

## **Summary**

### **The principle of trust towards parties to proceedings in canonical cases concerning matrimonial nullity**

The aim of the dissertation is to analyse and interpret changes in the process for declaring matrimonial nullity and to evaluate them in the context of trust in the parties to the proceedings. The dissertation adopted the thesis: The church legislator, introducing over the years subsequent changes in procedural solutions defining the framework for canonical recognition of the issue of the validity or nullity of marriage, models and directs the mutual procedural relations of entities involved in the case in such a way that the question of mutual trust plays an increasingly important role.

The monograph searched for answers to the following questions: Who, in the specificity of matrimonial matters, has the status of a party to the proceedings and to what extent? How, for the purposes of these matters, can the term “trust” be defined and against what criteria can we define the limits and legal guarantees of trust? In which areas and phases of the judicial procedure for matrimonial nullity — at various stages of its historical development — is it possible to identify changes that would verify the thesis (concerning the development of an approach towards parties to proceedings which moves in the direction of increasing trust in them)? Do these changes have one basic direction, or is it impossible to define and specify? In the current legal situation, i.e. after the 2015 reform of the marriage process, is it already possible to speak of trust in parties to proceedings as one of the principles in the interpretation and application of legal regulations provided for in these cases?

The issues raised in the dissertation have been developed in two main parts, which have been divided into chapters extended into smaller thematic units. Each chapter ends with a summary. This is preceded by a table of contents, an introduction and a list of abbreviations.

The first part of the monograph contains an explanation of the basic terminology, the proper definition of which was essential for the transparency of the analyses of the second part of the study. The first chapter of this part describes the term “party” and its possible range of meaning. The terms petitioner and respondent are discussed in the second and third chapters. The next chapter is devoted to the promoter of justice and the defender of the marriage bond. Chapter five focuses on the procurator and advocate, while the sixth chapter defines the concept of trust and indicates the legal framework for its application to parties to proceedings in cases of declarations of nullity of marriage.

The second part of the dissertation contains an analysis and interpretation of the significance of key changes in the process of declarations of matrimonial nullity relating to the parties to proceedings, which are closely related to the question of trust towards them. The first chapter of this section is devoted to changes to the right to challenge a marriage. The second characterises changes in the area of competent jurisdiction. The third deals with the evolution of the approach to the parties’ statements. The fourth is devoted to changes to the appeal process, and the fifth chapter explains the significance of novelties related to the establishment of the “briefer process” before the bishop.

The ending is a synthesis of the analyses carried out and an attempt to answer specific questions derived from the main research thesis. The whole dissertation is supplemented by a bibliographic list of sources and studies used and a summary of the dissertation in English.