

Longchamps de Bérier, Franciszek; Domingo, Rafael, eds. Law and Christianity in Poland: The Legacy of the Great Jurists. New York: Routledge, 2023 (352 pp, ISBN 9781003181255, DOI: 10.4324/9781003181255).

The reviewed book reaches the reader as part of the larger publishing project titled “Great Christian Jurists in World History.” This project was commissioned by the Center for the Study of Law and Religion at Emory University, and three publishers subsequently released titles covering specific regions of the world. The reviewed book allows English-speaking readers to become familiar with selected figures chosen by the editors – figures that had an impact on the development of Polish law. The authors emphasize that “The book explores relations between Christianity and law in Poland through biographies of Christian jurists who shaped those relations.”¹

The editors decided to reconstruct the history of the formation of Polish law by presenting biographies of individuals who had an influence this law. As one can reasonably expect, the history of law and legal institutions is inevitably intertwined with the history of a state and its people. The title of the book does not imply that the reader will encounter only lawyers. Despite that, the editors decided to clarify in the “Introduction” who a Christian jurist is according to their understanding. They underline that “[t]he category of Christian jurist encompasses any Christian person who has been dedicated to the cause of justice in its broadest sense and has had an extraordinary impact on the law and the legal system.”² In fact, this understanding may be reduced a bit, and it means that a Christian jurist is anyone who had an influence on shaping Polish law in accordance with justice as it is understood by Christianity. It is not a criticism of the book. I will return to why it can even be considered an advantage. As one reads the book, it becomes evident that potential configurations also encompass lawyers to whom Christian values were important alongside priests who supported social changes that eventually led to legal transformations. In fact, the inclusion of figures beyond lawyers was unavoidable due to the historical context of the subject under study. It would be challenging to

¹ Longchamps de Bérier, Domingo, *Law and Christianity in Poland*, 1.

² *Ibid.*

narrate the history of law and legal changes (which started long before legal training itself) solely through the lens of Christian lawyers. The broad scope of the reviewed book is not a drawback but a substantial advantage, making it even more interesting. As a result, readers will encounter lively and vividly written biographies of figures who require no introduction, such as Copernicus, Karol Wojtyła, or Leon Petrażycki. Additionally, there are also biographies selected according to the editors' professional interests, allowing readers (Polish ones as well) to become acquainted with figures such as Roman Longchamps de Brier or Edward Grzymała. All of them fit within the broad scope implicitly outlined by editors. Furthermore, even when the Christian affiliations raise doubts (as in Petrażycki's case³), the authors do not hesitate to address them and explain their choices. Altogether within the reviewed volume, readers find lawyers, politicians, social activists, priests, academics, and individuals unrelated to academic work – sometimes multiple of these characteristics apply to one person. Considering that the book is not primarily targeted at Polish readers, the entirety contributes to a colorful and diverse portrayal of Polish history reconstructed through the prism of the figures selected by the editors. This image clearly illustrates that Christianity held significance importance in the country's history. It can be said that it bore vital meaning necessary for maintaining the statehood that faced threats so many times.

Christianity has played a significant role in shaping the national identity of Poland throughout its history. The pivotal adoption of Christianity in 966 not only brought about religious transformation but established enduring ties with the Western Christian world. The ties that survived decades despite attempts to sever them. Since then, Christianity has become deeply interwoven with Poland's social, political, and cultural development. The central position of the Catholic Church as an institution is evident in every sphere of life. Not only has it contributed to the development of nation's culture (in areas such as literature, painting, music, etc.) but has also played a crucial role in shaping the national identity of Poles through the values it instilled. Across its history, Poland has faced numerous external threats, and Catholicism has often served as a unifying force and a source of national identity that enabled Poles to withstand these challenges. It played a crucial role in fostering a collective spirit of resistance and resilience against oppressors. For generations, Polish history was marked by the faith of its people.

