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Articles

Studia Iuridica Lublinensia vol. 33, 2, 2024
DOI: 10.17951/sil.2024.33.2.149-174

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Animal Protection Education (Legal Aspects)

Edukacja w zakresie ochrony zwierząt (uwarunkowania prawne)

ABSTRACT

The article is of a scientific research nature, and its main aim is to analyse the legislation providing for obligations for the dissemination of knowledge on animal protection, as well as to evaluate them and formulate optimisation postulates. The formal-dogmatic analysis of the regulations in force in the Polish legal order has been preceded by findings on how this issue is regulated in international and EU laws. This is mainly supported by the fact that formal education has a huge role to play in animal protection. Unfortunately, this issue has been marginalised in all legal orders discussed in this text. All in all, the normative arrangements adopted must be assessed as very insufficient, in particular as regards the fulfilment of the statutory obligation to take account of animal protection issues in the general education core curriculum. Moreover, this issue is very rarely subject to an in-depth scientific analysis. Therefore, the dissemination of previously unpublished research results will help develop better legislative solutions and raise public awareness about the protection of animals, which is one of the conditions for further civilizational progress.

Keywords: law; animal protection; formal education; school; knowledge; upbringing

INTRODUCTION

There is no doubt that the basic condition for improving the state of animal protection (in all its aspects) is the increase of public awareness in this area. This applies in particular to schoolchildren and youth, as well as people who have

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contact with animals as part of their professional practice. The fact that this is a pressing need is evidenced by media reports of yet more acts of bestiality against animals committed by young people and those involved in industrial animal breeding or transport. In order to change this situation, extensive educational activities should be undertaken aimed at promoting appropriate attitudes towards animals, which would allow improving their welfare. Of course, the legislation that provides for the dereification of animals, requires humane treatment of animals, lays down the obligations of owners towards animals and a system of punitive response in the event of non-compliance is helpful in achieving this.[1] Regretfully, the current legislation marginalizes issues related to the promotion of animal protection. To support this thesis, selected legal regulations and policies of international, EU and national institutions, as well as views and claims presented so far in the literature on the subject will be analysed further in this study. However, due to the enormous role that formal education is to play in the field of animal protection and due to the limited framework of this study, the main part of it will address the implementation of the statutory obligation to include animal protection issues in the general education core curriculum. More precisely, the study will consist primarily in searching for specific analytical categories in the content of this normative act, i.e. detailed requirements in the area of students' knowledge, skills and attitudes regarding animal protection, which should be taken into account when creating curricula implemented at various stages of school education in Poland. It should be noted that neither the curricula themselves nor actual teaching practices will be covered by the study. The implementation of the research objective will allow the formulation of necessary assessments and postulates to be used in the future to verify the assumptions of the current general education core curriculum in its part concerning the protection of animals. This is important because this act is a basic tool enabling the government administration to influence educational practice in Poland. On the other hand, the school's task should be to focus the educational process on protecting the most important values, with the humane treatment of animals at the forefront.

As far back as in the early 1930s, J. Maszewska-Knappe, one of the most meritorious activists of the Polish inter-war animal protection movement, drew attention to the needs in this area. In numerous speeches, she used to point out the necessity of raising awareness among the public, and especially children and young people, of the needs and legal protection of animals. Maszewska-Knappe argued

[1] See E. Kruk, *Administracyjnoprawne standardy humanitarnej ochrony zwierząt*, [in:] *Standardy współczesnej administracji i prawa administracyjnego*, eds. Z. Duniewska, M. Stahl, A. Rabiega-Przyłęcka, Warszawa–Łódź 2019, pp. 607–617; idem, *Legal Status of Animals in Poland*, "Studia Iuridica Lublinensia" 2021, vol. 30(3), pp. 119–131; G. Lubeńczuk, *The Concept of the Normative Dereification of an Animal in Polish Law*, "Studia Iuridica Lublinensia" 2021, vol. 30(5), pp. 413–427.

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that the introduction of the idea of animal protection into domestic and school education, as an imperative for "progressive ethics", would result in a further rise in the moral level of society and a decrease in crime.[2] She attributed a special role to teachers and the clergy as people who had a direct influence on shaping the attitudes of the young generation. Maszewska-Knappe considered legal obligation and, above all, the regulations provided for in the Regulation of the President of the Republic of 22 March 1928 on the protection of animals,[3] which in her opinion became the foundation of humane animal protection in Poland, to be the most effective educational measures of that time.[4] For the sake of completeness, it is worth pointing out that the postulates formulated by Maszewska-Knappe continue to be valid for the most part. In any case, both Polish and foreign literature now attaches great importance to school education in terms of developing right attitudes towards animals. For example, T. Pietrzykowski's view is worth recalling here, as he sees "responsibilities in the field of public education, necessary both for the dissemination of knowledge about the sensory awareness of animals and for shaping attitudes that respect this knowledge" as one of the dimensions of collective responsibility for animals.[5]

[2] The idea that sensitizing the public to the situation of animals helps also improve human relationships is established in the scholarly opinion. For example, see D. Probucka, *O edukacji w zakresie praw zwierząt. Teoria Toma Regana*, "Studia Edukacyjne" 2017, no. 43, p. 355; J. Narodowska, *Korelacja pomiędzy agresją wobec zwierząt a agresją wobec ludzi w świetle badań aktowych*, "Archiwum Kryminologii" 2018, vol. 40, pp. 327–369; B. Błońska, *Relacje pomiędzy krzywdzeniem zwierząt a przemocą stosowaną wobec ludzi*, [in:] *Sprawiedliwość dla zwierząt*, eds. B. Błońska, W. Gogłoza, W. Klaus, D. Woźniakowska-Fajst, Warszawa 2017, pp. 108–139.

[3] Consolidated text, Journal of Laws 1932, no. 42, item 417.

[4] Ł. Smaga, *Janina Maszewska-Knappe. Ikona międzywojennego ruchu ochrony zwierząt*, Kraków 2020, pp. 122–125 and the literature referred to therein.

[5] T. Pietrzykowski, *Prawo ochrony zwierząt. Pojęcia, zasady, dylematy*, Warszawa 2022, p. 293. See also M. Szalewska, *Edukacja ekologiczna w ujęciu prawnym*, "Przegląd Prawa Ochrony Środowiska" 2021, no. 1, pp. 59–78; K. Więckowska, *Edukacja prawnicza w zakresie humanitarnej ochrony praw zwierząt*, [in:] *Sprawiedliwość dla zwierząt…*, pp. 268–275; A. Jámbor, *About Animal Protection in Education*, [in:] *28th microCAD International Multidisciplinary Scientific Conference. Miskolci Egyetem*, Miskolc 2014, pp. 1–4; N. Pejman [et al.], *Should Animal Welfare Be Included in Educational Programs? Attitudes of Secondary and University Students from Eight EU Countries*, "Journal of Applied Animal Welfare Science" 2021, vol. 26(3), pp. 183–186; C. Man-yiu Tam, *The Case for Animal Protection Curricula in Schools in Hong Kong*, "Student Journal of Professional Practice and Academic Research" 2020, vol. 2(1), pp. 4–29.

