

Summary

The influence of a psychology expert's report on judgments concerning annulments in the Church Court of the Kyiv-Zhytomyr Diocese in 2008-2015.

The increase in the number of cases in tribunals for the annulment of marriage for psychological reasons means that the problem is no longer solely canonists' domain. In settling the nullity of a contracted marriage, the church judge is assisted by experts, and very often, they are psychology experts. In proceedings of marriage annulments, the Instruction *Dignitas connubii* recommends five primary means of proof: statements of the parties, documents, testimonies of witnesses, expert opinions, and presumptions. In some cases, it is the opinions of experts that are determined by jurisprudence as the measure with the greatest evidential value. In line with the currently adopted methodology, this dissertation has been divided into four chapters ending with conclusions.

The first chapter analyzes the terminology used in the doctrine, explaining the concept of an expert and his opinion. A reflection was made concerning the person of an expert present in the canonical proceedings, specifically in marriage nullity cases. Following the provisions of the Instruction *Dignitas connubii*, in matters relating to the inability to undertake essential conjugal obligations, all the actions of an expert in a nullity trial are to lead to an answer to the question of what is the nature (heavy, light) and the psychological reason that causes not only serious difficulties but also the inability to undertake tasks related to conjugal obligations.

The second chapter is devoted to the problem of alcoholism as a cause of marriage nullity. Alcoholism is a complex problem; it has different origins and is perceived differently at the subsequent stages of human life. Alcoholism among women and its influence on the mother's offspring has also been analyzed. Alcohol addiction is the cause of a person's inability to undertake essential marital duties, which is particularly evident in the work of church courts. The second part of the chapter analyzes all processes where alcoholism is the leading cause of the inability to get married, along with the conclusions of experts who, based on the collected data, issued their own scientific opinion on the existence or absence of alcohol dependence when the marriage ended.

The third chapter analyzes the concept and causes of dissocial personality. It has been found that many cases of this type of personality disorder are linked to the pathological atmosphere in the family. Some general features of dissocial personality are also presented in this work, mainly antisocial behavior, manipulation, lying, and emotional immaturity. One of the typical features of a dissocial personality is a lack of empathy and, consequently, the inability to establish long-term interpersonal relationships. Out of 119 trials conducted due to a person's incapacity to take up essential conjugal obligations, 43 cases were connected with dissocial personality, which experts confirmed during the examination of the files. In the analyzed proceedings, experts' opinions were taken into account, as it is known that a canonist cannot ignore a specialist opinion that states the presence of pathological elements relating to the mental state of a person.

The fourth chapter is devoted to the remaining mental causes of a person's inability to get married, namely: immature and dependent personality disorder; emotional disorders such as borderline personality disorder, narcissistic or schizoid personality disorder; as well as psychosexual problems such as frigidity. All the reasons mentioned above appeared in the tribunal trials of the Kyiv-Zhytomyr Diocese in the analyzed period. There were relatively fewer such cases than cases associated with alcoholism or psychological disorders; hence it was essential to use the expertise of psychologists.

The present dissertation shows that the expert's opinion helps the judge to achieve moral certainty and brings clarity to the origin of mental disorders and the impact of such disorders on the possibility of fulfilling conjugal obligations. The expert's report indicates an objective reason existing at the time when the marriage ended.