Christianity has provided a moral framework for many Poles, guiding their choices in both personal and social aspects of their lives. It has fostered a sense of unity and solidarity that

³ *Ibid.*, 172.

allowed the nation to endure even without a formal statehood. In the most challenging, hardest, and darkest periods of Polish history, Christian values served as a unifying force, offering a national identity beyond the boundaries of the state. These values were a source of strength, courage, and faith in the brighter future, sustaining Poles in the face of existential threats. The principles of social justice, compassion, and solidarity promoted by the Church deeply resonated with the Polish people. The Catholic faith strengthened their moral compasses, and this set of shared values has reverberated within Polish hearts and souls for generations. Therefore, in the Foreword and Introduction to the reviewed volume the values intrinsic to the people of Poland were underscored. Even in the present day, as the number of believers decreases and some tend to disregard their national heritages, our deeply rooted values manifested in our actions. This is evident in openness to our Ukrainian neighbors, as we opened our homes and welcomed those seeking refuge in Poland.

The undeniable and indisputable value of the reviewed work is its ability to bring attention to the fundamental values that have shaped our social, legal, and political imagination. Western civilization, at times forcefully, has endeavored to distance itself from its Christian origins. An illustration of such tendencies was the controversy surrounding the inclusion of Christianity as a source of Western values during negotiations of the preamble to the European Constitution. The continental legal system was never devoid of values, was not value-free from its beginnings. It is rooted not only in the tradition of Roman law but also in Christian values that have been acknowledged and revered in Europe for centuries. This foundation not only defined Europe as a cultural realm but also underpinned the establishment of Polish statehood.

Hence, it is challenging to envision a more fitting outset than the one chosen by the editors. They inaugurated the book with the biography of the master Wincenty Kadłubek. Kadłubek, in his *Chronicles*, harmonized both aspects of this legal culture – Roman and canonical law. He underscored a pivotal facet of Polish statehood over the centuries – its republican character. He expounded on a *res publica* that was not a domination of a monarch but rather of the people, governed by principles of law. As the article’s author rightly points out, “Polish fascination with mixed government has its origins in Wincenty’s *Chronicles*.”⁴ By composing his history of Poland in which threads of truth and hearsay intertwined, Kadłubek laid the bedrock for Polish identity. His work was instrumental in propounding the concept of Polish statehood and fostering a sense of identity. In chronicling the annals of Polish rulers and their achievements, he underscored the unbroken continuity and legitimacy of the Polish state,

⁴ *Ibid.*, 29.

founded on a robust bond between the people and their ruler. To Kadłubek, identity stands as the progenitor of every community. Kadłubek deftly bridged ancient republicanism and its concepts with Polish identity, grounding it in an ethos that merged both ancient and modern elements of Western civilization.⁵

The volume concludes with three figures closely connected to contemporary Polish history: Andrzej Stelmachowski, Henryk Kupiszewski, and Remigiusz Sobański. The biography of Stelmachowski serves as a capsule containing a condensed history of post-war Poland. Born in Poznań before World War Two, he graduated from the underground officer cadet school during the war. He commenced his legal studies amidst the turmoil of war and eventually became a lawyer during the challenging times of Polish history. However, this did not deter him from upholding values that defended his character and influenced his professional journey. His strong adherence to the clear and sharp distinction between right and wrong was very evident throughout his legal career. While many of his colleagues delved into politics, he chose to follow his faith. His honest commitment to Catholic values shone even more brightly in his public service. Though a great lawyer and an excellent scholar, individuals of this caliber emerge periodically. Stelmachowski's significance in Polish history stems from his deep involvement in political and public affairs that led to the political transformation of 1989. He is described as someone who "sought agreement with everyone, was flexible, and at the same time never abandoned his values. He was a friend of the hierarchs of the Catholic Church – he was their man without the cassock."⁶ In late 1989, Stelmachowski became a Marshal of the Senate. Upon his appointment he expressed his desire for a new state that would combine a concern for significant public matters with the dedication to our brothers and citizens. His political and public engagement, symbolically, serves as the culmination of the narrative presented by editors and authors of this reviewed book.