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INTERNATIONAL CONTEXT

Before examining national legislation on animal welfare education, it should be determined how this problem has been addressed in international law[6] and EU law.

The World Declaration on Animal Rights proclaimed by the United Nations Educational, Scientific and Cultural Organization (UNESCO) on 15 October 1978 in Paris[7] does not address this issue directly. The document, however, lists in a general way man's duties towards the animal world, pointing out that "from childhood man should be taught to observe, understand, respect and love animals" (Preamble). In addition, Article 2 states that a person has a "duty to use his knowledge for the welfare of animals", which necessarily implies the need to take appropriate educational measures which, in order to increase their effectiveness, should be based on systemic solutions (school education).

Unfortunately, this issue is not addressed in Council of Europe documents either. An exception in this regard is the European Convention for the Protection of Pet Animals of 13 November 1987[8] which, in Article 14, obliges States parties to promote the development of information and education programmes in order to disseminate knowledge of the principles set out in the Convention to persons keeping pets for pleasure and company and for commercial purposes (this applies in particular to persons engaged in commercial animal breeding and trade in animals, animal training, hosting stray animals). At the same time, the provision points out that these programmes should pay particular attention to issues such as: (1) the training of accompanying animals reared for any commercial or competitive purpose to be only performed by persons with appropriate qualifications; (2) the need to counteract the practice of giving gifts or prizes in the form of pet animals, in particular if such gifts are to be given to persons under the age of sixteen (in such cases the consent of parents or legal guardians is required); (3) notification on possible adverse effects on the welfare of wild animals when kept as pet animals; (4) the need to address homelessness among animals, which is largely a consequence of irresponsible breeding and acquiring of pet animals. It is worth mentioning that Poland has not yet ratified the

[6] For general information on the protection of animals in international law, see A. Przyborowska-Klimczak, *Ochrona zwierząt w świetle dokumentów międzynarodowych*, [in:] *Prawna ochrona zwierząt*, ed. M. Mozgawa, Lublin 2002, pp. 93–116; eadem, *Ochrona przyrody. Studium prawnomiędzynarodowe*, Lublin 2004, passim.

[7] The text of the Declaration in English as attached in J.-M. Neumann, *The Universal Declaration of Animal Rights or the Creation of a New Equilibrium between Species*, "Animal Law Review, Lewis & Clark Law School" 2012, vol. 19(1), p. 105.

[8] The English version of the Convention is available at https://rm.coe.int/090000168007a67d (access: 18.6.2024). On the origins of the Convention, see E. Ausems, *The Council of Europe and Animal Welfare*, [in:] *Ethical Eye: Animal Welfare*, Strasburg 2006, pp. 249–252. See also H. Mól, *Prawa zwierząt w konwencjach Rady Europy*, "Medycyna Weterynaryjna" 1996, no. 2, p. 84.

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European Convention for the Protection of Pet Animals.[9] According to K. Jurgiel, this is due to the fact that it covers matters falling within the field of non-harmonised law and that accession to that agreement was therefore left to the discretion of the Member States of the European Union. Furthermore, according to K. Jurgiel, the argument for Poland not to enter into the provisions of the Convention is that the substantive scope of the Act of 21 August 1997 on the protection of animals[10] is partially consistent with them and that some of the provisions of the Act are even "stricter".[11]

THE EU CONTEXT

This problem in question is pointed out in some EU documents. An example is the recent European Union Strategy for the Protection and Welfare of Animals 2012–2015,[12] which identified the main factors of animal welfare in the EU. These include some Member States failing to enforce EU legislation defining animal welfare standards, as well as the lack of adequate training of personnel (who control compliance with the legislation), the lack of legislation laying down competence requirements for animal handlers (regardless of species and purpose), the lack of proper dissemination of research results on alternative methods to animal testing, and insufficient information to consumers on animal welfare issues.

[9] The countries which ratified the Convention: Norway (1988), Sweden (1989), Belgium (1991), Finland (1991), Germany (1991), Luxembourg (1991), Denmark (1992), Greece (1992), Cyprus (1993), Portugal (1993), Switzerland (1993), Czech Republic (1998), Austria (1999), France (2003), Turkey (2003), Bulgaria (2004), Lithuania (2004), Romania (2004), Azerbaijan (2007), Latvia (2010), Serbia (2010), Italy (2011), Ukraine (2014), Spain (2017). The countries which signed the Convention: The Netherlands (1987).

[10] Consolidated text, Journal of Laws 2023, item 1580, hereinafter: APA.

[11] See Odpowiedź Ministra Rolnictwa i Rozwoju Wsi Krzysztofa Jurgiela na interpelację nr 5936 w sprawie niepodpisania przez Polskę europejskiej konwencji ochrony zwierząt towarzyszących, Warszawa, 5.10.2016, http://www.sejm.gov.pl/sejm8.nsf/InterpelacjaTresc.xsp?key=30604E7C (access: 17.12.2022).

[12] See Communication from the Commission to the European Parliament, the Council, and the European Economic and Social Committee on the European Union Strategy for the Protection and Welfare of Animals 2012–2015, COM/2012/06 final. Official communications from the European Commission show that the Commission does not intend to establish a new EU strategy for the protection and welfare of animals. The Commission's current priority is to "ensure" that Member States fully implement existing EU legislation. In the opinion of the European Commission, the introduction of new requirements makes no sense when existing legislation is not fully applied. For example, see European Commission, *Launch of the EU Platform on Animal Welfare: Q&A on Animal Welfare Policy*, 2017, https://ec.europa.eu/commission/presscorner/detail/en/MEMO_17_1426 (access: 11.11.2022). It has also proved ineffective to call on the European Parliament to draft a "new and ambitious" strategy for the protection and welfare of animals for the period 2016–2020. See European Parliament resolution of 26 November 2015 on a new animal welfare strategy for 2016–2020 (OJ C 366/149, 27.10.2017).

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As a result, the European Commission has proposed simplifying existing animal welfare rules (which would also facilitate their enforcement), as well as adopting solutions to raise awareness of animal protection among all social groups. Apart from the European Commission's declarations on direct action to improve the rule of law, it is important to point out that the document recognizes the importance of the role that education can play in this area. Given that the need to ensure animal welfare is a high ethical issue and also an EU value,[13] the Commission considered it important "to communicate to children, young adults or the public at large to raise awareness of respect for animals and to promote responsible ownership". Furthermore, "the Commission believes that a proper education strategy can be a powerful tool to instil a culture of compliance among operators [dealing with animals]". The Commission therefore committed to considering the possibility of defining common requirements for competence of animal workers and of introducing a new EU legal framework to increase the transparency and scientific reliability of information to consumers on animal welfare which affect their purchasing choices. The Commission has also announced studies to present the actual situation in animal welfare education and outreach activities towards the general public, as well as the funding of transnational information campaigns and animal welfare education initiatives.

