church or religious association is obliged to provide a place for the burial of the deceased person. The fourth chapter shows the implementation of the mission of churches and religious associations in a specific area in cooperation with local government units, with particular emphasis on humanitarian or charity and care assistance. The involvement of society in this type of activity is extremely valuable and important, which is why cooperation between these entities is the foundation of their functioning. These items have also been enriched by an analysis of the scope of public worship, the association of communes and religious associations in this matter, as well as marriages and funerals, and the definition of the competence of a clergyman and the head of the Registry Office in this area. Due to the interests of the author of the dissertation and the amended legal acts in the field of religious and administrative law, it was undertaken to develop the issue of the activity of churches and other religious associations with a regulated legal situation

in the scope of the commune's own tasks. The study used the available literature on the subject in the following languages: Polish, French, Italian, English, as well as single publications in German. At this point, I would also like to thank all those who contributed to the creation of this dissertation. I express my special gratitude to the promoter of my doctoral dissertation, Fr. dr hab. Krzysztof Warchałowski, prof. Cardinal Stefan Wyszyński University for supervising the research conducted at various stages of the work. I would like to thank those who helped me in collecting the research query and materials necessary to finalize the dissertation.