The examined book is intended for non-Polish readers, which is essentially why a review written by a Pole and another by someone for whom Poland is a foreign land would likely differ slightly. This is primarily because the latter would approach the book from a distinct perspective. First and foremost, lacking an in-depth comprehension of Polish realities, they might not pose the same question that arise in the minds of Polish readers – why these individuals were chosen by the book's editors. If there is any lingering dissatisfaction after pursuing the volume, it centers on this aspect. The Introduction does not necessarily render things clearer in this matter. The editors set ambitious goals, yet this granted them full discretion

⁵ Cichocki, "Kadłubek".

⁶ Sadecki, Subotic, "Patriarcha z fantazją szwoleżera".

in defining the book's subject matter. Hence the selection of these biographies, even if the portrayed figures might not, *prima facie*, fit within the confines of "Law and Christianity" or be immediately deemed "great jurists." Nevertheless, I recognize that this reservation is somewhat unjust, as it stems from a Polish perspective, while this volume is aimed at a broader readership. Ultimately, the selection and portrayal of these figures was up to editors and authors of individual sections. The presentation renders reading the book remarkably engaging and captivating. It outlines a vision of the history of Polish law and statehood through the lens of biographies, and this is indisputable. Across all these biographies, the authors skillfully strike a balance between providing purely biographical information and capturing the essence of works and accomplishments of the individual in question.

What may appear a bit blurred from a Polish perspective carries much greater significance when read without the knowledge of the native code. It is difficult to think of Polish history outside of Christianity, and in that sense the selection of figures that shaped Polish reality could be virtually unlimited. Almost every person who had an impact on shaping Polish state, starting from Mieszko I's baptism and adoption of Catholicism would fit within the framework outlined by the editors. I believe that it is because of this fact that we failed to appreciate the value of Christianity (mostly Catholicism) in shaping Polish reality. This is mainly because it is so obvious from a domestic perspective that becomes invisible like a transparent background. But it was also an element of national identity for a long time and, as such, did not internally differentiate us (even though Poles were always very inclusive toward other faiths). Therefore, from the domestic perspective Christianity as such was never a distinctive feature. However, it can be very interesting from an external perspective, especially for American readers, for whom these issues hold completely different meaning.

In conclusion, the reviewed book in the series "Great Christian Jurists in World History" transcends its title to present an intricate tapestry of Polish legal and cultural evolution. The project exemplifies the symbiotic relationship between Christianity and Polish law. The biographies of figures selected by the editors offer a panoramic view, ranging from jurists to priests, politicians, and academics, painting a vivid portrait of a nation shaped by profound Christian values. This is a picture of Poland and its history written by people who shaped its legal and political system. The book's endeavor to explore the interplay of Christianity and law unveils a deeply rooted connection integral to Polish identity. From the historical adoption of Christianity by the symbolic baptism in 966, this faith became a cornerstone of Polish society, sustaining the nation through countless trials. The values visible virtually everywhere – from music and art to law – reminded Poles of the values they share and which gave them the

collective strengths. These values extended beyond personal conviction and served as a moral compass during the most difficult trials. Amidst external threats, the unifying power of Catholicism bolstered Polish resilience, instilling a sense of unity that exceeded political boundaries. The guiding principles of justice, compassion, equity, solidarity, promoted by the Church, resonated deeply with the Poles, fostering the national spirit. It should be underlined that the choice to spotlight Christian jurists expands our understanding of Poland's legal history, and by encompassing even somehow non-obvious figures, the book underscores that the intertwining of faith and law has not been confined to legal professionals alone.

In essence, the book's significance cannot be understated. Its examination of Christian jurists as shapers and drivers of legal and cultural evolution placed Poland within the broader global context. By the book being a part of a wider project as well as by the history that stems from it. It compels readers to recognize Christianity's indelible mark on Polish history, reaffirming its role in fostering resilience, unity, and the timeless values that continue to shape nation's identity. In the age of globalization, when borders blur, and cultures converges, the reviewed book provides an invaluable window into the intricate relationship among faith, law, and national character. As the echoes of Christianity resound through Polish souls until today (even if more and more people tend to ignore it), they also resonate with readers seeking to understand the depth of a nation's history. In case of Poland, it is a history inevitably entwined with the enduring thread of Christian values.

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