As mentioned above, one of the objectives of the EU strategy was to carry out a study to identify the level of awareness of animal welfare issues in different social groups. The survey was conducted in nine European countries (Austria, Greece, Italy, Lithuania, Poland, Romania, Spain, Sweden and the UK), and covered two target groups, referred to collectively as "general public, students and consumers" and "professionals working with animals". Unfortunately, the results of this study are not optimistic. Nonetheless, the authors of the final report,[14] while making a certain generalization, point to the low level of knowledge about animal welfare among rep-

[13] In accordance with Article 13 of the Treaty on the Functioning of the European Union (consolidated version, OJ C 202/54, 7.6.2016), the Union and the Member States are required, when formulating and implementing certain policies of the European Union, to take full account of animal welfare requirements as sentient beings. On this topic, see also M. Górski, J. Miłkowska-Rębowska, *Komentarz do art. 13*, [in:] *Traktat o funkcjonowaniu Unii Europejskiej. Komentarz*, vol. 1: *Art. 1–89*, eds. D. Miąsik, N. Półtorak, W. Andrzej, LEX/el. 2012; A. Majewski, *Prawa zwierząt jako instrument ochrony zwierząt w Unii Europejskiej i w Polsce*, [in:] *Wyzwania współczesnej Europy*, vol. 2: *Prawa zwierząt*, ed. J. Senyszyn, Gdynia–Kielce–Kraków 2014, p. 74; E. Jachnik, *Zasada dobrostanu zwierząt we Wspólnej Polityce Rolnej Unii Europejskiej*, "Studia Iuridica Lublinensia" 2017, vol. 26(1), p. 290; K. Sowery, *Sentient Beings and Tradable Products: The Curious Constitutional Status of Animals under Union Law*, "Common Market Law Review" 2018, vol. 55(1), pp. 55–99.

[14] See Institute for Food and Agriculture Research and Technology, Lithuanian University of Health Sciences, Agrosystems (Romania), *Study on Education and Information Activities on Animal Welfare: EDUCAWEL Final Report*, 20.1.2016, https://food.ec.europa.eu/system/files/2016-10/aw_eu-strategy_study_edu-info-activ.pdf (access: 14.11.2022).

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resentatives of both groups. The report also points to a number of specific problems: (1) in the countries surveyed, animal welfare is not formally included in the educational programs of secondary schools, either as a compulsory or optional subject;[15] (2) the lack of public information (no effective information strategy and poor quality of information provided); (3) poor public awareness of animal welfare legislation (in all countries and in all categories of respondents); (4) animal welfare is not a particularly important criterion for consumer choice in the decision-making process on the purchase of products of animal origin (the main ones are: shelf life, origin and price);[16] (5) significant differences in the level of knowledge of people about animal welfare among animal professionals in the countries surveyed (no harmonization). With this in mind, the report points to the need to coordinate action within the EU and suggests: (1) introducing animal welfare issues into curricula, which, in their opinion, should be taught from the earliest age in connection with other topics that are of importance to society as a whole, such as proper nutrition, health protection or sustainable development; (2) creating European guidelines for animal welfare education for those who work with animals in their professional practice and regulating the rule of evaluation of the educational process in this area. These postulates are supposed to form a basis for future policies and action in the area of animal welfare.

THE ISSUE OF ANIMAL PROTECTION IN THE GENERAL EDUCATION CORE CURRICULUM

The basic provision which directly refers to the issue discussed here is Article 8 APA.[17] This provision varies in substantive terms and has already been amended

[15] In Austria, education about the welfare of domestic and farm animals is formally included in the curriculum mandatory for schools attended by students aged 10 to 14. See *ibidem*, p. 48.

[16] The survey of consumer behaviour covered the purchase of meat, eggs and milk. Respondents were asked about the importance of such commodity selection criteria as animal welfare, fat content, product brand, nutritional information, organic production, origin, type of packaging of the product, price, retailer brand, salt content, shelf life, other issues (answers were given on a scale from 0 – *not important at all*, to 10 – *very important*). Animal welfare ranked seventh, with the highest score in the UK (6.89) and the lowest in Poland (5.33). See *ibidem*, p. 13.

[17] Provisions of the Regulation of the President of the Republic of 22 March 1928 on the protection of animals, which was replaced by the APA, did not address the issue of animal welfare education at all. The legislature also provided for certain educational obligations under Article 33 of the Act of 15 January 2015 on the protection of animals used for scientific or educational purposes (consolidated text, Journal of Laws 2023, item 465). According to this provision, the responsibilities of the National Ethics Committee for Animal Experimentation include, i.a., the development and presentation of opinions, conclusions and good practices on the protection of animals used for scientific or educational purposes, as well as the provision and dissemination of information on alternative methods.

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several times.[18] It includes provisions on raising awareness of animal welfare as part of school education and among farmers.[19]

As regards school education, the provision of Article 8 (1) APA in its original wording provided that the school curricula for all types of schools should take into account the issues of animal protection and the establishment of animal friend school clubs. Pursuant to Article 8 (2) APA, the core curriculum in this area was to be determined by the Minister of National Education in consultation with the Minister of Environmental Protection, Natural Resources and Forestry and the Minister of Agriculture and Food Management. On 21 October 2001, the above-mentioned para. 1 was deleted, while the requirement set out in para. 2 to include animal protection in the core curriculum of general education was reserved as the exclusive competence of the minister responsible for education and upbringing.[20]

In view of the above, it should be pointed out that, in accordance with Article 47 (1) (1) (a) to (h) of the Act of 14 December 2016 – Education Law,[21] the minister responsible for education shall define by means of a regulation the core curriculum of pre-school education and the general education core curriculum for individual

[18] See W. Radecki, *Ustawy o ochronie zwierząt. Komentarz*, Warszawa 2015, pp. 89–91; K. Kuszlewicz, *Ustawa o ochronie zwierząt. Komentarz*, Warszawa 2021, pp. 143–145; G. Manjura-Niśkiewicz, *Ustawa o ochronie zwierząt. Komentarz*, Warszawa 2022, pp. 103–107.

[19] As is apparent from the documents produced in the course of the legislative work, the legislature introduced that regulation with the knowledge that the implementation of the concept of humane animal protection requires appropriate educational measures and at the same time has the educational value. In addition, the originators were motivated by the belief that the right attitude of man to animals is a measure of civilizational progress, and that the lack of this sensitivity negatively affects other areas of human activity. In any event, according to the originators: "Bad attitudes towards animals, especially in children and adolescents, are transmitted in the future to people who are weak, old and vulnerable". See Explanatory memorandum for the draft Animal Protection Act of 23 March 1994 (Sejm paper no. 392); Explanatory memorandum for the draft Animal Protection Act of 14 December 1994 (Sejm paper no. 769). These drafts were considered together. Both Sejm papers are available (in Polish) at the website of the Sejm Library: https://biblioteka.sejm.gov.pl (access: 19.6.2023).

[20] The changes described above were introduced by Article 15 of the Act of 23 August 2001 amending the Educational System Act, the Act – Provisions implementing the reform of the school system, the Act – Teachers' Charter and certain other acts (Journal of Laws 2001, no. 111, item 1194). This Act was adopted due to the need to introduce the changes necessary for the implementation of the second stage of the school system reform, i.e. the gradual replacement, from 1 September 2002, of existing secondary schools with a system of new types of secondary schools. In addition, the amendment was intended to change those statutory provisions whose application, as practice had shown, gave rise to interpretation doubts through insufficient definition of statutory terms, dysfunction of provisions or legal gaps. See Explanatory memorandum for the parliamentary bill amending the Act on the education system of 29 December 2000, included in Sejm paper no. 2593 (works of the Sejm of the 3rd term); Explanatory memorandum for the government's bill amending the Act on the education system, the Act – Provisions introducing the reform of the school system and certain other acts of 5 February 2001, included in the Sejm paper no. 2617 (works of the Sejm of the 3rd term). Both are available (in Polish) at the website: https://www.sejm.gov.pl (access: 28.12.2022).

[21] Consolidated text, Journal of Laws 2023, item 900.

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stages of education in all types and kinds of schools.[22] Currently, two such acts are in force, i.e. the Regulation of the Minister of National Education of 14 February 2017 on the core curriculum of pre-school education and the core curriculum of general education for primary school, including for students with moderate or significant intellectual disability, general education for Level 1 vocational schools, general education for special vocational school for students with disabilities and general education for post-secondary school[23] and the Regulation of the Minister of National Education of 30 January 2018 on the general education core curriculum for general secondary schools, technical secondary schools and Level 2 vocational schools.[24] Before analysing their content, it is worth recalling that, according to the legal definition, the terms "core curriculum of pre-school education" and "general education core curriculum" should be understood as mandatory sets of education objectives and content to be taught, including skills, described in the form of general and specific requirements for knowledge and skills that a student should have after completing a specific educational stage, as well as educational and preventive tasks for the school, taken into account respectively in pre-school education programmes, curricula and during classes with a class tutor, and enabling the establishment of grading criteria and examination requirements, as well as the conditions and manner of implementing these core curricula (Article 4 (24) of the Education Law).[25] As we can see, these are high-impact documents. This is not only due to the fact that the core curriculum in Poland is determined by a ministerial regulation, but above all,

[22] The literature points out that the authorisation in question is too general. According to M. Pilich and A. Olszewski, the applicable regulation may be assessed as non-compliant with the standards laid down in Article 92 (1) of the Constitution of the Republic of Poland of 2 April 1997 (Journal of Laws 1997, no. 78, item 483, as amended). According to that provision of the Constitution, regulations may be issued only under a "specific authorisation" which, in addition to the authority competent to adopt the regulation, must specify the scope of the matters subject to regulation and guidelines on the content of the act. See M. Pilich, A. Olszewski, *Komentarz do art. 47*, [in:] *Prawo oświatowe. Komentarz*, ed. M. Pilich, LEX/el. 2022, thesis 1 and the case law of the Constitutional Tribunal referred to therein.

[23] Journal of Laws 2017, item 356, as amended, hereinafter: the 2017 Regulation. See also Regulation of the Minister of National Education of 27 August 2012 on the core curriculum for pre-school education and general education in individual types of schools (Journal of Laws 2012, item 977, as amended), which in accordance with Article 363 of the Act of 14 December 2016 – Introductory provisions for the Education Law (Journal of Laws 2017, item 60, as amended) remain in force until the completion of education, respectively, in the current secondary school, a three-year general secondary school, a four-year technical secondary school, classes of the existing basic vocational school conducted in the Level 1 vocational school, and the current post-secondary school and special vocational school for students with disabilities, as well as in the existing art schools. This Regulation will not be discussed further, given that the above-mentioned process is coming to an end. The education reform is expected to be completed at the end of the school year 2022/2023, i.e. on 31 August 2023.

[24] Journal of Laws 2018, item 467, as amended, hereinafter: the 2018 Regulation.

[25] See W. Okoń, *Podstawa programowa*, [in:] *Nowy słownik pedagogiczny*, Warszawa 2001, p. 296 ff.

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because they indicate the main objectives of pre-school education and the objectives of education in individual types of schools. Consequently, the assumptions made therein "constitute an essential criterion for evaluating the curricula, a criterion for evaluating students and for formulating examination requirements, and their implementation is one of the fundamental areas of evaluation carried out by the educational supervision authorities".[26]

CORE CURRICULUM FOR PRE-SCHOOL EDUCATION

Applying a teleological interpretation, it can be easily concluded that the requirement laid down in Article 8 (2) APA to include animal protection in the general education core curriculum also concerns pre-school education, the primary objective of which is to promote the overall development of the child. This support is to be implemented through such a process of care, upbringing and teaching/learning, which will enable the child to discover his or her own possibilities, sense of action and to gain experience on the road leading to truth, good and beauty. As a result of such support, the child should achieve ability to study at the first stage of education. According to the assumptions of the core curriculum of pre-school education for kindergartens, preschool classes in primary schools and other forms of pre-school education, one of the many achievements of the child at the end of pre-school education in the emotional sphere of their development should be to see that animals have the ability to sense and express kindness and concern towards them (para. 10). This is the only effect of the preventive and educational tasks of the kindergarten mentioned in the document, which directly addresses the problem of animal protection. However, it can be considered that it is formulated in a way which reflects the essence of humanitarian animal protection and fulfils in its entirety the statutory requirement to include animal protection in the core curriculum. It should be assumed that the main of many tasks to be achieved by kindergartens, provided for in the core curriculum, is to "create conditions for the safe, independent exploration of the surrounding nature, stimulating the development of sensitivity and enabling the understanding of values and norms relating to the natural environment which are appropriate to the child's development stage" (para. 10).[27]

[26] V. Kopińska, *Zmiana polskich podstaw programowych kształcenia ogólnego w zakresie kompetencji społecznych i obywatelskich. Analiza krytyczna*, "Parezja. Czasopismo Forum Młodych Pedagogów przy Komitecie Nauk Pedagogicznych PAN" 2018, no. 1, p. 133.

[27] See Annex 1 to the 2017 Regulation.

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GENERAL EDUCATION CORE CURRICULUM FOR THE PRIMARY SCHOOL

The primary school education lasts eight years and is composed of two educational stages (first educational stage including years I–III – early school education; second educational stage including years IV–VIII), and its most important goal is "caring for the integral biological, cognitive, emotional, social and moral development of the student". This goal, according to the assumptions of the core curriculum, is to be achieved with the implementation of various educational and upbringing tasks by schools, which should take into account the individual possibilities and educational needs of students. Without losing sight of the main topic of the considerations conducted here, it should be pointed out that one of such tasks is to develop an attitude of respect for the natural environment, including the dissemination of knowledge about the rules of sustainable development, inspiring actions for environmental protection and developing interest in ecology. And although this task, as presented here, does not directly address the problem of animal protection, is still clearly related to it.

1. The first educational stage: years I to III

One of the school tasks in the description of the first stage of education (years I to III) has been formulated in a similar way: the main goal of this stage is to support the overall development of the child and to meet the natural developmental needs of the student. In any case, the tasks of the school in the field of early school education include the organization of classes that "support the perception of the natural environment and its exploration, the possibility to learn about the values and mutual relationships of the components of the natural environment, to learn about the values and norms of a healthy ecosystem and the behaviours resulting from these values, as well as to allow children to discover themselves as an important integral subject of this environment". However, this issue is presented in a slightly different way when it comes to the objectives of education – the general requirements of early school education, which have been described in relation to four areas of child development: physical, emotional, social and cognitive. More specifically, this regards the area of emotional development, where it was assumed that the student would acquire "the ability to understand the senses of animals, to express these states by means of oral and written statements and various artistic forms of expression" (para. 7). As regards the specific requirements on the content to be taught, it was assumed that at the end of early school education in the field of natural sciences, the student should have some achievements in the understanding of the natural environment. More specifically, the students should acquire knowledge and skills that allow them to recognize, among others, certain animal species

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(including farm animals and protected species) occurring in their immediate surroundings, as well as those that are not found in Poland in natural conditions. In addition, the student should know the rules of care for pets, farm animals and other animals and how to protect nature. For the sake of clarity, it should be stipulated that the presentation of learning outcomes in early school education in relation to scientific disciplines (such as education in Polish language and literature, or mathematical, social or natural education) is a kind of convention, needed for clarity of description, not an organizational directive. This is because the learning process at this stage is an integrated one, not subject-specific.[28]

2. The second educational stage: years IV to VIII

The situation is different in the second educational stage, including years IV–VIII, covering subjects such as: 1) Polish language; 2) modern foreign language; 3) second modern foreign language; 4) music; 5) art; 6) history; 7) civic education; 8) science; 9) geography; 10) biology; 11) chemistry; 12) physics; 13) mathematics; 14) computer science; 15) technology; 16) physical education; 17) education for security; 18) family life education; 19) ethics; 20) language of national or ethnic minority; 20a) language of national minority – German language; 21) regional language – Kashubian language. Understandably, only some of them can aim at the statutory objective of disseminating knowledge on animal protection. This is certainly the case for the following subjects: science, geography, biology and ethics. The primary objectives of the first three include familiarizing the student with the natural and anthropogenic components of the environment and shaping the ability to identify the relationships occurring between individual elements of the natural environment, as well as between components of the natural environment and human activities. This concerns in particular the awareness of threats to biodiversity and the principles of rational management of natural resources and forms of nature protection. It is also worth mentioning the assumptions of the core curriculum that were formulated with reference to the following subjects: science, geography and biology, the implementation of which should serve to shape the expected attitudes of students and instil specific values in the field of environmental protection. These include, above all, recognizing by the students the value of nature, developing their sensitivity to all manifestations of life, taking an attitude of respect for the natural environment and joint responsibility for its condition, as well as taking conscious actions for its protection. The analysis of the content of the core curriculum showed that only the description of the specific requirements in ethics contained detailed requirements for animal protection matters. However, we should begin with the fact that the primary goal of ethics in primary school is

[28] See Annex 2 to the 2017 Regulation.

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to develop axiological sensitivity and reflexivity of the student, who should acquire the ability to responsibly formulate and express moral judgments. With regard to these requirements, the section "Man toward nature" in the description of content to be taught during ethics lessons indicates, among other things, that the student should be able to explain "why animals should not be treated cruelly" and give examples of "appropriate treatment of animals".[29]

3. Education of students with intellectual disability

To supplement the findings presented above, reference should also be made to the assumptions of the general education core curriculum for students with moderate or severe intellectual disabilities in primary schools. The main aim of all educational activities undertaken with this group of students is to support the development of their personal and social functioning. This purpose is to be achieved both with educational classes (personal and social functioning, classes developing communication, classes developing creativity, physical education, ethics) and revalidation classes. These are intended, among other things, to enable students to "learn about the natural environment, develop an interest in and respect for the surrounding nature and educate them to live in harmony with nature". In any case, the current core curriculum includes learning about the animal world and the principles of animal care (including "caring for pets") among the priorities for educating a student with intellectual disabilities. This is to be made possible by creativity classes, which may include practical classes on animal husbandry. As well as ethics classes, which aim to develop in the student a positive attitude towards the surroundings, including the natural environment. Obviously, the content of teaching and upbringing, like all educational activities, should be adapted to the individual developmental needs and psycho-physical capabilities of the student.[30]

GENERAL EDUCATION CORE CURRICULUM FOR GENERAL AND TECHNICAL SECONDARY SCHOOLS

According to the assumptions of the core curriculum, general education at secondary schools is intended to be the "foundation of education", enabling the acquisition of a variety of professional skills and preparing for lifelong learning. The school is also supposed to educate young people in a spirit of acceptance and respect for others, develop an attitude of respect for the natural environment,

[29] See *ibidem*.
[30] See Annex 3 to the 2017 Regulation.

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motivate them to take action to protect the environment and deepen an interest in environment protection.

In a four-year high school of general education (Pol. *liceum ogólnokształcące*) and a five-year technical high school (Pol. *technikum*), the following subjects are taught: 1) Polish language; 2) modern foreign language; 3) philosophy; 4) Latin language and ancient culture; 5) music; 6) history of music; 7) art; 8) history of art; 9) history; 9a) history and present; 10) civic education; 11) geography; 12) basics of business; 13) biology; 14) chemistry; 15) physics; 16) mathematics; 17) computer science; 18) physical education; 19) security education; 20) family life education; 21) ethics; 22) language of a national or ethnic minority; 22a) language of a national minority – German; 23) regional language – Kashubian. These subjects may be taught in the basic scope or extended scope. An analysis of the content to be taught has shown that some of these subjects can serve the statutory objective of raising awareness of animal protection. These are geography, basics of business, chemistry, security education, biology and ethics.

For the first group of subjects, one of the objectives is to familiarize students with selected issues of broadly understood environmental protection, such as: conditions and interrelations occurring in the natural environment, including the relationship between man and nature; the principle of sustainable development; the condition of the natural environment, forecasting changes taking place in the natural environment and forms of its protection; threats to human health and the environment resulting from the widespread use of plant protection products; rules for rescue operations in emergency situations (e.g. evacuation of animals from endangered areas), etc. It is also important to utilise the educational values of these subjects. These include especially developing such attitudes as: "understanding the non-utilitarian values of selected elements of the natural and cultural environments"; understanding the need for rational management in the geographical environment; assuming common responsibility for the state of the natural environment; readiness to engage in activities for the protection of the natural environment; understanding the role of ethics and responsibility in socio-economic life.

The situation is different in the field of biology and ethics, where clear references can be found to issues directly related to animal protection. Thus, the authors of the core curriculum (as in the case of the subjects described above) list the following main objectives of biology teaching: understanding by the students of the importance of rational management of natural resources, or, for example, understanding the need to respond to changes in the natural environment (including the importance of species restoration and reintroduction for the preservation of biodiversity). In addition, however, various specific requirements laid down for this subject include the need to develop in students an attitude of respect for all living beings and to familiarize themselves with issues such as: the need to preserve traditional animal breeds in order to preserve genetic diversity; the need to use

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various forms of nature conservation (including Natura 2000[31] sites); the need for international cooperation for the protection of biodiversity (CITES,[32] Convention on Biological Diversity,[33] Agenda 21[34]). As it seems, the students can also be made aware of the need for animal protection through showing them the relationship between humans and other animals. As the description of the "conditions and method of teaching" of the subject of biology shows, "the core curriculum deliberately does not distinguish human science as a separate discipline in order to treat the human species as an integral part of the world of organisms and the natural environment".

As far as ethics is concerned, the authors of the core curriculum, when formulating the teaching objectives, clearly indicated the need for students to develop "an attitude of responsibility for themselves and their social and natural environment". The teaching content include a thematic block titled "environmental ethics", which assumes that students will attain the following goals: the understanding of biodiversity and the need to protect it; reflection on the moral status of animals; and the ability to justify the need to protect nature and to engage in environmental protection activities.[35]

[31] Natura 2000 is a special bird protection area, a special habitat protection area or an area of European Union importance which is set up to protect populations of wild birds or natural habitats or species of European Union interest. See Article 5 (2b) and Article 6 (1) (5) of the Act of 16 April 2004 on nature protection (consolidated text, Journal of Laws 2022, item 916, as amended).

[32] See Convention on International Trade in Endangered Species of Wild Fauna and Flora done at Washington on 3 March 1973, UNTS, vol. 993, p. 243 (also referred to as the Washington Convention or CITES). On 12 December 1989, the Republic of Poland deposited the instrument of ratification with the Government of the Swiss Confederation. The Convention entered into force on 1 July 1975 and for the Republic of Poland it became effective on 12 March 1990. The main objective of the Convention is to protect wildlife populations of endangered species by controlling and reducing international trade in endangered species, their recognisable parts and derivatives, and to ensure international cooperation to reduce the illegal trade in specimens of endangered species and raise awareness of human pressure on wildlife.

[33] Convention on Biological Diversity, done at Rio de Janeiro on 5 June 1992, UNTS, vol. 1760, p. 79. The President of the Republic of Poland ratified the Convention on 13 December 1995. The instrument of ratification was deposited with the Secretary-General of the United Nations as depositary on 18 January 1996. The Convention entered into force on 29 December 1993 and became effective for the Republic of Poland on 19 December 1996. In accordance with Article 1 of the Convention, its objectives are the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of the benefits arising out of the utilization of genetic resources, including by appropriate access to genetic resources and by appropriate transfer of relevant technologies, taking into account all rights over those resources and to technologies, and by appropriate funding.

[34] Agenda 21 was adopted as the final document of the UN Conference "Earth Summit" held in Rio de Janeiro (Brazil) from 3 to 14 June 1992. Its signatories amount to 172 UN members, including Poland. The agenda is a bold and comprehensive action plan for the United Nations, national governments and social groups in every area where man has an impact on the environment. Its main objective is to prevent the ecological crisis by ensuring sustainable development and the conservation of natural resources. See https://sustainabledevelopment.un.org/content/documents/Agenda21.pdf (access: 6.3.2023).

[35] See Annex 1 to the 2018 Regulation.

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GENERAL EDUCATION CORE CURRICULUM FOR THE LEVEL 1 VOCATIONAL SCHOOL

The main objective of education in Level 1 vocational schools is to prepare students for obtaining professional qualifications and to provide them with sufficient general knowledge in order to continue their education at a Level 2 vocational school or general high school for adults (starting from the second year), and then in post-secondary schools or higher education institutions. In accordance with the core curriculum, in the process of general education, the school develops in students attitudes conducive to their further individual and social development. In doing so, the school is also required to "educate young people in a spirit of acceptance and respect for others", as well as to shape an attitude of respect for the natural environment, motivate action to protect the environment and develop interest in environment protection.

The subjects of general education in the Level 1 vocational school are: 1) Polish language; 2) modern foreign language; 3) history and present; 4) civic education; 5) basics of business; 6) geography; 7) biology; 8) chemistry; 9) physics; 10) mathematics; 11) computer science; 12) physical education; 13) security education; 14) family life education; 15) ethics; 16) the language of a national or ethnic minority; 16a) language of a national minority – German; 17) Regional language – Kashubian. An analysis of the educational objectives and specific requirements of these subjects shows that only the subjects of geography, biology, chemistry and ethics contain requirements that are directly or indirectly linked to the protection of animals.

Thus, as far as geography, biology and chemistry are concerned, their main objective is: acquainting the student with interrelations between man and nature; explanation of the importance and conditions for the implementation of the principle of sustainable development; explanation of phenomena and processes affecting biodiversity (including the importance of restoration and reintroduction of species for biodiversity conservation). The student should acquire knowledge of various forms of nature conservation and the ability to predict changes occurring in the natural environment. These subjects are also intended to shape the student's positive attitudes towards the environment, including respect for all living beings, understanding the non-utilitarian values of selected elements of the natural environment, and respecting the fundamental principles of environmental protection. It is noticeable here that there are no clear references to the problem of animal protection.

Somewhat different is the case of the subject of ethics, where one of the specific requirements within the thematic block "environmental ethics" is the reflection by the student on the issue of "moral status of animals". In addition, there are also requirements related to the knowledge of biodiversity conservation, nature conservation, involvement in environmental actions and the development of responsibility for the "natural environment". It is worth noting that in the section

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defining the conditions and method of teaching of ethics, the authors of the core curriculum point to the "great practical importance" of listed bioethical issues and environmental ethics issues. They also stipulate that the list of topics set out in the core curriculum is open-ended and may be supplemented by issues of particular interest to the class participants.[36]

GENERAL EDUCATION CORE CURRICULUM FOR THE SPECIAL VOCATIONAL SCHOOL FOR STUDENTS WITH DISABILITIES

According to the general education core curriculum for special vocational schools for students with disabilities, for people with moderately or severely intellectual disability and for students with multiple disabilities, the goal of education of this group of students is to prepare them for "adulthood", including preparation to employment (as far as their development and educational capabilities allow). This is to be done by consolidating and broadening the previously acquired knowledge and skills, and by educating new competences. The classes to be conducted in the special vocational school for students with disabilities include: (1) educational activities (personal and social functioning, activities developing communication, creativity classes, preparation for work, physical education, ethics); (2) revalidation classes.

The analysis of educational objectives and the content of these classes allows us to conclude that only the description of ethics formulates requirements containing certain references to the analytical category discussed here. More specifically, according to the tenets of the core curriculum, one of the main goals of ethics classes is to "develop a positive attitude" towards the natural environment. This corresponds in some way to the description of the tasks of the special vocational school for students with disabilities. One such task is to "create conditions for taking practical actions to protect the environment". However, no specific animal protection requirements are laid down in the general education core curriculum for special vocational schools for students with disabilities.[37]

GENERAL EDUCATION CORE CURRICULUM FOR THE LEVEL 2 VOCATIONAL SCHOOL

General education in the Level 2 vocational school is the continuation of general education in the Level 1 vocational school. Its main objective is to prepare students for obtaining professional skills and to provide students with the appropriate

[36] See Annexes 4 and 4a to the 2017 Regulation.
[37] See Annex 5 to the 2017 Regulation.

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amount of general knowledge. In addition, according to the assumptions of the core curriculum, "the school shall care for the education of young people in the spirit of acceptance and respect for others, shapes the attitude of respect for the natural environment, motivates to activities for environmental protection and develops interest in ecology". The subjects of general education in the Level 2 vocational school include: 1) Polish language; 2) modern foreign language; 3) mathematics; 4) computer science; 5) physical education; 6) ethics; 7) national or ethnic minority language; 8) national minority language – German language; 9) regional language – Kashubian language.

An analysis of the content of the general education core curriculum revealed that, as this type of school is concerned, only the general and specific requirements for the subject of ethics contain references to the problem of animal protection. More specifically, one of the basic objectives of education as part of the subject of ethics is "to develop an attitude of responsibility for oneself and for one's social and natural environment". Moreover, the part on the content of teaching contains a thematic section "environmental ethics", in which it was assumed that in the course of education students would acquire the skills of determining what biodiversity is, as well as of justifying the need to protect biodiversity; considering the issue of the moral status of animals; formulating arguments for nature protection and engaging in activities for environmental protection.[38]

GENERAL EDUCATION CORE CURRICULUM FOR THE POST-SECONDARY SCHOOL

The core curriculum for post-secondary education only specifies requirements for the subjects of physical education and basics of business. The content of teaching these subjects does not include the issue of animal protection. Of course, this does not mean that it cannot be extended by teachers to include such an issue. All the more so since in the case of both physical education and basics of business, the authors of the core curriculum have paid much attention to the need to shape ethical attitudes of students. Moreover, this is a problem which is naturally related to such topics as proper nutrition (content of physical education implemented within the thematic block of health education) or, for example, ethical principles in business and corporate social responsibility (content of the basics of business taught as part of the thematic block of enterprise). It is worth noting here that the teaching of basics of business is provided for students who have not been taught this subject at an earlier educational stage.[39]

[38] See Annexes 2 and 3 to the 2018 Regulation.

[39] See Annex 6 to the 2017 Regulation.

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THE CORE CURRICULUM FOR THE CATECHESIS OF THE CATHOLIC CHURCH IN POLAND

In view of the fact that religious education is organised in public kindergartens and schools in Poland (separately for individual denominations),[40] it is worth determining how the issue of animal protection is addressed in the curriculum documents for this subject. Beforehand, however, it should be made clear that attendance at religion classes (as well as ethics classes) is not compulsory[41] and the grade achieved in this subject (as in the case of ethics) does not affect promotion of a student to the next year. Religious instruction is based on curricula developed and approved by the competent authorities of churches and other religious associations and presented to the Minister of National Education for information (the same principles apply to textbooks for religious instruction).[42] Due to the fact that Roman Catholicism is the majority religion in Poland,[43] further comments will concern only the "Core curriculum for catechesis of the Catholic Church"[44] (hereinafter: CCC). This is also important because there are claims that the Christian religion allegedly perpetuates the stereotype of considering animals as things and is responsible for the current environmental crisis.[45]

[40] The religion classes are to be held "upon the request" of parents or students themselves (if of age of majority). Under the legislation currently in force, the child may attend religion classes or/and ethics classes.

[41] A study by the Public Opinion Research Center (CBOS) shows that the percentage of students taking part in religion classes has been falling steadily since 2011. While 93% of respondents declared their participation in religion classes in 2010, the rate has already fallen to 70% in 2018 and 54% in 2021. See M. Grabowska, *Polski pejzaż religijny – z bliższego planu*, July 2022, https://www.cbos.pl/SPISKOM.POL/2022/K_091_22.PDF (access: 4.5.2024), p. 5.

[42] See Regulation of the Minister of National Education of 14 April 1992 on the conditions and methods of organizing religion classes in public kindergartens and schools (consolidated text, Journal of Laws 2020, item 983).

[43] According to a survey conducted by CBOS, 91% of Poles consider themselves Catholics (data from October 2021). See R. Boguszewski, *Źródła zasad moralnych*, January 2022, https://www.cbos.pl/SPISKOM.POL/2022/K_001_22.PDF (access: 4.5.2024), p. 1.

[44] See the Core curriculum for catechesis of the Catholic Church in Poland (Pol. *Podstawa programowa katechezy Kościoła katolickiego w Polsce*), a document adopted at the 379th Plenary meeting of the Polish Episcopal Conference, 8 June 2018. The document is not disseminated in open access. Those interested must buy a print thereof in the bookstore of Wydawnictwo Edycja Świętego Pawła which has an exclusive right of distribution, or use copies available in libraries.

[45] As in, e.g., L.T. White Jr., *The Historical Roots of Our Ecological Crisis*, "Science" 1967, vol. 155(3767), pp. 1205–1207. Cf. *Encyklika Laudato si' Ojca Świętego Franciszka poświęcona trosce o wspólny dom*, Wrocław 2015, pp. 53–55; R.F. Sadowski, *Filozoficzny spór o rolę chrześcijaństwa w kwestii ekologicznej*, Warszawa 2015, pp. 104–111; M. Łuszczyńska, *Czyńcie sobie Ziemię poddaną. Ekologiczne dylematy w nauczaniu społecznym Kościoła katolickiego*, Lublin 2021, passim; B. Klimek, *Przemoc wobec zwierząt i prawna ochrona zwierząt w Polsce*, "Życie Weterynaryjne" 2018, no. 9, p. 614.

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Before discussing the content of the CCC in this respect, it should be noted that this document defines the core curriculum for the teaching of religion during pre-school education and at individual stages of school education, indicating the essential catechetical objectives and requirements for the so-called content synthesis, i.e. the correlation of the teaching of religion with the requirements for other school subjects. The authors of the document stipulate that this correlation is intended to take account of the content of the subjects of instruction which is relevant for the catechetical purposes of religion classes. Moreover, depending on the "specific school-related context", it can perform not only an integrating function but sometimes a complementary or polemic function. Religious education itself, on the other hand, is to be understood as "all interactions aimed at forming human life capabilities in a religious dimension".[46]

As regards the substance of the curriculum, it should be noted that the CCC does not contain the word *animal* at all, and there are no specific requirements for animal protection issues. However, this does not mean that the issue has been completely ignored.[47] In fact, one should note the descriptions of those catechetical objectives and the corresponding content and specific requirements which are directed towards educating children and young people to respect the environment. This intention is also evident in the assumptions of correlation of religious education with such subjects as natural education, nature, geography, biology and security education. Tasks in this area have been described separately for each stage of religious education (kindergarten, years I to IV of primary school, years V to VIII of primary school, secondary school, special school for students with disabilities). A detailed discussion of these is far beyond the scope of this study. However, it should be pointed out that at each of these stages, including pre-school catechisation, the authors of the CCC set catechists the task of presenting the work of creation of the world in a theological perspective ("the world as a gift of God").[48] This provides an opportunity to include environmental topics in the religious education curricula, which should be directed towards the development of the student's awareness and competence in the appropriate use of the richness of the natural environment, including the formation of appropriate attitudes towards animals. Moreover, the issue of animal protection should be treated as one of the planes of interdisciplinary dialogue as part of the above-mentioned correlation of religion classes with other school subjects. In fact, its curricular assumptions provide for contents such as: "assisting in the understanding of concepts relating to natural phenomena"; "forming responsibility for the natural environment"; "rational management of natural

[46] CCC, p. 14.

[47] Cf. A. Zellma, *Postawa wobec zwierząt w dokumentach programowych nauczania religii w polskiej szkole*, "Forum Teologiczne" 2005, vol. 6, pp. 111, 116–117.

[48] CCC, p. 21, 33, 72, 102, 154.

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resources in accordance with the principle of sustainable development"; "forms of nature protection in Poland and the necessity of their use for the preservation of species and ecosystems"; "protection of the natural environment"; "benefits and risks of the use of genetically modified organisms in agriculture, industry, medicine and research"; "ecology".[49]

CONCLUSIONS

Summarizing the findings made above, two points should be noted. Firstly, the statutory requirement to include animal welfare in the general education core curriculum is of paramount importance. Secondly, it should be pointed out that this task is being carried out in a limited way. Considering that the importance of school education in promoting the idea of humane treatment of animals has been sufficiently explained above, the second issue should be addressed. The studies carried out show that the educational objectives set out in the core curriculum focus primarily on issues related to environmental protection in the broad sense, the principle of sustainable development and the protection of biodiversity.[50] However, it lacks any content that explicitly refers to the protection of animals (or, even if there is any, it is very little). Formally speaking, the obligation can therefore be assumed to have been fulfilled.[51] However, it cannot be considered that the actual objective of the regulation (*ratio legis*) of Article 8 (2) APA[52] was achieved in this situation. In any case, there is a risk that animal welfare will not be included in

[49] CCC, pp. 24, 48, 88–90, 133.

[50] The definition of teaching objectives and teaching content for environmental education in the core curriculum is the implementation of obligations set out in various laws. See Act of 27 April 2001 – Environmental Protection Law (consolidated text, Journal of Laws 2022, item 2556, as amended); Article 1 (15) of the Education Law; Article 2 (2) (7) and Article 4 (2) and (3) of the Act of 16 April 2004 on nature protection.

[51] For example, see Odpowiedź podsekretarza stanu w Ministerstwie Edukacji Narodowej i Sportu – z upoważnienia ministra – na interpelację nr 689 w sprawie programów nauczania z zakresu ochrony zwierząt, Warszawa, 5.2.2002, http://orka2.sejm.gov.pl/IZ4.nsf/main/3B766378 (access: 25.6.2023); Odpowiedź Ministerstwa Edukacji Narodowej na petycję z dnia 6 czerwca 2018 r., DPPI-WPPiP.053.4.2018.DP, Warszawa, 19.7.2018, p. 4.

[52] As early as in 2012, a similar view on this issue was expressed by J. Miłkowska-Rębowska (*Nowy model humanitarnej ochrony zwierząt – karnoprawne instrumenty ochrony oraz ukształtowanie obowiązków gmin w zakresie przeciwdziałania bezdomności zwierząt*, "Przegląd Prawa Ochrony Środowiska" 2012, no. 1, pp. 29–30), who stated in an article on the model of humane animal protection that: "The obligation to include relevant content in the general education core curriculum can hardly be considered as fulfilled. In accordance with the wording of relevant regulations, education in the sphere of promoting the protection of biodiversity (due to the constitutional principle of sustainable development) occupies a prominent place; however, there were no clear attempts to develop a humane attitude towards animals in schoolchildren. From a sociological and psychological points of view,

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curricula. Although it should be stressed that curricula may cover teaching content that goes beyond the content set for the classes in question in the general education core curriculum.[53] However, this must never be at the expense of what is included in the core curriculum. With all this in mind, it should be proposed to redefine the objectives and educational content on animal protection in the general education core curriculum, which should be implemented obligatorily within the framework of institutionalized formal education. The main goal is to make children and young people more sensitive to the suffering of animals and to promote the attitude of responsible ownership. The ratification of the European Convention for the Protection of Pet Animals of 13 November 1987, which, in Article 14, requires States Parties to promote the development of information and education programmes to promote awareness of the principles laid down in the Convention, could be helpful in this respect. It also seems necessary to give more detail to the authorisation contained in Article 8 (2) APA in order to make the intention of the legislature clear as to the issues that should be included in the general education core curriculum.[54] It seems that the simplest way to do this would be to oblige the minister responsible for education to include in the general education core curriculum the provisions of the above-mentioned Convention and animal protection standards set out in the APA.[55] This is important because universal education in this area may mean that the postulate of humane treatment of animals expressed under the APA will not be an empty slogan.[56] As A. Elżanowski rightly pointed out: "In the long run, it is necessary to have cooperation between education of society and the legislation, because without education there will be no legislation, and the effects of education without legislation are ephemeral".[57]

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childhood is the most appropriate period for developing empathy and appropriate attitudes towards animals and nature".

[53] See Article 22a (4) of the Act of 7 September 1991 on the educational system (consolidated text, Journal of Laws 2022, item 2230).

[54] On the requirements regarding the authorisation to issue secondary legislation, see Biuro Trybunału Konstytucyjnego, *Proces prawotwórczy w świetle orzecznictwa Trybunału Konstytucyjnego. Wypowiedzi Trybunału Konstytucyjnego dotyczące zagadnień związanych z procesem legislacyjnym*, 2015, https://trybunal.gov.pl/fileadmin/content/dokumenty/proces_prawotworczy.pdf (access: 30.6.2023), pp. 181–205.

[55] Similar postulates have long been proposed by animal protection organizations. For example, see Fundacja dla Zwierząt ARGOS, *Projekt zmian w ustawie o ochronie zwierząt*, http://www.boz.org.pl/fz/prawo/ju.htm#a8 (access: 30.6.2023).

[56] D. Probucka, *Prawa zwierząt*, Kraków 2015, p. 82. For the issue of importance of education in promoting the idea of animal protection, see P. Waldau, *Prawa zwierząt. Co każdy powinien wiedzieć*, Warszawa 2021, pp. 167–185.

[57] *Unia Europejska daje szansę na poprawę losu zwierząt. Rozmowa z prof. dr. hab. Andrzejem Elżanowskim, zoologiem i bioetykiem*, [in:] *Książka o prawach zwierząt*, ed. J. Wydrych, Kraków 2014, p. 122.

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ABSTRAKT

Artykuł ma charakter naukowo-badawczy, a jego zasadniczym celem jest analiza regulacji prawnych przewidujących obowiązki w zakresie upowszechniania wiedzy o ochronie zwierząt oraz dokonanie ich oceny i sformułowanie postulatów optymalizacyjnych. Formalno-dogmatyczna analiza przepisów obowiązujących w polskim porządku prawnym została poprzedzona ustaleniami, w jaki sposób przedmiotowa kwestia unormowana jest w prawie międzynarodowym i unijnym. Za podjęciem tego zagadnienia przemawia przede wszystkim fakt, że edukacja formalna ma olbrzymią rolę do odegrania w zakresie ochrony zwierząt. Niestety, problematyka ta została zmarginalizowana we wszystkich omawianych w tym tekście porządkach prawnych. W każdym razie przyjęte rozwiązania normatywne należy ocenić jako dalece niewystarczające, co dotyczy w szczególności realizacji ustawowego obowiązku, jakim jest uwzględnienie problematyki ochrony zwierząt w podstawie programowej kształcenia ogólnego. Ponadto niezwykle rzadko zagadnienie to staje się przedmiotem pogłębionych analiz naukowych. W założeniu więc upowszechnienie niepublikowanych wcześniej wyników badań pomoże w wypracowaniu lepszych rozwiązań legislacyjnych oraz podniesie poziom świadomości społecznej w przedmiocie ochrony zwierząt, co jest jednym z warunków dalszego postępu cywilizacyjnego.

Słowa kluczowe: prawo; ochrona zwierząt; edukacja formalna; szkoła; wiedza; wychowanie